

Lost Pines Groundwater Conservation District

Board of Directors Agenda Minutes

Wednesday, January 15, 2020

The Board of Directors convened at 7:00 p.m. in a meeting pursuant to public notice having been given, at Bastrop City Hall, Bastrop, Texas. The following members of the Board were present: President, Michael Talbot; Vice-President, Billy Sherrill; Secretary-Treasurer, Doug Prinz; Directors: Herbert Cook, David Fleming, Larry Schatte, Michael Simmang and Carl Steinbach.

Staff members present: Jim Totten, General Manager; Peggy Campion and Dana Goertz.

Consultants present: Natasha Martin and Matt Kutac, Attorneys.

The following members of the public attended the meeting: see attachment one (1).

1. President Talbot called the meeting to order.
2. Welcome and introductions.
3. *Swearing in Directors to the Board commencing new terms.* President Michael Talbot, Vice-President Sherrill, Director Schatte and newly appointed Board member Phil Cook were sworn in by Assistant Board Secretary Peggy Campion. After he was sworn in, Director Phil Cook stated that he is currently affiliated with Environmental Stewardship and the Simsboro Aquifer Water Defense Fund. He noted that should a conflict arise between his service on the District Board and these affiliations or any other personal interest, he would consult with the District's attorneys regarding recusal on those matters.
4. *Pursuant to Board Rule 2.1 A, the Board will conduct its annual election for president, vice-president and secretary-treasurer.* President Talbot called for nominations for President. Director Fleming moved that the existing President, Vice-President and Secretary-Treasurer remain in place. Director Cook seconded the motion, which carried unanimously.
5. *Appointment of Committees for 2020.* President Talbot reviewed the committees for the Board.
6. *Public Comments.* The Board heard comments from the public.
7. *Review and approval of the minutes of the December 11, 2019 Board meeting.* Director Steinbach moved to approve the minutes of the December 11, 2019 Board meeting. Director Schatte seconded the motion, which carried unanimously. Director P. Cook abstained.
8. *Consideration and possible action on adoption of the Memorandum of Understanding between the Texas Department of Licensing and Regulation and the Texas Commission on Environmental Quality regarding coordination of efforts with groundwater conservation districts for abandoned*

and/or deteriorated wells in the districts. The Board heard from General Manager Totten and Natasha Martin, Attorney regarding the Memorandum of Understanding. After Board discussion, Director Fleming moved to adopt the Memorandum of Understanding between the Texas Department of Licensing and Regulation and the Texas Commission on Environmental Quality regarding coordination of efforts with groundwater conservation districts for abandoned and/or deteriorated wells in the districts. Secretary-Treasurer Prinz seconded the motion, which failed. Vice-President Sherrill, Directors Steinbach, Simmang and Schatte opposed the motion. Director P. Cook abstained.

9. *Consideration and possible action regarding selection of most qualified candidate responding to request for qualifications statements for professional architectural and engineering services, including Building Committee recommendation with respect to same.* After hearing from the building committee and Board discussion, Director Fleming moved to table this item to the February Board meeting. Director Steinbach seconded the motion, which carried unanimously.

10. *Consideration and possible action on adoption of a 401K plan for District employees.* Director Fleming provided a memo to the Board outlining a 401K plan. After Board discussion, Director Fleming moved to authorize the General Manager to take necessary actions and execute all documents in order to establish a 401K retirement plan for all employees, delete the benefits line item in the budget and roll that amount into the salary for each employee, add a 401K employee match line item to the budget reflecting the one time account establishment fees and the annual fees and a maximum match of 4% of each employee's salary, and make the budget amendment as he feels necessary to bring back to the Board to present and have approved. Within three (3) months before the end of this budget year, the District plans to go out for RFQ's and the budget committee will use that when they present their budget. Director Simmang seconded the motion, which carried unanimously.

11. *Consideration of the financial report for the period of December 1, 2019 through December 31, 2019.* General Manager Totten presented the financial report. Director Fleming moved to accept the financial report as presented. Director Steinbach seconded the motion, which carried unanimously.

12. *General Manager's Report.* President Talbot next recognized General Manager Totten for presentation of the General Manager's report.

13. *Discussion of Lost Pines Groundwater Conservation District Legislation, related legislation and/or activities occurring that affect or pertain to the District and Groundwater.* In the absence of Greg Ellis, General Manager Totten gave a legislative update to the Board.

14. *Consideration of conferences, meetings and educational opportunities Board members desire to attend.* President Talbot and Directors Simmang and P. Cook will attend the Water Law Conference in February in San Antonio, Texas.

15. *Consideration of agenda calendar and events.* The next regular meeting of the Board of Directors will be February 19, 2020 at Giddings Public Library, Giddings, Texas.

16. *Executive session pursuant to Tex. Gov't Code section 551.071 so that the Board may seek the advice of its Attorney regarding pending or contemplated litigation, including, but not limited to the following:*

- a) *Applications of Lower Colorado River Authority for Operating Permits and Transfer Permits for Eight Wells in Bastrop County; SOAH Docket No. 952-19-0705, State Office of Administrative Hearings.*

There was no action taken on this agenda item.

President Talbot adjourned the meeting at 8:02 p.m.

Approved:



Billy Sherrill, Vice-President



Peggy Champion, Assistant Secretary