

MINUTES

CAPITAL AREA GROUNDWATER CONSERVATION DISTRICT

January 25, 2021

I. Call to Order

The Capital Area Groundwater Conservation District met for a regular meeting at 10:00 a.m. on January 25, 2021 at the Louisiana State Capitol, House Committee Room #5, 900 N. 3rd Street, Baton Rouge, LA. The meeting was called to order by the Chairman, William Daniel.

II. Roll Call

The following members were present: Ronnie Albritton, Scott Bergeron, William Daniel, Kenneth Dawson, Patrick Hobbins, Dennis McGehee, Jesse Means, Nelson Morvant, Joey Normand, Matthew Reonas, Ryan Scardina, Todd Talbot and Hays Town. The following members were absent: Mark Frey, Karen Gautreaux, Thomas Perkins, “J.A.” Rummeler and Tom Stephens.

Others attending the meeting were: Gary Beard & Shawn Scallan, Capital Area Groundwater Conservation District; Alyssa Dausman, The Water Institute; Hunter Odom; Marionneaux Kantrow, LLC; Tyler McCloud, Louisiana House of Representatives; Dr. Frank Tsai, Louisiana State University; Roy Waggenspack, Owen & White; Douglas Carlson, Louisiana Geological Survey; George Losonsky, Losonsky & Associates; Tara Wicker, W Consulting Group; Sergio Capello, Capello Oil; Katelyn Lucas, ExxonMobil; and Theron Cooper, Louisiana Chemical Association.

III. Amendments to the Agenda

Mr. Beard requested that two items under his Executive Report be added. Because no action was required on these items, no vote was needed and the items were added to the agenda.

IV. Minutes

Mr. Dawson made a motion that the minutes of the November 19, 2020 be approved. Mr. Means seconded the motion and it passed unanimously.

V. Executive Director’s Report

At the request of Chairman Daniel, Mr. Gary Beard gave a report on the items below. Following is a summary of items discussed at the meeting.

- Mr. Beard confirmed with the Board to proceed with rulemaking on the following: 1) all new water production in the “1,000-foot”, “1,500-foot”, and “1,700-foot” sands of the Baton Rouge (area) shall be limited to public supply, with the limitations applying to all new wells in the District; 2) requiring board approval before any future water well permits are issued; and 3) pumping limits that are in place will be subject to annual review and re-adoption at the last Commission meeting each calendar year.

- Mr. Beard reported that Hometown Productions will video during the meeting. The video will be used as public outreach and will be aired on television.
- Mr. Beard reported that he issued a request for qualifications (RFQ) for professional services to meter groundwater wells in the six parish area. Spoke with three companies that expressed an interest but only one company, Sustainability Partners, provided a timely response to the RFQ. Mr. Beard stated that he would like to bring the cooperative endeavor agreement with technical solutions and cost before the Administrative Committee in a timely manner for their review and approval and then to the full board for approval.
- Financial conditions as of December 31, 2020 were provided to the Board.
- Mr. Beard reported that he submitted a request for capital outlay for 2021-2022 in a timely manner to help support the District with The Water Institute project and future needs of the District with respect to metering. Mr. Beard added that he contacted the Louisiana Corps of Engineers to inquire about grants for monitoring wells. Mr. Beard added that he along with Ken Dawson plan to meet with Congressman Garret Graves to implement a program possibly a cooperative endeavor with the District's six parishes. Mr. Dawson added that this program requires a 25% match by the District.
- Mr. Beard stated that he plans to review the District's enabling statute to confirm that everything the Board is trying to accomplish is covered. He will request that Marionneaux and Kantrow review this. Mr. Daniel suggested that Mr. Beard contact the Chair of the House and Senate Committees to see if there is anything that needs to be done prior the upcoming legislative session. Mr. Reonas mentioned that back in 2014-2015 the Commission thought about a piece of legislation that would have allowed the District to alter the fee structure to those areas that were more threatened by saltwater intrusion. Mr. Daniel requested that Mr. Beard research other water districts in the country and their fee structure. Mr. Normand recommended that this matter be addressed by a committee. Mr. Daniel assigned this item to the technical committee and then to the administrative committee for further review.
- Mr. Beard updated the board on field investigations of the groundwater wells in the District. Mr. Morvant asked if a report will be produced from this information. Mr. Beard replied yes.
- The Water Institute gave an update on their project.
- Mr. Beard gave an update on the Performance Audit. Mr. Daniel requested that when the Executive Director corresponds with the auditor and state officials to copy the board members.
- Mr. Hunter Odom, Marionneaux & Kantrow, presented a records retention schedule for the District to the board. The last schedule was done in 1985. Mr. Odom stated that the schedule was submitted to Louisiana State Archives but can be amended. It was suggested that this item be addressed at a technical committee meeting.
- Mr. Beard stated that he anticipates the staff growing. Mr. Beard reported that he met with RCL Architecture to research where the Board is now and will be in the future. He requested that they determine if we should continue to rent or find an existing building or build a new office. Mr. Beard stated that he has a contract for \$7,500 with RCL Architecture. Mr. Reonas & Mr. Morvant requested that Mr. Beard check into buildings

that the State owns which may be more cost effective. Mr. Normand stressed the importance of Mr. Beard keeping the board members informed.

- Mr. Beard reported that Tara Wicker is currently helping the District with public outreach. Mr. Beard stated that he is looking forward to working with her group in the future.

VI. Chairman's Report

Chairman William Daniel reported that all board members have been assigned to a committee; however, members are not required to serve on one and to notify him if you do not wish to serve. Mr. Daniel then proposed the following as a meeting schedule for 2021; third Monday of the following months: January, March, May, July, September and November at 10:00 a.m. After discussion, Mr. Talbot made a motion to schedule meetings for every third Thursday of the following months: January, March, May, July, September and November at 10:00 a.m. Mr. Town seconded the motion. A roll call was taken: Yeas – 13; Nays – 0; Abstain – 0. Motion passed.

VII. Member Agenda Items

Mr. Talbot reported that Mr. Frey submitted amendments to the District's By-laws. Mr. Talbot reported that Mr. Frey decided to address his item at the next Administrative Committee meeting. Mr. Talbot made a motion to add this agenda item to the Administrative Committee meeting. Mr. Reonas seconded this motion. There was no objection. The motion passed.

VIII. Trustee for CAGCD Trust Fund for Postemployment Benefits

Mr. Hunter Odom reported that the trustee for the trust fund agreement required an update. Mr. Normand made the following motion "It has become necessary to replace the Trustee of the Trust for the Funded Retiree Health Benefits for the Employees of the Capital Area Ground Water Conservation Commission (CAGWCC). Therefore, in accordance with Article Eight of the Trust Agreement for Funded Retiree Health Benefits for the Employees of the Capital Area Ground Water Conservation Commission dated June 29, 2015, I make a motion that Anthony J. Duplechin be removed as Trustee of said Trust, and that Shawn Scallan, the Assistant Executive Director of this Commission, and either (a) an independent institutional trustee authorized to act as a trustee under the laws of Louisiana, or (b) an individual who has been nominated and approved by a majority of the Participants under the Funded Retiree Health Benefits Plan for the Employees of CAGWCC, be named and designated by resolution of this Commission as the co-Trustees who shall faithfully carry out the duties of the office of the Trustee as described in Article Five of the June 29, 2015 Trust Agreement and that said Trust Agreement be amended as legally required for this effect." Mr. Morvant seconded the motion. There was no objection. The motion passed. Mr. Daniel inquired as to whether or not an agency like LASERS could help the board with this and use their resources. Mr. Odom stated that they will research this.

IX. Old Business

Mr. McGehee stated that when the trust fund was formed that there was a reason that the Board wanted a separate fund from the State. He asked that whatever the reason was at that time that Marionneaux Kantrow review this.

Mr. Normand suggested that the Board formally make Marionneaux Kantrow their general counsel. He stated that, if needed, this item could be addressed at the Administrative Committee meeting.

X. New Business

There was no new business.

XI. Announcements

Chairman Daniel presented Mr. Morvant with a plaque of appreciation for his service as Chairman from 2018-2020. Mr. Daniel thanked Mr. Morvant for his outstanding job in leading the Commission forward.

XII. Public Comment

There was no public comment.

XIII. Adjournment

Mr. Talbot made a motion to adjourn. Mr. Dawson seconded the motion. There was no objection. The motion passed. The meeting was adjourned at 11:35 a.m.

William B. Daniel IV, P.E.
Chairman

Mark Frey
Secretary/Treasurer