

MINUTES

CAPITAL AREA GROUND WATER CONSERVATION COMMISSION

June 19, 2018

I. Call to Order

The Capital Area Ground Water Conservation Commission met for a regular meeting at 9:30 a.m. on June 19, 2018 in the U.S. Geological Survey's auditorium at 3535 South Sherwood Forest, Suite 120, Baton Rouge, Louisiana. The meeting was called to order by the Chairman, Barry Huggins.

II. Roll Call

The following members were present: Ronnie Albritton, William Daniel, Mark Frey, Barry Huggins, John Jennings, Dennis McGehee, Julius Metz, Nelson Morvant, Matthew Reonas, Ryan Scardina, Todd Talbot, Hays Town and Mark Walton. The following members were absent: Henry Davis, Johan Forsman, Jens Rummeler and Tom Stephens.

Others attending the meeting were: Anthony Duplechin and Shawn Scallan, Capital Area Ground Water Conservation District; Roy Waggenpack, Owen & White; Harry Vorhoff, Louisiana Attorney General's Office; Steve Hardy, The Advocate; Max Lindaman & Vincent White, U.S. Geological Survey; Paul Frey, Water Resources Commission; Henry Graham, Louisiana Chemical Association; Ken Dawson, Ascension Parish Council; Stuart Lambert and Bruce Duhe, Layne Christensen; Alyssa Dausman & Ryan Clark, The Water Institute; Tom Butler, Rampart Resources; Michael Layne, Baton Rouge Water Company; William Iturralde & James Devitt, Louisiana Department of Natural Resources; and Frank Tsai, Louisiana State University.

III. Amend Agenda

Mr. Reonas made a motion to amend the agenda to move the administrative item, approval of budget for fiscal year 2018-2019, to be discussed after the Chairman's report. Mr. Daniel seconded the motion and it passed unanimously.

IV. Minutes

Mr. Daniel made a motion that the minutes of the March 26, 2018 meeting be approved. Mr. Walton seconded this motion. Mr. Reonas requested an amendment to the minutes to add on page two under Administrative Committee Report, 4th paragraph to state, "Mr. Huggins requested that Mr. Reonas provide in writing suggested improvements to personnel forms and policies for consideration at the next meeting." Mr. Daniel amended his motion to accept the minutes with the edit by Mr. Reonas. Mr. Walton seconded this motion. The motion passed unanimously.

V. Report from the Administrative Committee

At the request of the Chairman, Barry Huggins, Mr. Jennings reported on the meeting that was held June 12, 2018 at 8:30 a.m. Following is a summary of items discussed at the meeting and further discussion and action at the regular Commission meeting on June 19, 2018 at 9:30 a.m.

Mr. Jennings explained that Chairman Barry Huggins chaired the Administrative Committee meeting due to an email from the Governor's Office concerning Act 625 of the 2018 Regular session concerning the membership of Thomas Stephens, Matthew Reonas, John Jennings, Mark Walton and Hays Town. The email stated that Section 2 of the Act requires any member who does not meet the new qualifications to immediately resign as of May 30, 2018. Until this issue can be resolved by the Board, the Attorney General's office suggested that the members in question recuse themselves from voting at Committee and Commission meetings.

- Mr. Metz made a motion to amend the Administrative agenda to request that the Director define "experience in groundwater resource management". Mr. Frey seconded this motion and it passed unanimously. Mr. Huggins then made a motion that the Director define "experience in groundwater resource management" to be approved by the Executive Committee for submission to the next Commission meeting. Mr. Daniel seconded the motion and it passed unanimously. Director Duplechin reported that the Governor's Office

called after the Administrative Committee meeting to inform the Commission that the definition was not necessary and that the Governor decided that the 4 members in question did qualify.

- The financial conditions as of May 30, 2018 were reviewed.
- Mr. Daniel made a motion to accept Ascension Parish's request to become a member on the Commission. Mr. Huggins seconded this motion. Mr. Ken Dawson asked the Commission for consideration of membership to the Commission during public comment. Following is the vote: Yeas: Ronnie Albritton, William Daniel, Barry Huggins, John Jennings, Dennis McGehee, Julius Metz, Nelson Morvant, Ryan Scardina, Mark Walton; Nays: Todd Talbot, Hays Town; Abstain: Matthew Reonas.
- Mr. Daniel made a motion to amend the budget for fiscal year 2017-2018. Following are the amendments: bank fees - \$550; legal notices - \$1,100; USGS modeling study - \$145,840; office furniture - \$570; legal services - \$6,500; Rampart Resources - \$8,000. Mr. Huggins seconded the motion and it passed unanimously.
- Mr. Daniel made a motion for the Executive Committee to review the documents for performance evaluation, job description, pay scale and salary adjustments for the CAGWCC staff and make a recommendation to the full Commission. Mr. Frey seconded this motion and it passed unanimously.
- Mr. Huggins made a motion to authorize the Commission staff to purchase certificates of deposit with reserve funds for short term periods (3 months). Mr. Walton seconded the motion and it passed unanimously.
- Mr. Jennings stated that the Administrative Committee will serve as the nominating committee for CAGWCC officers for 2019. Mr. Jennings asked the Administrative Committee to come prepared to the September 2018 Administrative Committee meeting with suggestions for nominees for Chairman, Vice-Chairman & Treasurer.
- Mr. Reonas made a motion to amend the agenda to request an Attorney General's opinion on the membership question of whether Ascension Parish can take a seat immediately on the Board or does it require legislative action. Mr. Town seconded the motion and it passed unanimously.
- Mr. Huggins made a motion to request an Attorney General's opinion as to which of the Commissioners are "members representing governmental entities" with terms contemporaneous with their office. Mr. Huggins would like for the request to be written by Mr. Vorhoff and approved by the Executive Committee. Mr. Daniel seconded the motion and it passed unanimously.
- Mr. Reonas made a motion to request an Attorney General's opinion as to whether legislative action is required to approve an 18th seat for Ascension Parish. Mr. Jennings seconded the motion and it passed unanimously.

VI. Report from the Executive Committee

The report of the Executive Committee was made by Barry Huggins. Following is a summary of topics discussed at the meeting on June 18, 2018 and further discussion and action at the regular Commission meeting on June 19, 2018.

- Mr. Jennings made a motion to keep the current job description for the Administrative Assistant and because of the added responsibilities of this position that the job title be changed to Assistant Executive Director. Also to adopt a new job description for the Director and change the job title to Executive Director. Mr. Morvant seconded the motion and it passed unanimously.

- Mr. Daniel made a motion to increase the Assistant Executive Director's salary to 5% of her current pay and to increase the Executive Director's salary to the maximum allowed by Louisiana State Employees Retirement System (LASERS). Mr. Walton seconded the motion and it passed unanimously.
- Mr. Daniel made a motion to adopt the performance evaluation that was presented at the March 2018 meeting. Mr. Frey seconded the motion. The vote was as follows: Yeas: Ronnie Albritton, William Daniel, Mark Frey, Barry Huggins, John Jennings, Dennis McGehee, Julius Metz, Nelson Morvant, Ryan Scardina, Todd Talbot, Hays Town, Mark Walton; Nays: Matthew Reonas. The motion passed.

VII. Report from the Technical Committee

The report of the Technical Committee was made by Nelson Morvant. Following is a summary of topics discussed at the meeting on June 12, 2018 and further discussion and action at the regular Commission meeting on June 19, 2018.

- Mr. Talbot gave an update on the progress of the Planning & Specifications Subcommittee. The subcommittee voted on a lot located in Area 1 that is owned by Mr. Cahill. Mr. Butler offered a \$500 payment for a temporary servitude agreement with a twelve-month term. An option, in the agreement, for a 10' x 10' permanent servitude with access that the CGWCC can exercise for a \$1,500 payment. The permanent servitude would be located near his east property line. His counteroffer as follows:

A \$500 payment for a temporary servitude agreement with a twelve-month term. CAGWCC would pay Grantor an additional \$100 per month for each additional month beyond the first five months on the property. An option, in the agreement, for a 10' x 10' permanent servitude with access that the CAGWCC can exercise for a \$1,500 payment.

Butler explained to the landowner that he had no authority to change the offer but that he would present his counteroffer to the CAGWCC and get back with the landowner as soon as possible.

Roy Waggenpack ensured that the necessary work could be accomplished on the tract.

Mr. Butler recommended that, if the counter offer is accepted, that the Commission draft a properly worded servitude agreement. Title work needs to be done as well. Rampart Resources will rely on the Commission attorney to decide what title work is to be completed. Rampart Resources did discover a federal tax lien on the property for \$15,000. Mr. Butler noted that when Mr. Cahill purchased the property in 2016 on the sale was listed the purchase of title insurance. Mr. Cahill will provide Rampart Resources the insurance policy. When ready to move forward Owen & White will provide a sketch of where work is to be done. Roy recommended having a surveyor go out to mark the corners. Mr. Huggins made a motion to accept Mr. Cahill's counteroffer on the property contingent on the tax lien and title insurance issues being resolved. Mr. Walton seconded the motion and it passed unanimously.

- Ms. Alyssa Dausman, The Water Institute of the Gulf, gave a presentation on a proposal to assist the Commission in the development of a long-range plan.
 - Objective 1: Work with the CAGWCC and other technical stakeholders to identify and evaluate feasible, realistic, and cost-effective science-based alternatives which meet long-term water resource needs.
 - Objective 2: Evaluate the state of the science/information related to groundwater use and aquifer conservation needed to evaluate alternatives and informed decisions.
 - Objective 3: Work with the CAGWCC to identify management alternatives that are economically feasible and acceptable, and to develop a strategic plan for the long-term water supply for the District.

The cost of Objective 1 would be \$237,000. Mr. Huggins made a motion to enter into a cooperative endeavor with Coastal Protection & Restoration Authority (CPRA) as the funding mechanism to engage The Water Institute of the Gulf to do a study to develop a long range strategic plan for the management of the Southern Hills Aquifer for protection and sustainability not to exceed \$250,000. Also to increase the pumpage fee by \$5.00 per million gallons for three years in order to fund the study. Mr. Walton seconded the motion.

Mr. Huggins then restated his motion to enter into a cooperative endeavor with Coastal Protection & Restoration Authority (CPRA) as the funding mechanism to engage The Water Institute of the Gulf to do a study to develop a long-range strategic plan for the management of the Southern Hills Aquifer for protection and sustainability not to exceed \$250,000 for the first year. Mr. Reonas seconded the motion. The motion passed unanimously.

Mr. Huggins made a motion to increase the pumpage fee by \$5.00 per million gallons for three years in order to fund the study. After discussion, Mr. Huggins withdrew his motion and requested that the Commission review funding at the next Commission meeting.

- Dr. Frank Tsai gave an update for the Board of Regents ITRS Project, “Conjunctive Management of Baton Rouge Multi-Aquifer System for Saltwater Intrusion Mitigation”. Dr. Tsai asked if the Commission would be willing to fund this project for another three years at a matching cost of \$25,000 per year. Mr. Morvant made a motion to fund the continuation of the project, “Conjunctive Management of Baton Rouge Multi-Aquifer System for Saltwater Intrusion Mitigation” at a matching cost of \$25,000 per year for three years contingent upon industry participation. Mr. Reonas seconded the motion and it passed unanimously.

VIII. Director’s Report

Director Duplechin reported that he moderated and gave a presentation on the Commission’s work to prevent saltwater intrusion in the “2,000-foot” sand at the Water Resources Symposium at LSU. Mr. Duplechin made a presentation at the Louisiana Ground Water Association in June and asked the drillers operating in the five-parish Capital Area to notify their customers of the requirement to file an application for a permit to install a well. Mr. Duplechin stated that he attended several meetings at the legislature to present testimony and answer questions on several house bills dealing with ground water. The Director coordinated meetings of the Planning and Specifications Subcommittee. He attended a meeting of the Sparta Commission. Director Duplechin reported that he along with Chairman Huggins met with Dean Amhaus of the Water Council and Matt Howard of the Alliance for Water Stewardship to discuss how we could be mutually beneficial to each other. The Director attended the 10 X Water Summit at the Water Institute of the Gulf and moderated the spring meeting of the Groundwater Management Districts Association in Savannah. Mr. Duplechin prepared and sent out the May 1st report as required by Act 425 of 2017 and attended meeting of the Water Synergy Group in New Orleans.

IX. Chairman’s Report

Chairman Huggins reported that he and the Director met with the Alliance for Water Stewardship and the Water Council. Mr. Huggins stated that these meetings will be addressed at the next meeting due to the length of this meeting.

X. Budget – Fiscal Year 2018-2019

Mr. Huggins made a motion to adopt the budget for fiscal year 2018-2019 with the following additions: 1) \$250,000 for Coastal Protection and Restoration Authority, and 2) \$25,000 for LSU Modeling Study #3. Mr. Jennings seconded this motion and it passed unanimously.

XI. Other Business


Mr. Reonas requested that all Commissioners are emailed notices and agendas for meetings.

XII. Public Comment

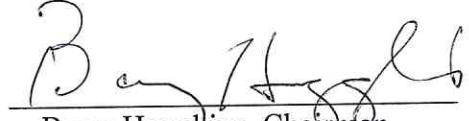
There was none.

XIII. Adjournment

There being no further business before the Commission, Mr. Jennings made a motion that the meeting be adjourned. Mr. Walton seconded this motion and it passed unanimously. The meeting was adjourned at 11:35 a.m.



William Daniel, Treasurer



Barry Huggins, Chairman