

**Board of Commissioners Meeting Minutes**  
**Capital Area Groundwater Conservation District**  
**Renaissance Hotel**  
**December 14, 2022, 1:00 p.m.**

**I. Call to Order**

William Daniel – Capital Area Groundwater Conservation District (CAGCD) Chairman

**II. Roll Call**

Gary Beard – CAGCD Executive Director

- Members present: William Daniel, Patrick Engemann, Karen Gautreaux, Lauren Field, Patrick Hobbins, Rachel Lambert, Jonathan Leo, Camille Manning-Broome, Jesse Means, Matt Reonas, Roy Savoy, Tom Seagraves, Cyril Vetter.
- Members absent: Angela Machen, Ken Dawson and Lane Ewing.

**III. Establishment of a Quorum**

William Daniel – CAGCD Chairman

- Chairman Daniel declared the presence of a quorum with 13 members present.

**IV. Invocation**

Gary Beard – CAGCD Executive Director

**V. Pledge of Allegiance**

Chairman Daniel called on Mr. Vetter to lead the Pledge.

**VI. Recognition of Guests**

William Daniel – CAGCD Chairman

- Roy Waguespack retired Owen and White
- Steve Schutz and Ken Romero – CSRS, Lauren Browning – newly hired administrative assistant, Robert Berg-REB Environmental Consulting, John Roberts – CAGWD-CFO, Tara Wicker – The W Group, Dr. Tsai- The Water Institute.

**VII. Amendments to the Agenda**

William Daniel – CAGCD Administrative Committee Chairman

- Gary Beard, Executive Director, requested to add the resolution drafted by counsel for expropriation of property. He said he will bring this before the East Baton Rouge Metro Council to approve being able to use Quick Take.
- Motion by Mr. Leo and second by Mr. Seagraves to add the Resolution regarding Expropriation of Property to the agenda.
- Roll: William Daniel- yes, Patrick Engemann- yes, Karen Gautreaux- yes, Lauren Field- yes, Patrick Hobbins- yes, Rachel Lambert- yes, Jonathan Leo- yes, Camille Manning-Broome- yes, Jesse Means- yes, Matt Reonas- yes, Roy Savoy- yes, Tom Seagraves- yes, Cyril Vetter- yes.

- Motion passed. Unanimous vote.

### **VIII. Approval of Minutes of Previous Meeting – 9/15/22 (action required)**

William Daniel – CAGCD Chairman

- Motion by Mr. Seagraves and second by Mr. Reonas to approve the minutes of the September 15, 2022 meeting. No objections. Motion passed.

### **IX. Executive Director’s Report**

Gary Beard - CAGCD Executive Director

- a. Mr. Beard started with an overview of the metering project starting with an explanation of the interactive map and SCADA data. Mr. Beard added before the lawsuit Baton Rouge Water and Parish Water had decided to wait until the end to have their meters installed. Those wells are showing inactive. Ms. McNamara presented the map and SCADA data with a powerpoint presentation. Dr. Tsai commented –“this is a wonderful system.” Mr. Leo asked does this system show sand depth. Ms. McNamara said yes it does. Mr. Beard said we will have every well and strata. Ms. McNamara said some wells are not permitted. Some are in bad condition and can’t be used. Some are rarely used and only to flush the line. Ms. Manning-Broome asked if this would cover the entirety of the wells. Mr. Beard said yes all of the wells we know about are covered. There is a list from DNR of irrigation wells and we are determining which if any are not under agriculture and horticulture. He has asked Farm Bureau to assist with this portion. Ms. Manning-Broome asked will this be made available to the public? Mr. Beard said yes, not specifically each well but totals. He said each well owner will have access to the data. Ms. Manning-Broome asked have there been any discrepancies between self-reporting and our system? Mr. Beard commented it is too early to show that data but in time we will know. Chairman Daniels asked Dr. Tsai to explain why we need an hourly rate. Dr. Tsai said warm water changes every minute, every hour, every day, therefore, in order to have accurate daily data we have to have accurate hourly data. Chairman Daniels agreed and commented -to create a model, we want to be able to perform regulatory function we need with good data and much more frequent time schedule than monthly. Dr. Tsai agreed yes that is correct. Dr. Tsai suggested having a picture of each pump associated with the well. Mr. Leo asked –Are we moving towards our goal to determine how much water is being withdrawn? Am I right to say that the southern hills aquifer is underneath other parishes that are not covered by our jurisdiction and are using the aquifer water in those parishes? Mr. Beard said yes to both questions. Mr. Seagraves asked – Are unpermitted wells insubstantial? Mr. Beard answered no, we didn’t know how many were out there and unregistered are fairly common. Ms. Manning-Broome asked what is the permitting process? Mr. Beard answered – we have the permitting process in the rules but we need to change it to say that we will follow up when the meter is installed.

Mr. Leo said congratulations to the District, after 50 years almost putting a reliable system in place to know exactly how much usage and chlorides are in the aquifer.

b. Pumping limits- 1500-foot, 2000-foot, industrial zone (**action required**)

Mr. Beard said by summer the actual numbers and data from the Water Institute would be ready and at that time he will come back to the Board with info.

Chairman Daniel asked Mr. Beard to investigate how these districts and limits were established. Mr. Beard said he looked back in the files and at one point 25 million gallons a day was the average over a year, then it changed.

Mr. Reonas explained the determination of the zones and numbers by the Commission and said there is no way to really enforce it.

Mr. Beard said once we have the data we can come back to the Commission and based on what has been established whether or not its reliable.

Chairman Daniel asked if it is necessary to have this when we don't have reliable data yet?

Mr. Beard said the rule requires for re-adoption by the last day of the calendar year.

Mr. Leo suggested to defer readoption of these numbers.

Chairman Daniel said we should change the rule. He said can we defer this motion.

Motion by Ms. Gautreaux and second by Mr. Leo that we respond with notice the Commission met to discuss pumping limits and don't want to readopt numbers for lack of data supporting this and will revisit to reevaluate those limits when the data is determined by the new system. No objection. Motion passed.

Chairman Daniel asked was there any public comment. Roy Waguespack commented the industry had USGS looked at how to hydraulically stabilize, that's where the numbers come from.

Ms. Manning-Broome requested a substitute motion to recognize current limits, not approving anything over the limits and will reevaluate the limits when we have data from new system.

Motion by Ms. Gautreaux and second by Mr. Leo to adopt the pumping limits for this year and readopt them at the time we have the real data with realistic pumping limits.

Roll call. Mr. Daniel – yes, Mr. Engemann – yes, Ms. Gautreaux – yes, Ms. Field – yes, Mr. Hobbins – yes, Ms. Lambert – yes, Mr. Leo – yes, Ms. Manning-Broome – abstain, Mr. Means – yes, Mr. Reonas – yes, Mr. Savoy – yes, Mr. Seagraves – yes, Mr. Vetter – yes. Unanimous. Motion passed.

c. HSR 1 – House Study Resolution Report

Mr. Beard said he will get more information as this report comes to life and bring it back to the Board for review.

d. Budget reports – June 30, 2022, and September 30, 2022 - John Roberts  
John Roberts, new CFO representing the District, introduced himself and presented the budget report for the Board's review and questions.

e. Act 425 bi-yearly report

Mr. Beard said there is a bi-yearly report to the Commissioner of Conservation and the only significance was water sold from within the jurisdiction and being

sold outside of the district. He said East Baton Rouge water goes to Iberville through Ascension.

Mr. Leo asked is there any authority under law and regs to place use restrictions on water we have permitted to be withdrawn from any well owner.

Mr. Beard said there is no authority that he is aware of.

Ms. Field asked are we monitoring water going in and pumped out. Mr. Beard said no, these are two separate events.

Roy Waguespack commented there is a health issue for quality of water for consumption.

Ms. Manning-Broome suggested to apply for funding, there is money out there. There was a discussion of lead based pipes and funding.

Mr. Reonas suggested to bring to Legislative Session and have mandated into law. Mr. Beard agreed.

There was a discussion to change act 425 to an annual report not twice yearly.

f. Update on litigation (**Executive Session**)

Motion by Ms. Gautreaux and second by Mr. Seagraves to enter into Executive Session. No objection. Motion passed.

Motion by Mr. Reonas and second by Ms. Gautreaux to exit Executive Session. No objection. Motion passed.

g. Groundwater Management Strategies -TWIG – unable to attend the meeting.

Mr. Beard said he would like to have a meeting on management strategy.

Mr. Vetter said he would like to have public meetings at TWIG if possible.

h. Implementation of R.S. 38:3082-83 – Catherine Crawford

Mr. Beard said he is moving forward to impose fines on any violators.

He informed the Board of inaccurate reporting from West Baton Rouge Parish and Baton Rouge Water Works Company. He said data duplicated is impossible.

He said the volumes of each well are at a minimum inaccurate. He said hourly flows are physically impossible. Mr. Reonas suggested taking a look at well data from all the well owners. Mr. Beard said this is what he is doing and as of now there are 2 entities and any others doing the same will be penalized. Ms. Lambert suggested to check on data further back. Mr. Leo asked is it only recently we started looking into this. Mr. Beard said for obvious reasons and went back 2 years finding the same issues.

Resolution for proceeding with Quick Take from East Baton Rouge Parish. Mr. Beard said the resolution was drafted after discussion with Parish attorney to bring a resolution back to the EBR Metro Council for approval. Ms. Lambert suggested specifying 6 X 6 concrete slab vs the whole property. Chairman Daniel agreed and suggested to change the wording to specify. Ms. Crawford made the changes. Ms. Lambert asked to defer the motion. She said she has not had time to discuss with her Board.

Substitute motion to defer. Motion by Ms. Lambert and second by Ms. Field to defer the vote to approve the Quick Take resolution's approval by the East Baton Rouge Metro Council.

Roll call - **Deferral** – Daniel-no, Engemann- yes, Gautreaux-no, Field-yes, Hobbins-no, Lambert-yes, Leo-no, Manning-Broome-no, Means-no, Reonas-no, Savoy-no, Seagraves-no, Vetter- no. Deferral fails.

Motion by Ms. Gautreaux

and second by Mr. Leo to approve the resolution for the Quick Take to be presented to the East Baton Rouge Metro Council for approval and to include changes made at this meeting.

Roll call -**Motion to approve**– Daniel-yes, Engemann- no, Gautreaux-yes, Field-no, Hobbins-yes, Lambert -Mr. Beard asked for her vote twice, she did not respond and left the meeting room. Ms. Lambert returned to the meeting room and Mr.Beard asked a third time for her vote. She did not respond and left the room. (The Chairman said to note for the record Ms. Lambert left the meeting. Mr. Leo commented yes she left the meeting.) Leo-yes, Manning-Broome-yes, Means-yes, Reonas-yes, Savoy-yes, Seagraves-yes, Vetter- yes. Resolution to approve Quick Take and proceed passed.

**X. William Daniel – CAGCD Chairman**

a. Report on Censure – **(action required)**

Chairman Daniel suggested moving this discussion to the Administrative Committee.

**XI. Administrative Committee Report**

Karen Gautreaux – CAGCD Administrative Committee Chairman

a. Bylaws and Rules of Order – **(action required)**

Motion by Mr. Reonas and second by Ms. Manning-Broome to approve the final version of the By-Laws.

Roll Call -Daniel-yes, Engemann- yes, Gautreaux-yes, Field-yes, Hobbins-yes, Lambert-not here, Leo-yes, Manning-Broome-yes, Means-yes, Reonas-yes, Savoy-yes, Seagraves-yes, Vetter- yes. Passes unanimously.

No public comment.

b. Confidentiality and Conflict of Interest Acknowledgement and Disclosure **(action required)**

It was the opinion to maintain disclosures as immune from public disclosure – Commissioners file.

Chairman Daniel commented – if we want a document like this we need to spell it out in the By-Laws.

Motion by Mr. Reonas and second by Mr. Seagraves to defer the motion to approve the Confidentiality and Conflict disclosure.

Motion to defer- Passes unanimously.

Motion by Mr. Seagraves and second by Mr. Leo to bring back the Confidentiality and Conflict disclosure to the Administrative Committee for further review. Passes unanimously.

c. Rewards and Recognition Policy **(action required)** – **no action was taken.**

Chair Gautreaux said the outcome of the Administrative Committee was to move this to the Executive Committee and outline the process.

Mr. Beard said Civil Service had approved this policy with similar guidelines given to CAGWCD from other agencies. He said he will draft some guidelines to bring back to the Executive Committee.

**XII. Technical Committee Report**

Tom Seagraves – CAGCD Technical Committee Chairman

- a. Chairman Seagraves gave an update on the metering report. He commented he was very impressed with the presentations from John Van Nostrom with Flexim meters.  
and Chris Simon with C.C.Lynch.
- b. Approval of engineering firm (**action required**)  
Motion by Mr. Reonas and second by Mr. Daniel to approve the proposal from CSRS and move forward.  
Discussion regarding RFQ/RFQ – comments by Ms. Manning-Broome add diversity, equity, women, veterans, etc. and Chairman Daniel- have a scoring system.  
Motion by Mr. Reonas and second by Mr. Daniel to approve the proposal from CSRS and move forward.  
Roll call – Daniel-yes, Engemann- yes, Gautreaux-yes, Field-yes, Hobbins-yes, Lambert-left the meeting, Leo-yes, Manning-Broome-yes, Means-yes, Reonas-yes, Savoy-yes, Seagraves-yes, Vetter- yes. Motion Passed.

### **XIII. Executive Committee Report**

William Daniel – CAGCD Chairman

- Executive Committee discussed the Executive Director’s contract. Ms. Crawford will draft and fix ambiguous language, then it will go back to the Board for approval.

### **XIV. Member Agenda Items**

William Daniel – CAGCD Chairman

- No member agenda items.

### **XV. Old Business**

William Daniel – CAGCD Chairman

- No old business.

### **XVI. New Business**

William Daniel – CAGCD Chairman

- a. Election of officers (**action required**)  
Motion by Mr. Daniel and second by Ms. Manning-Broome to nominate Ms. Gautreaux for Chairman of the Board. No objection. Motion passed.  
Motion by Mr. Reonas and second by Ms. Gautreaux to re-nominate Ken Dawson for Vice-Chairman. No objection. Motion passed.  
Motion by Ms. Gautreaux and second by Mr. Daniel to re-nominate Mr. Reonas for Secretary Treasurer. No objection. Motion passed.
- b. Schedule of Board Meetings for 2023 (**action required**)  
Chairman Gautreaux will send out a calendar invite for first meeting of 2023, February 16, 2023, the 3<sup>rd</sup> Thursday of the month. The schedule will follow every other month, the 3<sup>rd</sup> Thursday.

### **XVII. Commissioner Comments**

William Daniel – CAGCD Chairman

**XVIII. Announcements**

William Daniel – CAGCD Chairman

Ms. Manda passed out the P&N auditors questionnaires for completion by the Board members. .

**XIX. Public Comment (Non-action items only)**

William Daniel – CAGCD Chairman

No public comment.

**XX. Adjournment – (action required)**

William Daniel – CAGCD Chairman

Motion by Mr. Leo and second by Mr. Means to adjourn the meeting. Meeting adjourned.



Gary J. Beard, Executive Director