

***NOTICE OF MEETINGS AND HEARINGS
OF THE BOARD OF DIRECTORS OF THE
LONE STAR GROUNDWATER CONSERVATION DISTRICT
To be held on Tuesday, February 9, 2010, at
Lone Star GCD – Board Room
207 W Phillips, Suite 301
Conroe, Texas 77301***

NOTICE OF SPECIAL BOARD MEETING

TUESDAY, FEBRUARY 9, 2010, AT 9:00 A.M.

1. Call to Order and Declare Meeting Open to the Public.
2. Roll Call.
3. Executive Session - The Board will recess for a closed Executive Session pursuant to Texas Government Code, Sections 551.071 or 551.072, to consult with the District's attorney on any item on any notice or agenda for today's meetings or hearings regarding pending or contemplated litigation, settlement offers, or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code, or to deliberate the purchase, exchange, lease, or value of real property.

No action will be taken in Executive Session.

4. Re-convene in Open Session
5. Adjourn

NOTICE OF PUBLIC HEARINGS AND MEETING

TUESDAY, FEBRUARY 9, 2010, AT 10:00 A.M.

Public Hearing on Permit Applications

1. Call to Order and Declare Hearing Open to the Public.
2. Roll Call.
3. Receive Permit Hearing Report from General Manager and Consider Granting, Denying, or Amending Applications for the Following Operating Permits and/or Meter Exemptions:
 1. Susano Guadarrama (Growing site), for a proposed operating permit not to exceed 8 mg annually, 1668 California Dr., Cleveland, Irrigation(Agriculture) use;
 2. Susano Guadarrama (Retail site), for a proposed operating permit not to exceed 4 mg annually, 21310 Hwy 105 E., Cleveland, Irrigation use;
 3. Montgomery County Mud #119, for a proposed amendment to OP, increase of 10 mg annually, Birnham Woods, Spring, Public Supply (PWS) use;
 4. Crystal Springs Water (Timberland Estates), for a proposed amendment to OP, increase of 14.231691 mg annually, 310 Lake Meadows Dr, Montgomery, Public Supply (PWS) use;
 5. New Danville Community, for a proposed well to be drilled at 10951 Shepard Hill, Willis, not to exceed 6.51525 mg annually, Public Supply (PWS) use;
 6. HMW Special Utility District (Pleasant Forest), for a proposed well to be drilled at 17705 Butera Rd, Magnolia, Public Supply (PWS) use;
 7. Williams Brothers Construction Co., Inc (Splendora Batch Plant), for a proposed amendment to OP, increase of 6 mg annually, 20330 US 59 N., New Caney, Public Supply (PWS) use;
 8. Jimmie Sebree, for a proposed well to be drilled at 27561 Dobbin Huffsmith, Magnolia, not to exceed 0.1825 mg annually, Public Supply use;
 9. Midway Petroleum LP, for a proposed well to be drilled at 18321 Hwy 105 E., Cleveland, Public Supply (PWS) use; and
 10. Weisinger Water Well, for a proposed well to be drilled at 10585 Little Egypt Rd., Conroe, not to exceed 150,000 mg annually, Industrial use.
4. Adjourn permit hearing.

REGULAR MEETING OF THE DISTRICT BOARD

**of the
Lone Star Groundwater Conservation District
at the
Lone Star GCD – Board Room
207 W Phillips Street, Suite 300
Conroe, TX 77301**

TUESDAY, FEBRUARY 9, 2010, AT 10:00 A.M.

1. Call to Order and Declare Regular Meeting Open to the Public.
2. Roll Call
3. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:
 - a) January 12, 2010, Special Board Meeting
 - b) January 12, 2010, Public Hearing on Permit Applications
 - c) January 12, 2010, Show Cause Hearing
 - d) January 12, 2010, Regular Board of Directors Meeting
4. Committee Reports:
 - A. Rules and Bylaws Development Committee – Kathy Turner Jones, Coordinator
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting, including proposed amendments to the District rules.
 - B. Policy and Personnel Development Committee – Sam W. Baker, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
 - C. Water Awareness and Conservation Committee – Billy Wood, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
 - 2) Education/Conservation Awareness Coordinator Report – Marjie Risk
 - D. Budget and Finance Development Committee – Jim Stinson, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
 - 2) Review of monthly financial reports
 - 3) Discuss, consider, and possible action regarding approval of Resolution #10-001 adopting FY 2010 Operating Budget
 - E. Findings and Review Committee – Orval R. Love, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
 - F. Building and Facilities Committee – Kathy Turner Jones

- 1) Consider, discuss, and take possible action on a recommendation from the committee regarding a real property purchase or lease for District Office relocation.
5. Discuss, consider, and take action regarding authorizing General Manager to engage professional consultants to assist the District (1) in establishing protocols for evaluation of utilization of brackish groundwater supplies as an alternative water source under the District Regulatory Plan Phase II(B), or (2) for reviewing any groundwater reduction plans submitted to the District that propose to use brackish groundwater supplies as an alternative water source.
6. Discuss, consider, and take action regarding protocol for review and determination of “Total Qualifying Demand” under the District Regulatory Plan Phase II(B) for permits used by the District before January 1, 2010.
7. Discuss, consider, and take action on resolution dated February 1, 2010, from Montgomery County Municipal Utility District No. 18 regarding extension of certain deadlines in District Regulatory Plan Phase II(B).
8. Take up and consider initiation of enforcement action against James H. Cappiello / Garris Real Estate (11982 FM 830, Willis), for operating a non-exempt well without first obtaining a permit from the District, and for the failure to maintain at all times a properly functioning and calibrated meter installed and operational on a non-exempt well, including initiating a lawsuit against the permit holder in accordance with Chapter 36, Texas Water Code, ordering the permit holder to appear and show cause why the enforcement actions referenced in District Rule 2.5(a) should not be pursued by the District, or taking any other enforcement action against the permit holder that is authorized by the District Rules.
9. Engineering Report – Mark V. Lowry
 - a) Review of monthly engineering status reports
10. General Counsel’s Report – The District's General Counsel will brief the Board on pertinent legal issues and developments impacting the District since the last regular Board meeting.
 - a) Update regarding pending contested case hearing on certain applications by TexCom Gulf Disposal, LLC to the Texas Commission on Environmental Quality (SOAH Docket Nos. 582-07-2673 and 582-07-2674; TCEQ Docket Nos. 2007-0204-WDW and 2007-0362-IHW).
11. General Manager’s Report – The General Manager will brief the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting.
12. Public Comment. (*Public comment is limited to a maximum of 3 minutes per speaker.*)
13. New Business.
14. Adjourn.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

These public hearings and meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting or hearing, please contact the Lone Star GCD at 936/494-3436 at least 24 hours in advance of the meeting.

At any time during one the above meetings or hearings and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Lone Star Groundwater Conservation District Board may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

Certification

I, the undersigned authority, do hereby certify that on February 3, 2010, at or before 5:00 p.m., I posted and filed the above notices of meeting(s) and hearing(s) with the Montgomery County Clerk's office and also posted a copy in the front window of the Lone Star GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.

Kathy Turner Jones, General Manager
Lone Star Groundwater Conservation District