

***NOTICE OF MEETINGS AND HEARINGS  
OF THE BOARD OF DIRECTORS OF THE  
LONE STAR GROUNDWATER CONSERVATION DISTRICT***

***To be held on Tuesday, May 11, 2010***

***Lone Star GCD – Board Room***

***207 W Phillips, Suite 301***

***Conroe, Texas 77301***

***NOTICE OF SPECIAL BOARD MEETING***

**TUESDAY, MAY 11, 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, to consult with the District's attorney 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. Closed session consultations may include any of the following items or on any other item on any notice or agenda for today's meetings or hearings.
  - (a) San Antonio Water System v. Lower Colorado River Authority
  - (b) Edwards Aquifer Authority v. Day
  - (c) Contested hearing on applications by TexCom Gulf Disposal, LLC to the Texas Commission on Environmental Quality in which District is a party

No action will be taken in Executive Session.

4. Re-convene in Open Session
5. Adjourn

## ***NOTICE OF PUBLIC HEARINGS AND MEETING***

**TUESDAY, MAY 11, 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. San Jacinto River Authority, for a proposed amendment to OP, 2 wells to be drilled at NW Corner of Grogans Mill Rd. and Woodlands Pkwy , The Woodlands, Public Supply (PWS) use;
  2. TDC-DS Company/Valero, for a proposed amendment to OP, increase of 0.1 mg annually, 12464 FM 3083, Conroe, Public Supply use;
  3. Glen E. Walden, for a proposed well to be drilled at 14622 Exxon Rd., Conroe, not to exceed 0.26 mg annually, Industrial use;
  4. Montgomery County Animal Control Shelter, for a proposed amendment to OP, increase of 1 mg annually, 8535 SH 242, Conroe, Public Supply use; and
  5. 3H Farms, Ltd., for a proposed amendment to OP, add existing well at 16821 E. FM 1097, Willis, Irrigation (Agriculture) use.
4. Adjourn permit hearing.

## ***REGULAR MEETING OF THE DISTRICT BOARD***

**TUESDAY, MAY 11, 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) March 9, 2010, Show Cause Hearing

- b) April 13, 2010, Special Board Meeting
- c) April 13, 2010, Public Hearing on Permit Applications
- d) April 13, 2010, Regular Board of Directors Meeting
- e) April 13, 2010, Public Hearing on Proposed Changes to District Rules
- f) April 22, 2010, Public Hearing on Proposed Changes to District Rules

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.
  - 2) Continue Board Meeting until conclusion of today's Public Hearing on Proposed Changes to District Rules.
  - 3) Hold Public Hearing on Proposed Changes to District Rules (see separate notice for this hearing below for hearing agenda).
  - 4) Reconvene Board Meeting upon adjournment or continuance of Public Hearing on Proposed Changes to District Rules.
  - 5) Discussion, consideration, and possible action approving Resolution #10-003 Amending Adopted Rules for the Lone Star GCD.

- 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

- E. Findings and Review Committee – Orval R. Love, Chair
  - 1) Brief the Board on the Committee's activities since the last regular Board meeting
    - a) USGS Recharge Project Update

- F. Building and Facilities Committee – Kathy Turner Jones
  - 1) Brief the Board on the Committee's activities since the last regular Board meeting

- 5. Discussion and possible action to issue a show cause order directing the following permittees, or their designated representative, to appear at a show cause hearing for that purpose and show cause why appropriate enforcement action be taken, including initiating a lawsuit against it for failure to remit 2010 water use fees:

- a) Martin Simonton, #OP-08031202

- b) Lakeland Section 1 Club, #OP-07020501
  - c) LaRoca Ready Mix, #OP-07092701
6. Discussion and possible action to issue a show cause order directing the following permittees, or their designated representative, to appear at a show cause hearing for that purpose and show cause why appropriate enforcement action be taken, including initiating a lawsuit against it for failure to submit 2009 production report:
- a) LaRoca Ready Mix, #OP-07092701
7. Engineering Report – Mark V. Lowry
- a) Review of monthly engineering status reports
  - b) Status Report regarding LSGCD Brackish Groundwater Review Panel’s findings. (J. Seifert/M. Lowry)
  - c) Update on Total Qualifying Demand (TQD) final determinations under DRP Phase II (B)
8. 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 DRP Phase II(B) implementation issues
  - b) Protocol for requests for exceptions or special treatment under DRP Phase II(B)
  - c) Update on Texas Water Conservation Association Groundwater Committee
  - d) Update on pending litigation or recent court decisions that may have impacts to the District
9. 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.
10. Public Comment. (*Public comment is limited to a maximum of 3 minutes per speaker.*)
11. New Business.
12. Adjourn.

## **PUBLIC HEARING ON PROPOSED CHANGES TO DISTRICT RULES\*\***

\*\*This rulemaking hearing will be convened during Agenda Item 4(A) of the  
Regular Meeting of the District Board noticed above.

1. Call to Order and Declare Hearing Open to the Public.
2. Roll Call.
3. Presentation and discussion of proposed changes to the District Rules. The proposed changes include revisions to the District's rules governing the use of groundwater produced within the District in surface impoundments, including a proposed rescission of Order No. 09-009 of the District Board of Directors instituting a temporary moratorium on the issuance of certain permits. These changes, along with any other changes to the District Rules not referenced in this notice, may be considered and adopted without further notice or hearing based on comments received at this hearing
4. Public comment on proposed changes to the District Rules.
5. Continue or adjourn Public Hearing, and reconvene Board Meeting.

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 May 6, 2010, at or before 9:00 a.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.

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Kathy Turner Jones, General Manager  
Lone Star Groundwater Conservation District