

Board of Commissioners Meeting Minutes
Capital Area Groundwater Conservation Commission
3074 Westfork Dr., Suite A, Baton Rouge
October 17, 2024, 2:00 p.m.

- I. Call to Order**
Karen Gautreaux – Capital Area Groundwater Conservation Commission (CAGCC)
Chair
- II. Roll Call**
Gary Beard – CAGCD Executive Director
Present: Bob Brady, Camille Manning-Broome, Patrick Engemann, Pat Kerr, Karen
Gautreaux, Jonathan Leo, Jesse Means, Matt Reonas, Glenn Shaheen, Cyril Vetter,
Rachael Lambert
Absent: Nolan Brown, Ken Dawson, Bill Dawson, Angela Machen, Greg Phares
- III. Establishment of a Quorum**
Karen Gautreaux – CAGCC Chair
10 present and a quorum
- IV. Invocation**
Gary Beard – CAGCD Executive Director
- V. Pledge of Allegiance**
Gary Beard – CAGCD Executive Director
- VI. Recognition of Guests**
Karen Gautreaux – CAGCC Chair
Brett Furr, Taylor Porter; Rory Denicola, ExxonMobil; Doug Melancon, ExxonMobil;
Tara Wicker, The W Group; Tokesha Collins-Wright, LCA
- VII. Amendments to the Agenda**
Karen Gautreaux – CAGCC Chair
None
- VIII. Public Comment (Non-action items only)**
Karen Gautreaux – CAGCC Chair
None
- IX. Approval of Minutes – September 19, 2024, meeting (action required)**
Karen Gautreaux – CAGCC Chair
Mr. Means made a motion to approved minutes, and Ms. Manning-Broome seconded the
motion. No objection – unanimous. Minutes approved.

Later in the meeting, Ms. Lambert brought up an issue with the order of the September 19, 2024, minutes. Mr. Kerr made a motion to reopen the Approval of Minutes for the September 19, 2024, meeting. Mr. Leo seconded. Unanimous to reopen. Discussion of the order in which the budget resolution was voted upon. Mr. Reonas made a motion to correct the minutes to clarify that the budget resolution was approved later in the meeting. Mr. Leo seconded the motion. Mr. Kerr made a substitute motion to not approve the minutes but first review the record. Mr. Engemann seconded. Unanimous approval of the substitute motion.

X. Executive Director's Report

Gary Beard – CAGCD Executive Director

Mr. Beard stated he intended to show the current water data to the board regarding all withdrawal rates, but, since many users have not reported hourly data yet, there is no complete report to show.

Doug Melancon with ExxonMobil commented that BASF was having trouble uploading data.

XI. Chairman's Report

Karen Gautreaux – CAGCC Chair

A. Executive Session to discuss Legal Strategy pursuant to LA RS 42:17A.(2): *The Baton Rouge Water Works Company and Parish Water Company, Inc. v. The Capital Area Conservation District and Capital Area Groundwater Conservation Commission*, 19th Judicial District Court, Parish of East Baton Rouge, Civil Suit Number C0748507; Section 21 and *Baton Rouge Water Works Company and Parish Water Company vs. Capital Area Groundwater Conservation Commission and The Capital Area Groundwater Conservation District*, Board of Tax Appeals, State of Louisiana, Docket No. L01630 **(action required)**

Motion to go into executive session by Mr. Leo and seconded by Mr. Shaheen. Roll call: Engemann-Y, Kerr-Abstain, Bob Brady-Y, Camille Manning-Broome-Y, Karen Gautreaux-Y, Rachael Lamber-Y, Jonathan Leo-Y, Jesse Means-Y, Matt Reonas-Y, Glenn Shaheen-Y, Cyril Vetter-Y. Unanimously approved with one abstention.

Executive session from 2:13 p.m. to 3:11 p.m.

Mr. Reonas made a motion to exit executive session, and Mr. Means seconded. Unanimous.

B. Resolution authorizing attorneys to include BRW/PW's late fees in the 19th JDC trial **(action required)**

Public comment time opened. Brett Furr felt that there were a million procedural errors in this process, dozens of constitutional defects, and premise is not correct. BRWW/PW have been paying the fees into the registry of the court. Mr. Furr said they have a money judgment rendered against the groundwater commission for \$893,000 + interest.

Ms. Manning-Broome made the motion to approve the resolution, and Mr. Leo

seconded.

Roll call vote: Bob Brady – Yes, Camille Manning-Broome – Yes, Patrick Engemann – Yes, Pat Kerr – abstain, Karen Gautreaux – abstain, Rachael Lambert – Yes, Jonathan Leo – Y, Jesse Means – Yes, Matt Reonas – Y, Glenn Shaheen – Y, Cyril Vetter – Y. 9 yeas, and 2 abstentions. Motion passed.

XII. Administrative Committee Report

Patrick Hobbins – CAGCC Chair

None.

XIII. Technical Committee Report

Glenn Shaheen – CAGCC Technical Committee Chair

Summary of Technical Committee meeting on October 10, 2024

Workshop on auditing procedures to be October 30, 2024, 10:30 am – everyone is invited.

Ms. Gautreaux noted that after the auditing procedures are drafted, they will go through the rule making process.

Mr. Engemann said he hopes we can do auditing for cheaper than what was proposed for the 2025 budget.

XIV. Executive Committee Report

Karen Gautreaux – CAGCC Chair

None.

XV. Member Agenda Items

Karen Gautreaux – CAGCC Chair

None.

XVI. Old Business

Cyril Vetter – CAGCC Commissioner

Resolution on Commissioner/public recusal and disclosure of economic interest in aquifer (**action required**)

Motion to take up the resolution by Mr. Reonas, and seconded by Mr. Leo.

Mr. Leo's suggestion: amend the first "therefore" clause to substitute the word "possessing" for the word "owning."

Mr. Vetter asks that both "owning" and "possessing" be included.

Mr. Brady asks for examples of an "indirect" financial interest. Discussion followed.

Mr. Vetter stated he was okay with removing the word "indirect" from the resolution and proposes the elimination of "indirect" from the resolution. Mr. Kerr made a "priority motion" to postpone indefinitely. Mr. Leo seconded the motion. Discussion followed.

Ms. Gautreaux noted that even though the motion is to postpone indefinitely, she hopes that after the Board of Ethics gives guidance, we can see how this resolution might fit in.

Roll call vote: Patrick Engemann – Yes, Jonathan Leo – Yes, Jesse Means – Yes, Matt

Reonas – Yes, Bob Brady – Yes, Glenn Shaheen – Yes, Cyril Vetter – No, Rachael Lambert – Yes, Camille Manning-Broome – Yes, Pat Kerr – Yes, Karen Gautreaux – abstention. 9 yeas, 1 abstention. Motion passed.

XVII. New Business

Karen Gautreaux – CAGCC Chair
None.

XVIII. Commissioner Comments

Karen Gautreaux – CAGCC Chair
Mr. Kerr asked to know which commissioners have yet to comply with the good government training and who has not? Ms. Manda detailed that Bob Brady hasn't had the training, but after continually reaching out to the AG's office, we can't get a response from them letting us know if he needs to (he was not on the board at the time). 2. Thank you, Madam Chair, for putting the entire packet out in advance.

XIX. Announcements

Karen Gautreaux – CAGCC Chair
Regularly scheduled December meeting is close to the holidays and it may be rescheduled for earlier in the month.

XX. Adjournment (action required)

Karen Gautreaux – CAGCC Chair
Mr. Leo made a motion to adjourn. Mr. Kerr seconded. Unanimous vote. Meeting adjourned.



Gary J. Beard, Executive Director