

Board of Commissioners Meeting Minutes
Capital Area Groundwater Conservation Commission
3074 Westfork Dr., Suite A, Baton Rouge, LA 70816
November 14, 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

Members present: Karen Gautreaux, Chair of the Board, Patrick Engemann, Jonathan Leo, Angela Machen, Camille Manning-Broome, Jesse Means, III, D. Greg Phares, Matthew Reonas, Bob Brady, Glenn Shaheen

Members absent: Nolan Brown, Bill Dawson, Ken Dawson, Lane Ewing, Patrick Kerr, Patrick Hobbins, Cyril Vetter, Rachael Lambert. 10 members present and a quorum.

III. Establishment of a Quorum

Karen Gautreaux – CAGCC Chair
10 members 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

Douglas Melancon – ExxonMobil, John Milazzo – Taylor Porter, Rory Denicola – Exxon, Eric Hillman – BASF, Michael Wicker – The W Consulting Group,

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, amended Board Meeting Minutes (action required) and October 17, 2024, Board Meeting Minutes (action required)

Karen Gautreaux – CAGCC Chair

Mr. Means made a motion to approve both September 19, 2024, minutes and October 17, 2024, minutes. Ms. Machen seconded. Unanimous approval.

X. Executive Director's Report

Gary Beard – CAGCD Executive Director

- A. Possible Executive Session: Status update and discussion of pending settlement pursuant to LA R.S. 42:17A(2): The Baton Rouge Water Works Company v. The Capital Area Groundwater Conservation District and Capital Area Groundwater Conservation Commission, Suit No. 715795, Section 31, 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana; The Baton Rouge Water Works Company v. The Capital Area Groundwater Conservation District and Capital Area Groundwater Conservation Commission, Docket No. L0163, Board of Tax Appeals, Parish of East Baton Rouge, State of Louisiana; The Baton Rouge Water Works Company v. The Capital Area Groundwater Conservation District and Capital Area Groundwater Conservation Commission, Docket No. 748,507, Section 21, 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana. **(action required)**

Mr. Leo made a motion to go into executive session, and Mr. Means seconded. Unanimous approval. Move into executive session.

Mr. Phares made a motion to come out of executive session, and Mr. Leo seconded. Unanimous approval.

- B. Baton Rouge Water Works Company and Parish Water Company vs. Capital Area Groundwater Conservation Commission and The Capital Area Groundwater Conservation District Settlement **(action required)**

Mr. Phares made a motion to approve the settlement contingent upon sufficient documentation that BRWW board also approves the agreement between Foster and Furr. Mr. Leo seconded.

Roll Call vote: Mr. Engemann-Y, Mr. Leo-Y, Ms. Machen-Y, Ms. Manning-Broome-Y, Mr. Means-Y, Mr. Phares-Y, Mr. Reonas-Y, Mr. Brady-Y, Mr. Shaheen-Y. 9 yeas 0 nays, 1 abstention. Passes unanimously. Chair Gautreaux expressed her thanks to our attorneys and the representatives of BRWW and Parish Water for working to arrive at this outcome so the Commission can focus on the necessary issues moving forward.

- C. Proposed Rule 709 Amendment – Public Comment Response **(action required)**

Mr. Means made a motion to approve, and Ms. Manning-Broome seconded.

Roll Call: Mr. Engemann-Y, Mr. Leo-Y, Ms. Machen-Y, Ms. Manning-Broome-Y, Mr. Means-Y, Mr. Phares-Y, Mr. Reonas-Y, Mr. Brady-Y, Mr. Shaheen-Y. 9 yeas 0 nays, 1 abstention. Passes unanimously.

- D. Resolution for Proposed Rule 709 Amendment Substantive Change **(action required)**

Mr. Shaheen made a motion to approve the proposed rule 709 amendment, and Ms. Manning-Broome seconded.

Roll Call vote: Mr. Engemann-Y, Mr. Leo-Y, Ms. Machen-Y, Ms. Manning-Broome-Y, Mr. Means-Y, Mr. Phares-A, Mr. Reonas-Y, Mr. Brady-Y, Mr. Shaheen-Y. 8 yeas 0 nays, 2 abstentions. Passes unanimously.

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XI. Chairman's Report

Karen Gautreaux – CAGCC Chair
None.

XII. Administrative Committee Report

Patrick Hobbins – CAGCC Chair
None.

XIII. Technical Committee Report

Glenn Shaheen – CAGCC Technical Committee Chair
Update on Audit Guidelines. Douglas Melancon – ExxonMobil commented on totalizer issues vs. an average over an hour.

XIV. Executive Committee Report

Karen Gautreaux – CAGCC Chair
Ms. Gautreaux explained that the Executive Committee Meeting was mostly devoted to executive session regarding litigation and possible settlement.

XV. Member Agenda Items

Karen Gautreaux – CAGCC Chair
None.

XVI. Old Business

Karen Gautreaux – CAGCC Chair
None.

XVII. New Business

Karen Gautreaux – CAGCC Chair
None.

XVIII. Commissioner Comments

Karen Gautreaux – CAGCC Chair
Mr. Phares had questions about whether or not West Feliciana's and East Feliciana's rate will be adjusted with the new rate. Mr. Beard answered yes. Mr. Phares also discussed SP contract and questioned the legality of it. Both Mr. Foster, Esq. and Janet Boles, Esq. answered.

XIX. Public Comment (agenda items)

Karen Gautreaux – CAGCC Chair
None.

XX. Announcements

Karen Gautreaux – CAGCC Chair
None.

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XXI. Adjournment (action required)

Karen Gautreaux – CAGCC Chair

Mr. Means made a motion to adjourn, and Mr. Engemann seconded. Unanimous approval of adjournment.



Gary Beard, Executive Director