

**MINUTES**  
**REGULAR MEETING – JUNE 28, 2017**  
**LAGUNA MADRE WATER DISTRICT**  
**BOARD OF DIRECTORS**

The **REGULAR MEETING** of the **LAGUNA MADRE WATER DISTRICT** was held at the Administration Office of the District at 105 Port Road, Port Isabel, Texas on the **28<sup>TH</sup> day of JUNE 2017** at the hour of **5:30 P.M.**, pursuant to written notice as prescribed by law.

**ITEM #1**            **QUORUM**

The **CHAIRMAN** called the meeting to order and he determined the Notice of the Meeting had been duly posted in accordance with the law and the following present constituted a quorum:

***BOARD OF DIRECTORS***

Scott D. Friedman - Chairman  
William Thomas – Vice Chairman  
Doyle Wells – Secretary  
Jeff Keplinger – Director  
Rick Wells – Director

***ADMINISTRATIVE STAFF***

Carlos J. Galvan, Jr. – General Manager  
Charles Ortiz – District Engineer  
Sanjuana Garcia – Director of Finance  
Eddie Lucio, III – Attorney

**ITEM #2**            **INVOCATION AND PLEDGE OF ALLEGIANCE**

The **CHAIRMAN** invited everyone in the audience to stand for the Invocation and Pledge of Allegiance.

**ITEM #3**            **INVITATION TO AUDIENCE FOR DISCUSSION**

Public comments and announcements are given at this time.

**ITEM #4            CONSIDER AND ACCEPT A LETTER FROM VICE CHAIRMAN, MR. WILLIAM J. THOMAS  
STEPPING DOWN AS VICE-CHAIRMAN TO DIRECTOR. (C. GALVAN)**

There was a discussion, and a motion was made and failed, in the end, it was agreed to accept the letter from the Vice Chairman stepping down to Director.

*MR. KEPLINGER* made a motion to approve a letter from Vice-Chairman, Mr. William J. Thomas stepping down as Vice-Chairman to Director, seconded by *MR. THOMAS*. *MR. D. WELLS* opposed. ***MOTION CARRIED.***

**ITEM #5            CONSIDER AND APPROVE THE APPOINTMENT OF VICE-CHAIRMAN FOR THE LAGUNA  
MADRE WATER DISTRICT BOARD OF DIRECTORS (C. GALVAN)**

Discussion ensued, and several nominations declined. It was determined to table the item and deferred until the next regularly scheduled meeting.

*MR. D. WELLS* made a motion to table, seconded by *MR. R. WELLS*. *MR. W. THOMAS* abstained. ***MOTION CARRIED.***  
**ITEM TABLED.**

**ITEM #6            CONSIDER AND APPROVE MINUTES OF WORKSHOP MEETING ON JUNE 7, 2017(C. GALVAN)**

*MR. W. THOMAS* made a motion to approve Minutes of Workshop Meeting on June 7, 2017, as submitted, seconded by *MR. J. KEPLINGER*. ***MOTION CARRIED UNANIMOUSLY.***

**ITEM #7            CONSIDER AND APPROVE MINUTES OF WORKSHOP MEETING ON JUNE 14, 2017 AND  
MINUTES OF REGULAR MEETING ON JUNE 14, 2017**

*MR. W. THOMAS* made a motion to approve Minutes of Workshop Meeting on June 14, 2017, and Minutes of Regular Meeting on June 14, 2017, seconded by *MR. J. KEPLINGER*. ***MOTION CARRIED UNANIMOUSLY.***

**ITEM #8            GENERAL MANAGER'S REPORT**

- **HURRICANE PREPAREDNESS**
- **FISHING & WILDLIFE**
- **MONOFILL**
- **AUDIT REPORT**
- **WASTEWATER LICENSE**

Mr. Galvan reported on the following:

- Hurricane Preparedness Manual was updated. Printed copies handed out to the Board
- Contacted the U. S. Fishing & Life and waiting for a response regarding access to property for a pond
- Clean up of the Monofill taken care of in-house and completed last week
- The final Audit Report of the District's Financial Statements for Fiscal Year Ended September 30, 2016, was completed and printed copies were handed out during the meeting. Mr. Carlos Barrera, the Auditor, will be presenting the Audit Report at our next regularly scheduled meeting.
- Wastewater Operator, Jose Garza was recognized for passing his "C" license.

**ITEM #9**            **DISTRICT ENGINEER’S REPORT**

- **RIVER PUMP STATION AND WATER RIGHTS**
- **WATER ENVIRONMENT FEDERATION**

Mr. Ortiz reported on the following:

- Working on the Bids Packets and advertisement for the River Pump Station
- Water Rights – June’s water level too low for testing, discussion ensued on alternative water supply sources for the future
- Water Environment Federation is up for renewal, and two free memberships are allowed. Mr. Friedman and Mr. Thomas agreed to join. Board was encouraged to attend the Water Quality Event 2017 Conference on September 30, 2017 – October 4, 2017, in Chicago, Illinois.

**ITEM #10**            **DIRECTOR OF FINANCE REPORT**

- **BUDGET WORKSHOP FY 2018- PROPOSE DATE**

Mrs. Garcia reported on the following:

- Review of Draft for requested budget. Budget Committee (Mr. J. Keplinger and Mr. D. Wells) meeting scheduled for Friday, July 7<sup>th</sup>, @ 10 AM
- Budget Workshop scheduled for July 12<sup>th</sup>, before the regularly scheduled meeting.

**ITEM #11**            **CONSIDER AND APPROVE A RESOLUTION ADOPTING A REVISED PLAN ON THE PERSONNEL POLICY FOR THE LAGUNA MADRE WATER DISTRICT (RESOLUTION NO. 149-06-17). (C. GALVAN)**

Mr. Galvan noted that the revisions made in the Personnel Policy were in Section 207 of the policy and will read as follows:

Section 207: APPROVAL FOR EMPLOYMENT - The Board of Director will hire the position of the General Manager. The General Manager will hire all Administrative positions and is authorized to approve the hire of all other positions.

**MR. J. KEPLINGER** made a motion to approve a Resolution Adopting a revised plan on the Personnel Policy for the Laguna Madre Water District (Resolution No. 149-06-17), seconded by **MR. W. THOMAS**. **MR. R. WELLS** and **MR. D. WELLS** opposed. Total vote: **2 FOR** and **3 AGAINST**. **MOTION FAILED.**

**ITEM #12**            **CONSIDERATION AND DISCUSSION FOR POSSIBLE APPROVAL OF WATER TOWER LEASE AGREEMENT WITH VERIZON WIRELESS FOR ANTENNA ON THE ANDIE BOWIE ELEVATED TANK. (C. GALVAN)**

There were discussions and questions regarding the Water Tower Lease Agreement with Verizon Wireless for an antenna on the Elevated Tank at Andie Bowie. Motions made and rescinded. The second amended motion passed to approve moving forward with negotiating on the site agreement portion only of the Water Tower Lease Agreement.

Mr. W. Thomas moved not to accept the proposed lease agreement, seconded by Mr. R Wells. Mr. D. Wells opposed. Motion Carried.

**MR. D. WELLS** made an amendment to the motion to authorize the General Manager and the Legal Counsel to proceed forward with the site assessment agreement and present to the Board at a future time, seconded by **MR. R. WELLS**. **MR. J. KEPLINGER** opposed. **MOTION CARRIED.**

**ITEM #13            CONSIDERATION AND DISCUSSION FOR POSSIBLE APPROVAL OF PROFESSIONAL ENGINEERING SERVICES FOR THE ELECTRICAL ENGINEERING DESIGN FOR THE MAIN OFFICE EMERGENCY GENERATOR. (C. ORTIZ)**

Discussion and questions ensued regarding the Professional Engineering Services for the electrical design for the main office emergency generator. It was noted for Mr. Ortiz to proceed as discussed for the Main Office Generator.

**MR. J. KEPLINGER** made a motion to not approve at this time, seconded by **MR. W. THOMAS**. **MOTION CARRIED UNANIMOUSLY. ITEM REJECTED.**

**ITEM #14            CONSIDER AND APPROVE FINANCIAL REPORTS FOR OCTOBER – DECEMBER 2016 AND JANUARY – MAY 2017 FY 2017. (S. GARCIA)**

There was a discussion, and the Board agreed to finalize the budget for the last fiscal year before approving the financials for the new fiscal year.

**MR. J. KEPLINGER** made a motion not to approve Financial Reports until the final budget from last fiscal year is approved, seconded by **MR. W. THOMAS**. **MOTION CARRIED UNANIMOUSLY. ITEM REJECTED.**

**ITEM #15            CONSIDER AND APPROVE DISBURSEMENTS. (C. GALVAN)**

**MR. W. THOMAS** made a motion to approve disbursements as presented, seconded by **MR. R. WELLS**. **MOTION CARRIED UNANIMOUSLY.**

**ITEM #16            EXECUTIVE SESSION PERMITTED BY THE OPEN MEETING ACT, V.T.C.A., GOVERNMENT CODE SECTION 551.001 ET. SEQ., UNDER SECTION 551.071, CONSULTATION WITH ATTORNEY; SECTION 551.072, DELIBERATION ABOUT REAL PROPERTY**

**A.    CONSIDER AND DISCUSS HOLLY BEACH ANNEXATION (C. ORTIZ)**

- B. CONSIDER AND DISCUSS LEGAL DEMAND FROM CAROLLO ENGINEERS
- C. CONSULTATION WITH ATTORNEY REGARDING LEGAL ACTION FOR DAMAGES AT WATER PLANT 2

**MR. D. WELLS** made a motion for the **BOARD** to go into executive session at **6:20 PM**, seconded by **MR. J. KEPLINGER**.  
**MOTION CARRIED UNANIMOUSLY.**

The Board took a short recess before going into Executive Session.

**MR. R. WELLS** made a motion for the **BOARD** to come out of executive session at **6:55 PM**, seconded by **MR. W. THOMAS**.  
**MOTION CARRIED UNANIMOUSLY.**

**MR. J. KEPLINGER** departed the meeting. A Quorum maintained.


**Executive Session Item A** – This item was for discussion only, no action taken.

**Executive Session Item B** – This item was for discussion only, no action taken.

**Executive Session Item C** – The **CHAIRMAN** noted, at the discretion to proceed in the best interest of the District as instructed by the District's Legal Counsel. **MR. W. THOMAS** made a motion to approve, seconded by **MR. R WELLS**. **MOTION CARRIED UNANIMOUSLY.**

**ITEM #17**      **ADJOURNMENT**

The **CHAIRMAN** adjourned the meeting at **6:56 PM**.



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DOYLE WELLS, SECRETARY



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SCOTT FRIEDMAN, CHAIRMAN

MINUTES APPROVED THIS 12TH DAY OF JULY 2017.