

MINUTES OF THE REGULAR MEETING  
of the  
REGIONAL WATER PLANNING GROUP “T”  
Wednesday, May 16, 2018 – 10:00 a.m.  
Nacogdoches Recreation Center  
1112 North Street, Nacogdoches, Texas

1. Call to Order – Kelley Holcomb, Chair, called the meeting to order at 10:05 a.m.
2. Invocation & Pledge of Allegiance –Kelley Holcomb and Randy Stanton
3. Roll Call and Determination of Quorum – The roll was called by Stacy Corley and a quorum was determined as follows:

Voting Members Present: (14 of 22)

Leah Adams  
David Alders  
David Brock  
Josh David  
Mark Dunn  
Roger Fussell  
Scott Hall  
Kelley Holcomb  
John Martin  
Matthew McBroom  
Gregory Morgan  
Monty Shank  
Randy Stanton  
Worth Whitehead

Voting Members Absent: (4)

Don Iles  
Chris Davis  
David Montagne  
Darla Smith

Voting Member Category Vacancies: (4)

(1) Counties – Brannick  
(1) Public  
(1) Small Business  
(1) Industries

Non -Voting Members Present: (1)

Ben Stephenson, PE

Government Reporting Agencies:

Lann Bookout, TWDB  
Rusty Ray, TSSWCB  
Terry Stelly, TPWD

Staff and Consultants:

Stacy Corley, City of Nacogdoches  
Rex Hunt, Alan Plummer Associates, Inc.  
Cynthia Syvarth, Alan Plummer Associates, Inc.  
Spandana Tummuri, Freese & Nichols  
Courtney Corso, Freese & Nichols  
James Beach, WSP

Other Guests:

Mary S. Vann, Sabine River Authority  
Dawn Pilcher, LJA Engineering  
John Langston, RCGSD  
Steve Bartlett, City of Nacogdoches

4. Consideration and approval of the minutes of the February 21, 2018 meeting:

David Alders moved to approve the minutes as written. The motion was seconded by Mark Dunn and unanimously passed.

5. Presentation: Introduction to Regional Water Planning to the new committee members as well as highlight key responsibilities of Planning Group members. (Rex Hunt)

***DUPLICATION of Item 9 below.***

6. Consider and possibly take action concerning approval of the submittal for a Hydraulic Model Variance request to the Texas Water Development Board. (Spandana Tummuri)

The consulting team recommended the following variance:

- Adopt the updated Trinity Model run by Region C
- Adopt the current Neches Trinity Model run by TCEQ
- Adopt the updated Neches and Sabine Models run by Region I

Mark Dunn moved to approve the submittal for a Hydraulic Model Variance request to the Texas Water Development Board. The motion was seconded by Greg Morgan and unanimously passed.

7. Consider and possibly take action concerning approval of a change to the Scope of Work for Task 5A in Round 5 East Texas Regional Water Planning Group Regional Water Plan. (Rex Hunt)

Rex Hunt advised the Task 5A is the only scope of work item that requires a notice –to-proceed. The Task 5A Notice-to-Proceed request requires the following actions:

- Approval and authorization to submit the approved notice-to-proceed request to the TWDB,
- Authorization for the consultant and/or political subdivision to work with the TWDB on any follow up information that might be required, and
- Authorize the political subdivision to negotiate and execute the subsequent TWDB contract amendment that will be issued.

Josh David moved to approve a change to the Scope of Work for Task 5A in Round 5 East Texas Regional Water Planning Regional Water Plan. The motion was seconded by Scott Hall and unanimously passed.

8. Consider and possibly take action concerning approval of an amendment to the East Texas Regional Water Planning Group Bylaws pertaining to Article V, Section 2; Article VII, Article VIII, Sections 4 and 5; and Article IX, Section 2. (David Alders)

David Alders, Chair of Bylaws Committee presented proposed amendments:

### **Proposed Amendments to ETRWPG Bylaws**

May 16, 2018

#### **Article V, Section 2:**

Add the verbiage to the current section regarding Open Meetings Act and Public Information Act training as required by Texas Government Code §552.012.

#### **Section 2      *Conditions of Membership***

*In order to be eligible for voting membership on the ETRWPG, a person must represent the interest for which a member is sought, be willing to participate in the regional water planning process, be a resident of the East Texas Regional Water Planning Area for six months prior to becoming a voting member, and abide by these bylaws. Voting members must complete the Open Meetings Act training required by Texas Government Code §551.005 and the Public Information Act training required by Texas Government Code §552.012 within 90 days of becoming an ETRWPG member and must submit certification of completion to the political subdivision. Members who have previously completed this training as part of their outside employment or board service with other public entities do not need to complete it again as ETRWPG members.*

#### **Article VII**

Inasmuch as the Group has determined, at present, to eliminate the practice of allowing for designated alternates and proxies, **Article VII**, which exclusively pertains thereto, **would be stricken in total**. Additional effects of the elimination of Article VII would be the renumbering of all Articles of the bylaws that follow and the elimination of all mentions of “designated alternates” or “proxies” throughout the bylaws, specifically in Articles V, VIII and IX.

## **Article VIII, Section 4**

Section 1 of Article VIII identifies the office of Assistant Secretary. In Section 5 (e) of that Article, duties of the office of Assistant Secretary are set forth, including duties to be performed in the “absence of the Secretary.” Therefore, the language of Section 4, which follows below, appears not to contemplate the office of Assistant Secretary seems to be inappropriate.

### **Section 4      *Vacancies of Officers***

*Whenever an officer vacancy exists because of death, resignation, or removal, the vacancy shall be filled as soon as reasonably possible. The Nominating Committee shall recommend a replacement to serve the remainder of the term of any member of the Executive vacates their position. Nominations may also be made from the floor by voting members. The voting members shall select a replacement officer from among the nominees by majority vote of the voting members present. The next highest ranking officer shall serve in the vacant position until a successor takes office, unless the office of the Secretary becomes vacant, in which case the Chair shall appoint a voting member to serve as Secretary until the successor to the Secretary takes office. The person selected to fill a vacancy for an officer shall serve for the unexpired term of his or her predecessor in office.*

## **Article VIII, Section 8**

Section 8 of Article VIII, titled “Designated Alternates or Proxies” would be stricken, but the second and third sentences of that Section, which do not pertain specifically to designated alternates or proxies, would be added to Section 1 (Officers, Restrictions, and Terms of Office) of Article VIII, their more appropriate context.

### **Section 8      *Designated Alternates or Proxies***

~~*A designated alternate or written proxy of a member serving as an officer or member of the Executive Committee shall not serve in the member's capacity as an officer in lieu of the member.*~~ *When an officer is absent or otherwise unable to serve, the next highest ranking officer shall serve for the officer. If no lower ranking officer exists or can serve, then a member designated by the Chair or acting Chair shall serve for the officer.*

The revised Section 1 would read:

### **Section 1      *Officers, Restrictions, and Terms of Office***

*Voting members of the ETRWPG shall select from the voting membership a Chairman, First Vice Chair, Second Vice Chair, Secretary and Assistant Secretary to serve as officers. Each officer shall serve a term of one calendar year. Except as provided under Section 4 of this Article, an officer shall serve until his or her successor takes office. Elections shall be held annually, with no restrictions on the number of consecutive terms an individual may serve as an officer other than those that apply because of his or her status as a voting member under these bylaws. **When***

*an officer is absent or otherwise unable to serve, the next highest ranking officer shall serve for the officer. If no lower ranking officer exists or can serve, then a member designated by the Chair or acting Chair shall serve for the officer.*

#### **Article IX, Section 2:**

Clarify the year for which a regular meeting schedule is to be adopted and correct a misspelling.

#### **Section 2 Regular Meetings**

*While the regular meeting schedule of the ETRWPG is quarterly, the membership shall meet no less than twice each calendar year. ~~At the first meeting of each calendar year, the ETRWPG shall establish and adopt a regular meeting schedule for the ensuing year.~~ The Secretary shall ensure that an advance notice and an agenda for regular meetings will be provided to the full membership of the ETRWPG at least ten calendar days in advance by first class U.S. Mail, facsimile, or electronic mail. Supporting information and member-requested materials shall be distributed to the full membership with the notice and agenda or at the meeting, as deemed appropriate by the Chair.*

#### **Article XII, Section 1:**

Add verbiage to clarify the limited authority of committees and their status as subject to the Open Meetings Act.

#### **Section 1 Establishment**

*The ETRWPG may by motion establish committees ~~and subgroups~~ to assist and advise the ETRWPG in the development of the regional water management plan. The committee ~~or subgroup~~ may be formed to address specific issues assigned by the ETRWPG and may have a specified term of membership. Committees shall have no authority to supervise or control public business or public policy, except as explicitly authorized to do so for a specific purpose by motion of the ETRWPG. All committee meetings shall be subject to the provisions of the Open Meetings Act, and the quorum shall be determined based on a quorum of the committee, not a quorum of the ETRWPG as a whole.*

David Alders moved the recommendation from the Bylaws Committee be approved as discussed. The motion was seconded by Mark Dunn and unanimously passed.

#### **9. New member orientation. (Consultant Team)**

Chair Kelley Holcomb gave the Introduction to Regional Water Planning stating the 1950's drought in Texas started the need for the Texas Water Development Board and the first \$200 million for Water Development. In the 1960s and '70s' Reservoir construction program began calling for Long-Range Water Resource Planning by the Agency; and SB 1, 1998 mandated the development of Regional Water Plans on a 5-year cycle.

Consultant Rex Hunt with Alan and Plummer Associates, Inc. gave the Planning Process Overview; Spandana Tummuri with Freese and Nichols reported the Surface Water Basics; and James Beach with WSP reported the Groundwater Basics.

***Break for lunch 11:57 a.m.***

***12:15 p.m. reconvened.***

Cynthia Syvarth with Alan and Plummer Associates, Inc. explained the Example Processes for Establishing Supply, Demand, Need, and Strategies.

Rex Hunt concluded with the Regional Water Plan Document Development.

(A copy of the *New Member Orientation* presentation will be available on the ETRWPG website [www.etexwaterplan.org](http://www.etexwaterplan.org) )

**10. Public Comment.**

None

**11. Next Meeting Date: August 15, 2018**

**12. Adjourn: 12:55 p.m. Chairman Holcomb moved to adjourn.**

APPROVED THIS 15<sup>th</sup> day of August 2018.

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Kelley Holcomb, Chair  
ETRWPG – Region I

ATTEST:

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John Martin, Secretary

Minutes approved August 15, 2018