

**MINUTES OF
APRIL 7, 2008
BOARD MEETING
CENTRAL TEXAS GROUNDWATER
CONSERVATION DISTRICT**

The Board of Directors of the Central Texas Groundwater Conservation District met in regular session Monday, April 7, 2008 at 8:35 p.m. in the Main Courtroom, 2nd Floor, Burnet County Courthouse, 220 S. Pierce, Burnet, Texas

The following persons were present:

Members Present

John Simmons, President
Patrick Quinlan, Vice President
Wayne Brown, Secretary
Todd Fox, Director

Members Absent

Jerry Bostick, Director

Staff Present

Richard Bowers, General Manager
Donnita Coats, Administrative Assistant

Others present (who signed the attendance Record)

Brian Sledge, District General Council
Charles R. Williams, P.G., Associate Hydrogeologist, Water Resources, TCB
Robert Ruggiero, Daniel B. Stephens & Associates, Inc
Lorene Denney, Burnet Bulletin

President Simmons, upon recess of the Rule Making Public Hearing on Proposed District Rules declared a quorum present and called the Meeting to order at 8:35 p.m.

President Simmons asked for Public Comments. There were no public comments.

President Simmons then asked the Directors to consider the Consent Agenda which included the Minutes of Board Meeting held March 3, 2008; the expenditures of March 2008 and the 2007-2008 Budget and funds held account.

Patrick Quinlan moved to:
Approve the Consent Agenda.
Second was by Todd Fox.
Vote on the motion carried.
All Members voted.

President Simmons then asked for consideration and/or action on Declaration of Election of Unopposed Candidates for Director.

Wayne Brown moved to:

Declare the following Directors for the Central Texas Groundwater Conservation District; John E. Simmons – Director At Large, Clyde O. Waters – Director Precinct 1 and Todd B. Fox – Director Precinct 3; to be elected in accordance with Texas Election Code, Chapter 2, Subchapter C. Election of Unopposed Candidate. Sec. 2.051, Sec. 2.052 and Sec. 2.053: and Order the Cancellation of the Election that was to be held on May 10, 2008.

Second was by Patrick Quinlan.

Vote on the motion carried.

All Members voted.

President Simmons then moved Agenda Item #4 to precede Agenda Item #3 and asked for discussion on Monitoring Well Contracts and Agreements. Brian Sledge, District General Council explained the Monitoring Well Agreements with Local Government Entities and Local Property Owners and the need for a Resolution authorizing the General Manager to execute these documents on behalf of the District.

Patrick Quinlan moved to:

Adopt the following Resolution:

RESOLUTION AUTHORIZING GENERAL MANAGER
TO NEGOTIATE AND EXECUTE CERTAIN DISTRICT AGREEMENTS
REGARD THE ESTABLISHMENT OF A
GROUNDWATER MONITORING WELL NETWORK

RESOLUTION 2008-

THE STATE OF TEXAS

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CENTRAL TEXAS GROUNDWATER
CONSERVATION DISTRICT

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WHEREAS, Section 36.057(f), Water Code, authorizes the Board of Directors of a groundwater conservation district to delegate to its General Manager the authority to execute documents on behalf of the district;

WHEREAS, the Board of Directors ("Board") of the Central Texas Groundwater Conservation District ("the District") has employed a person to serve as General Manager, who is the chief administrative officer of the District and has full authority to manage and operate the affairs of the District, subject only to the direction given by the Board through policies, resolutions, and orders adopted by it; and

WHEREAS, the Board has budgeted funds for the District to establish a groundwater monitoring well network to obtain better information regarding groundwater levels and groundwater quality in the aquifers located in whole or in part in the District;

WHEREAS, it is necessary for the District to enter into agreements with landowners and well owners in order to gain access to land and/or monitoring wells to establish a monitoring well network;

WHEREAS, the Board has reviewed the basic provisions of form contracts for such agreements with landowners and well owners, and has determined that the provisions contained therein are appropriate, along with such other provisions as may be necessary to be included in individual agreements in order to gain access to land or monitoring wells at locations that will benefit the District's monitoring well program without comprising the District's position financially or legally with respect to such agreements;

WHEREAS, the Board believes that it is in the best interest of the District and its constituents that the General Manager be delegated authority to negotiate and execute monitoring well agreements on behalf of the District, and that, in doing so, he exercise his best judgment to obtain contractual terms that are favorable to the District and the purposes of the monitoring well program;

WHEREAS, the Board met in a public meeting, noticed properly in accordance with applicable law, and considered the approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Central Texas Groundwater Conservation District as follows:

1. The above recitals are true and correct.
2. The General Manager is hereby authorized to negotiate and/or execute on behalf of the District agreements with landowners and well owners to obtain access to land or wells in furtherance of the establishment of the District's groundwater monitoring well network on terms that are favorable to the District and that will further the purposes of the monitoring well program, save and except any agreements entered into under Chapter 791, Government Code, which shall be approved by the Board before execution.
3. The General Manager shall seek the advice of the District's legal counsel, the Board President, or the Board when he deems appropriate before entering into a monitoring well agreement.
4. The Board President, Secretary, and the General Manager are further authorized to take any and all actions necessary to implement this resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS on this ___th day of April, 2008.

By: _____
President

Attest: _____
Secretary

Second was by Wayne Brown.
Vote on the motion carried.
All Members voted.

President Simmons then asked the General Manager for the Groundwater Management Area 8 update. The General Manager explained that the Desired Future Conditions calculated for the Minor Aquifers match those numbers in the District Management Plan and should probably be adopted. President Simmons suggested tabling discussion and holding a Special Board Meeting later in April to discuss and/or act on the establishment of Desired Future Conditions for the Major and/or Minor Aquifers located in whole or in part within Groundwater Management Area 8 (GMA 8) and the District's positions regarding same.

President Simmons then called on the Manger for the Manager's Report.

Manager's Report April 7, 2008

1. Monitoring Well update. – Attached
2. Meetings since last Board Meeting.
 - a. March 11th Tablerock GCD Board Meeting - Discuss DFC process for GMA 8,
 - b. March 12th Met with City of Burnet - Discuss Rules,
 - c. March 20th Robert Ruggero TCB here - Training on Contract,
 - d. March 24th GMA 8 Work Session - review GAM run and discuss changes
 - e. April 4th Priority Groundwater Management Area - Monitor PGMA process.
3. Upcoming Meetings
 - a. April 9th Region K
 - b. April 12th Texas Water Well Drillers CEU Training Weatherford, Texas
 - c. April 15th Burnet County Commissioners Court Interlocal Agreement – Monitoring Well
 - d. April 22nd Texas Water Well Drillers CEU Training – Kerrville, Texas
 - e. May 8th GMA 8 Meeting – DFC for Minor Aquifers and Discuss Trinity Aquifer GMA Request.
 - f.
4. Coliform Bacteria Analysis – In March we ran 14 analysis.
5. <http://www.centraltexasgcd.org> Report attached

President Simmons then called on the Directors for any comments.

John Simmons asked how the Monitor Well Data will be disseminated.

The Manager explained that the date will be posted on the District Website in real time or thirty day updates.

Wayne Brown thanked Patrick Quinlan for his service on the Board.

President Simmons asked the Board to identify any specific agenda items for the next Board Meeting.

Public Hearing on Rules continued

President Simmons set the next regularly scheduled Board Meeting date for Monday, May 5, 2008, at 6:00 p.m.

President Simmons adjourned the Regular Board Meeting at 9:15 p.m.

John Simmons, President

Wayne Brown, Secretary