

**MINUTES OF
August 12, 2011
BOARD MEETING
CENTRAL TEXAS GROUNDWATER
CONSERVATION DISTRICT**

The Board of Directors of the Central Texas Groundwater Conservation District met in regular session Friday, August 12, 2011 at 9:02 a.m. in the District office located at 225 S. Pierce Street, Suite 104, Burnet, Texas.

The following persons were present:

Members Present

John Simmons, President

Todd Fox, Vice President

Clyde Waters, Secretary/Treasurer

Steve Henderson, Director

Members Absent

Wayne Brown, Director

Staff and or Consultants Present

Richard Bowers, General Manager

Donnita Coats, Administrative Assistant

Mitchell Sodek, Hydrologist

Others present

5 Members of the Public

President Simmons asked General Manager Bowers to establish a quorum through a roll call of Directors; declared a quorum present; and called the Meeting to order at 9:02 a.m.

President Simmons asked for public comment.

There were no Public Comments.

President Simmons then asked for consideration and/or action on the Minutes of the Board Meetings held July 8, 2011 and July 15, 2011.

Clyde Waters moved to:

Approve the minutes of the Board Meetings held July 8, 2011 and July 15, 2011.

Second was by Todd Fox.

Vote on the motion carried.

President Simmons then asked for consideration and/or action on Expenditures for July 2011 and review of 2010 – 2011 Budget.

Steve Henderson moved to:

Approve the expenses for July 2011.

Second was by Clyde Waters.

Vote on the motion carried.

President Simmons then asked for consideration and/or action on change of Election Date and Term of office of Directors. General Manager Bowers and Election Officer, Donnita Coats, briefed the Board on the proposed administrative rule relating to the Texas Implementation of the federal MOVE Act, changes to the District election date proposed by the Burnet County Election Administrator and the upcoming August 15th meeting with the Election Administrator and other entities that contract with Burnet County for their elections. After discussion by the Board, it was decided that Director Fox would attend the August 15th meeting with Mrs. Coats and that he would inform the Election Administrator that the Board would prefer to keep the District Elections in May of even numbered years as set out in the enabling act.

President Simmons then asked Burnet County Commissioner Joe Don Dockery for an update on the current budget situation and the direction of the Household Hazardous Waste Committee, and request approval for expenditures from the District Commitment. Commissioner Dockery, Chief Wright with the Marble Falls fire Department and committee member Charles Shell requested that since the District had budgeted reserve funds that would not be used to help with a permanent facility at this time, would they consider re-budgeting this reserve fund to use for 2011-2012 fiscal year Household Hazardous Waste events. After discussion, President Simmons stated that the Board would consider and/or act on re-budgeting the funds during the Agenda Item for a work session on the 2011-2012 Budget.

President Simmons then asked for discussion and/or action on engagement letter from Taber & Burnett, P.C. for the 2010 – 2011 Audit.

Clyde Waters moved to:

Approve Taber & Burnett, P.C. to do the 2010-2011 Audit for the District.

Second was by Todd fox.

Vote on the motion carried.

President Simmons then asked for consideration and/or action on the determination of the drought stage. Mitchell Sodek, District Hydrologist, gave a PowerPoint presentation on the Palmer Hydrological Drought Index and district monitor well levels. He pointed out locations for possible monitor wells in the future and four unused wells he is considering equipping at this time. The District is currently in the Severe Drought Stage and he and General Manager Bowers recommended the District continue the Severe Drought Stage. The Board took no action to change the current Drought Stage.

President Simmons then asked for consideration and/or action on a proposed amendment to Central Texas GCD Bylaws Section 7.10 Purchasing. Secretary/Treasurer Waters and General Manager Bowers reviewed the following currently adopted and proposed amendment to 7.10, Purchasing, of the District Bylaws:

Current Adopted Version

7.10 Purchasing:

The Board shall have the right to purchase all materials, supplies, equipment, vehicles, and machinery needed by the District to perform its purposes. Expenditures to acquire goods or services which are specifically authorized in the annual budget may be made by the President or General Manager without prior Board approval if the expenditure falls within the existing

budgeted amount. No expenditures shall be made that are not authorized by the budget. This requirement shall not, however, prevent the Board from amending the budget at the same time that it authorizes expenditure, provided that funds are available from other budget categories or that reserve funds are available.

Construction contracts and contracts for the acquisition of materials and machinery requiring the expenditure of \$25,000 or more may be competitively bid, or as provided by law.

Proposed Amended Version (New language is underlined.)

7.10 Purchasing:

The Board shall have the right to purchase all materials, supplies, equipment, vehicles, and machinery needed by the District to perform its purposes. Expenditures to acquire goods or services which are specifically authorized in the annual budget may be made by the President or General Manager without prior Board approval if the expenditure falls within the existing budgeted amount. No expenditures shall be made that are not authorized by the budget. This requirement shall not, however, prevent the Board from amending the budget at the same time that it authorizes an expenditure, provided that funds are available from other budget categories or that reserve funds are available. The General Manager and the Secretary/Treasurer of the Board may adjust budget amounts within a budget category without the approval of the Board so long as the adjustment to the budget amount does not increase or decrease the total amount of the budget category. An adjustment made by the General Manager and the Secretary/Treasurer of the Board shall be reported to the Board at the Board Meeting following the adjustment.

Construction contracts and contracts for the acquisition of materials and machinery requiring the expenditure of \$25,000 or more may be competitively bid, or as provided by law.

Steve Henderson moved to:

Adopt the proposed amendment to District Bylaw 7.10 – Purchasing.

Second was by Clyde Waters.

Vote on the motion carried.

President Simmons then asked for a report of meetings of Groundwater Management Area (GMA) 8.

General Manager Bowers provided a copy of the Agenda for the Aug 3 meeting, stated the action on the Bylaws was to appoint a committee and provide a set for consideration at the next meeting. He then reported that there was considerable discussion in regard to the proposed Budgets, stating that after two failed motions a motion to approve the 2011 budget of \$4,300.00 passed. Nov 16 meeting, Changes by the Texas Legislature allow for a GMA representative on Regional Planning Groups (RPGs), GMA 8 has four different RPGs so at the next meeting scheduled for November 16, 2011 TMA 8 will appoint GMA 8 members to the various RPGs.

President Simmons then asked for a report on the Water Issues Meeting and a Report on the Texas Water Development Board Planning Grant Meeting. Director Waters stated that it was a 95% Design Review, \$277,000, Report and that the report had little or nothing to do with Llano County and did not include connectivity to Llano or Kingsland water supplies. He stated that the report was a compilation of data provided to the engineer and did not include much of the information provided by the District.

President Simmons then called on the General Manager for the Staff Report.

The General Manager provided the following report:

a. Rule implementation activities,

Activity	Total as of July 7, 2011	Total as of August 11, 2011
Well registrations	3,275	3,280
Exempt Well Drilling Auth.	270	285
Permit App. Received	118	119
 Permit Applications by Use		 Permits Issued
Commercial	16	3
Domestic, Livestock & Poultry	38	37
Industrial	7	0
Irrigation	23	6
Public Water Supply	34	0
<u>Total</u>	<u>118</u>	<u>46</u>
 Permit Applications by Precinct		
Precinct 1	52	
Precinct 2	29	
Precinct 3	22	
Precinct 4	15	
<u>Precincts 1 2 & 3</u>	<u>1</u>	
<u>Total</u>	<u>119</u>	

I received an Alternate Measuring Methodology & Process description from one of the quarries. From that I developed a draft for consideration. Mitchell and I believe it complies with the requirements in the Rules and provides an accurate volume of water consumptively used. Please review the Draft.

- b. Eight of the ten rain gages with rain loggers we purchased have been installed.
- c. Monitor Wells. Mitchell included the monitor well discussion in the Drought Management Agenda Item.
- d. We do not have a Permit Hearing scheduled at the present time. We will be sending letters to the Grandfather Permit applicants that are required to have metered production during the verification period reminding them to record the water use and send the information in.
- e. Monday we received several calls in regard to a person hauling water. The report got pretty wild including claims of selling water. Mitchell and I investigated the complaint. Met with the person who owned the well and the person receiving the hauled water. We also met with several of the people who had called to office. We measured the water level in 6 wells around the well owned by the person providing the water. We were not able to measure the water level in the well in question. Results:
 - The water was not being sold. It was providing water to a neighbor for domestic and livestock water (2,000 gallons per day at most). The neighbors well is dry.

- The water level in the wells we measured was from 30 to 50 feet above the top of the pump (from what we were able to determine with the e-line).
- We did locate a well that is suitable for a water level monitor well and is one we also could get a geophysical log on to determine the aquifer. There is some question that the wells are not all in the same aquifer.
- The well owner will register his well. It is a domestic well pumping less than 17gpm.
- We provided copies of the Drought State 3 information.

President Simmons then called for any Director comments. There were no Director comments.

President Simmons called for Agenda items for the next Board Meeting.

Budget

Tax Rate

Election Update

President Simmons stated that Directors could contact the Manager or himself prior to the deadline for posting notice of the next meeting if they have a suggested agenda item.

President Simmons then set the next regular board meeting for, Friday, September 9, 2011 at 9:00 a.m. at the District Office located at 225 S. Pierce, Burnet, Texas.

President Simmons then asked for a report from Burnet Central Appraisal District on 2011 Tax Rate. General Manager Bowers informed the Board that since the District is considered a small taxing entity with a tax levy below \$500,000.00 and tax rate less than \$.50 it does not have to publish notices required of larger entities. The District is required to publish legal notice of the proposed tax rate and meeting to consider adopting the proposed tax rate. Secretary/Treasurer Waters proposed a \$.01/\$100 value tax rate for 2011.

President Simmons then called for a short break at 10:45 a.m. before continuing to Agenda Item number 17.

President Simmons reconvened the meeting at 10:55 a.m. for a work session and consideration and/or action on the 2011-2012 Budget. General Manager Bowers and Secretary/Treasurer Waters reviewed a preliminary budget for discussion by the Board. President Simmons and Director Fox suggested adding Funds from Reserves of \$25,000.00 for the possibility of a future Permanent Household Hazardous Waste Facility and \$4,000.00 for the 2012 Burnet County Waste Disposal Event. Secretary Waters suggested increasing Monitor Well Equipment and Flow Meter line items to \$7,000.00. All Directors agreed to these changes and a proposed budget to be acted upon will be presented to the Board at the September 9, 2011 regular board meeting.

At 11:30 a.m. President Simmons stated that the Board would go into Executive Session to discuss personnel matters.

The Board reconvened the meeting at 12:05 p.m. and President Simmons stated that no action would be taken as a result of the executive session.

President Simmons adjourned the meeting at 12:07 p.m.

John Simmons, President

Clyde Waters, Secretary/Treasurer