

**MINUTES OF
JULY 9, 2010
BOARD MEETING
CENTRAL TEXAS GROUNDWATER
CONSERVATION DISTRICT**

The Board of Directors of the Central Texas Groundwater Conservation District met in regular session Friday, July 9, 2010 at 9:05 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	Wayne Brown, Director
Todd Fox, Vice President	Steve Henderson, Director
Clyde Waters, Secretary/Treasurer	

Staff and or Consultants Present

Richard Bowers, General Manager	Donnita Coats, Administrative Assistant
Mitchell Sodek, Hydrologist	Brian Sledge, District General Council

Others present (who signed the attendance Record)

8 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 9:05 a.m.

President Simmons then asked for public comment.

There was no public comment.

President Simmons then asked the Directors to consider the Minutes of the Regular Board Meeting held June 11, 2010.

Clyde Waters moved to:

Approve the Minutes of the June 11, 2010 regular Board Meeting as presented.

Second was by Wayne Brown.

Vote on the motion carried.

President Simmons then asked the Board to consider and/or act on the expenditures for June 2010.

Wayne Brown moved to:

Approve the expenses for June 2010.

Second was by Clyde Waters.

Vote on the motion carried.

President Simmons stated that the next item on the agenda was to receive information from Texas and Southwest Cattle Raisers Association and called on General Manager Bowers to introduce Jason Skaggs, Executive Director, Government and Public Affairs from Texas and Southwest Cattle Raisers Association.

Mr. Skaggs stated that the Texas and Southwest Cattle Raisers Association, Texas Wildlife Association and Texas Farm Bureau have formed a partnership "Texans for Groundwater Rights" that has issued a policy statement that Landowners have vested rights to groundwater. They are pro property rights and are in the process of conducting regional educational meetings on groundwater ownership. Directors Fox and Brown asked Mr. Skaggs what it would take for this District and other Districts to join the partnership. Mr. Skaggs said the partnership would welcome District participation with a supporting position at this time.

Wayne Brown moved to:

Pass a resolution in support of the Joint Position Statement on Groundwater Ownership of the Texas and Southwest Cattle Raisers Association, Texas Farm Bureau and Texas Wildlife Association.

Second was by Todd Fox.

Vote on the motion carried.

Director Waters abstained.

President Simmons then asked for consideration and/or action on contributing funds toward the Burnet County Household Hazardous Waste program for 2011. (Note: At the June 9, 2011 Board Meeting, President Simmons and Director Fox felt that the District may want to contribute more than the requested \$2000.00 to the program and tabled discussion and/or action until the July Board Meeting of which Burnet County Commissioner Dockery would be attending.)

President Simmons introduced Commissioner Dockery and Marble Falls Fire Chief Larry Wright who discussed the 2010 program, and the plans for the 2011 program and possible future permanent facilities for household hazardous waste collection in Burnet County. Commissioner Dockery completed his presentation by stating that they were asking the District to double last year's donation of \$2,000.00.

Todd Fox moved to:

Help fund the 2011 Burnet County Household Hazardous Waste Collection Project with a donation of \$4000.00.

Second was by Wayne Brown.

President Simmons – Yea

Vice President Fox – Yea

Secretary/Treasurer Waters – Nay

Director Henderson – Yea

Director Brown – Yea

President Simmons declared the vote on the motion carried.

President Simmons then asked for consideration and/or action on a Water Quality Policy of the District.

General Manager Bowers informed the Board of a fuel leak incident that occurred on Thursday, July 8th, 2010 and the activities of the various local and state agencies including the District. He stated that the agencies worked together and contained the gasoline spill. The District collected water samples from three well locations and one surface location, delivered the samples to the LCRA lab in Austin. He stated that the response from the District was following the procedure included in the proposed Water Quality Policy and suggested the Directors adopt the policy.

Vice President Waters moved to:
Adopt the following as the Water Quality Policy of the District.

Quality Protection of Groundwater

The District is aware that at times there are activities and/or conditions which could cause significant pollution or harmful alteration of groundwater. The District realizes and supports the fact that the state of Texas and the federal government have regulatory agencies to protect the groundwater and surface water from both point source and non-point source pollution. These agencies include, but are not limited to, groundwater conservation districts, the Texas Commission on Environmental Quality, Texas Department of Agriculture, Texas State Soil and Water Conservation Board, Railroad Commission of Texas, and the United States Environmental Protection Agency. The Central Texas Groundwater Conservation District intends to work with the other agencies created by the state of Texas and the federal government to protect the groundwater within the District from pollution.

- A. When the District becomes aware of an existing or proposed activity or condition which is causing, or may cause, significant pollution of Groundwater, the District will:
 - 1. Contact the responsible person or entity and investigate the activity or condition, and
 - 2. Make a determination as to the impact the activity or condition has, or may have, in regard to the pollution of groundwater, and
 - 3. Determine if the activity or condition is regulated by a local, state or federal agency.

- B. If it is a regulated activity or condition the District will:
 - 1. Notify the responsible agency or agencies and report the findings, and
 - 2. Work with the agency or agencies in an effort to protect the groundwater from pollution.

- C. If the activity or condition is not regulated by another agency, the District will:
 - 1. Work with the person or entity responsible for the activity or condition which has caused, or may cause, pollution of the groundwater in an effort to reach an acceptable agreement to protect the groundwater from pollution.
 - 2. If the District and the person cannot resolve the pollution dispute, the District will use whatever legal remedy is available through its Enabling Legislation, Chapter 36 of the Texas Water Code, and any other laws of this State or the Federal Government to protect the groundwater from pollution.

Second was by Wayne Brown.
Vote on the motion carried.

President Simmons then asked for consideration and/or action on Burnet and Llano counties Texas Water Development Board Water Planning Grant.

Director Waters, District Representative on the grant committee, updated the Board on the contract administration. He told the Board that there would be a meeting with the Engineer on the project on July 22, 2010 to go over a final contract and fund guidelines. A one-time payment towards the project has been budgeted and will be paid before the end of the fiscal year.

President Simmons then asked the Board to consider and/or act on adoption as a rule of the District 'Proposed Appendix B- Hydrogeologic Investigation and Report Requirements' (continuation of May 17, 2010, public hearing). District Council, Brian Sledge, reviewed the updated proposed Appendix B that was drafted following a June 25, 2010 work session to review, discuss, and develop proposed language and information in regard to the 'Proposed Appendix B. Mr. Sledge stated that the changes to the most recent draft of the proposed appendix were consistent with changes requested at the work session, that Tom Partridge, Consulting P.E. for the District, had been consulted regarding the changes, and that minor clean up of language had been made to the draft. After further discussion between Mr. Sledge, the Board, staff members and the general public, several additional changes to the proposed Appendix will be incorporated into the draft and a revised draft will be presented at the August 13, 2010 Board Meeting.

President Simmons then asked the General Manager for a Managers Report.

The Manager provided information on the following:

- a. **Attended TAGD meeting June 29th.** They are in the process of finalizing a "White Paper" on groundwater ownership. Should be available soon.
- b. **Attended town hall meeting with Representative Aycock June 30th. Identified issues that will come before the Texas Legislature in 2011**
 - i. Sunset Commission for TexDOT, TWDB, TCEQ – watch the sunset bills for last minute additions.
 - ii. Budget shortfall estimate \$12 to \$20 billion.
 - iii. Health Care
 - iv. Redistricting
- c. **Rule implementation activities.** – Total number of well registrations is 1240 and 138 new exempt wells drilling authorizations since September 1, 2009.
- d. **Monitoring well** - January – May 2010 water level graphs and 2009 and January – June 2010 rainfall charts are on the CTGCD Website.

President Simmons then asked for Director Comments.

John Simmons, Wayne Brown and Clyde Waters – wants the Managers Report to include information about permit applications including number of permits in each precinct and status.

John Simmons – wants written response to all applicants promptly.

Clyde Waters – Suggested purchasing another company vehicle through competitive bid or the guidelines used to purchase the other vehicle.

John Simmons – recommended having a Budget workshop and consider purchasing a vehicle then.

Clyde Waters – Appraisal District goal to have effective tax rates to the taxing entities by July 26th. Suggested a workshop the first week of August.

Wayne Brown – Would like the Manager include in the proposed budget a description of staff activities associated with the budget item where applicable.

President Simmons then asked the Board to identify any agenda items for the next and/or future Board Meetings.

Appendix B – Hydro Report

Executive Session – Personnel before workshop on budget

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, August 13, 2010 at 9:05 a.m. at the District Office located at 225 S. Pierce, Burnet, Texas.

President Simmons then tabled the Agenda Item 13 Consider and/or action on personnel matters until the August 13, 2010 Board Meeting.

President Simmons adjourned the meeting at 12:11 a.m.

John Simmons, President

Clyde Waters, Secretary/Treasurer