

**MINUTES OF  
January 22, 2021  
BOARD MEETING  
CENTRAL TEXAS GROUNDWATER  
CONSERVATION DISTRICT**

The Board of Directors of the Central Texas Groundwater Conservation District met in regular session and held a hearing on proposed desired future conditions on Friday, January 22, 2021 at 9:00 a.m. at the Texas Agrilife Extension Auditorium, 607 North Vandevener Street, Burnet, TX 78611.

**Members Present:**

Ryan Rowney, President    Ricky Bindseil, Vice-President  
Kathy Griffis-Bailey, Secretary/Treasurer    Bill Felps, Director    Homer Will, Director

**Staff and/or Consultants Present:**

Mitchell Sodek, General Manager    Paul Babb, Groundwater Resource Specialist  
Donnita Coats, Office Manager    Bill Dugat, District Legal Counsel  
Dr. Neil Deeds, District Technical Consultant

**Others Present:** 16 Members of the Public

President Rowney declared a quorum present and called the Meeting to order at 9:00 a.m.

President Rowney then called for the Invocation and Pledge of Allegiance to the Flags.

President Rowney then called to order, at 9:02 a.m., a Public Hearing in accordance with Texas Water Code section 36.108, to receive public comment on the proposed Desired Future Conditions (DFCs) of groundwater resources located within Burnet County and the surrounding areas located within Groundwater Management Area (GMA) 8. The proposed DFCs approved by the district representatives of GMA 8 for the Trinity, Ellenburger-San Saba, Hickory and Marble Falls Aquifers are described in terms of total average drawdown in water levels measured in feet from January 1, 2010, through December 31, 2080. General Manager Sodek presented for the District, the relevant proposed DFCs included at the District-wide scale. He stated that the notice of hearing had been properly noticed and published at least ten days prior to the hearing by publishing in the Burnet Bulletin and the Highlander, posting with the Burnet County Clerk, posting on the door and outside window of the District Office and sent to the mailing list of the public requesting notice of meetings and hearings of the District. He discussed the background and entire DFC process to get to modeled available groundwater and stated that the District will accept comment today and written comment on the proposed DFCs until 5:00 p.m. February 14, 2021. Dr. Neil Deeds of INTERA, the District's technical consultant, will also review comments.

President Rowney then asked for public comment on the proposed DFC's. Mark Harral, representing Felps LLC, presented the Board with a slide presentation handout and made comment on the DFCs. He had asked for a 20 minute comment period prior to the hearing and it was granted by President Rowney. There were no other public comments and President Rowney adjourned the public hearing at 9:31 a.m.

President Rowney returned to regular session at 9:31 a.m. and asked for public comment. Member of the Public, Janice Felps commented on her request for a microphone, video projector and handouts for the public at District meetings and hearings and that the meetings and hearings be livestreamed to the public. She commented that she had made these request known to the Board and Staff through email and had not gotten a response from some but not all of them and asked that they respond to public emails addressed to them.

President Rowney then asked for consideration and/or action on the Annual District Audit for FY2019-2020. Charity Taber, District Auditor with Taber and Burnett PC, reviewed the audit and reported a clean opinion and that District staff was extremely organized and responsive.

Ryan Rowney moved to:

Approve the Central Texas Groundwater Conservation District FY2019-2020 Annual Audit as presented.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on the Minutes of the Regular Board Meeting held on December 18, 2020.

Ryan Rowney moved to:

Approve the Minutes of the Regular Board Meeting held on December 18, 2020.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Expenditures for December 2020; Review of 2020-2021 Budget; Budget Line Item Adjustments and Quarterly Report on Investments. General Manager Sodek stated that there were no line item adjustments needed.

Bill Felps moved to:

Approve the Expenditures for December 2020.

Second was by Ricky Bindseil.

Vote on the motion carried.

Public Funds Investment Officers, Mitchell Sodek and Donnita Coats, gave the Board a Quarterly Report on the Investment Position of the District for the quarter ending December 31, 2020 in accordance with Section IV of the Public Funds Investment Policy of the District.

President Rowney then asked for consideration and/or action on responses to the Request for Qualifications for Professional Services Related to Development of a Groundwater Data Management and Integrated Mapping System. General Manager Sodek informed the Board that the District had received three RFQ's on or before the January 8, 2021 deadline to submit. He and the Directors discussed their evaluations and scores for selection based on the criteria for selection on the RFQ Evaluation Scoresheet.

Criteria	DBS&A	Collier Consulting	LRE Water
Responsiveness to requirements of this RFQ (10 points)	10	10	10
Relevant experience, expertise, and qualifications as it relates to data management for groundwater conservation districts (35 points)	30	34	28
Relevant experience, expertise, and qualifications developing integrated mapping systems (20 points)	18	20	20
Relevant experience, expertise, and qualifications managing, displaying, and computing temporal and spatial hydrogeologic data (15 points)	15	15	15

Relevant experience, expertise, and qualifications with public form submissions, mapping, and data request. (10 points)	8	8	8
Responsiveness and access to client including customization of services (10 points)	10	7	9
Total	91	94	90

Ricky Bindseil moved to:

Select Collier Consulting as most qualified for Professional Services Related to Development of a Groundwater Data Management and Integrated Mapping System for the District and to schedule Collier to make a presentation to the Board.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney then ask for consideration and/or action on consultant review for Burnet County Water Availability Reports. General Manager Sodek introduced Herb Darling, who oversees County subdivision regulations and water availability reports for his review. Mr. Darling discussed the great relationship that his office has with the District and the amazing amount of groundwater data generated, the Monitor Well data, and impact of wells provided by the District since 2019. The data has aided in determining appropriate size for developments going in. He and General Manager Sodek asked the Board to consider an interlocal agreement between the County and the District to formalize their relationship and to include a third party non-biased review. General Manager Sodek commented that the requirements from developers are minimal because the County is limited as to what is required by TCEQ. President Rowney recognized Burnet County Commissioner, Precinct 2, Damon Beierle and asked if he had comment. Commissioner Beierle echoed Mr. Darlings comments and also commented on a need for homeowners, landowners, and buyers to have a third party review to firm up foundation of data. Mr. Darling commented that the County has very limited land use authority and that the most important thing for development is water. General Manager Sodek asked District Legal Counsel Dugat his opinion on an interlocal agreement with the county. He informed the Board that it was probably not necessary but would make it more formal and that it would have to be approved by both governing bodies.

Kathy Griffis-Bailey moved to:

Pursue the development of an Interlocal Agreement between the District and the County Commissioners to formalize the relationship in review of water availability requirements for subdividing property with consultation and technical review provided by the District's technical consultant.

Second was by Bill Felps.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on determination of the Drought Stage. Groundwater Resource Specialist Babb discussed the Palmer Hydrological Index report showing Burnet County improving to moderate drought but with no other region around the county improving he recommended that there is no need to change the current Drought Stage 3 – Severe Drought at this time.

General Manager Sodek reported that he had sent a press release to the newspapers and various radio stations following the change to Stage 3-Severe Drought. Articles based on the press release were published in the Burnet Bulletin and the Highlander but no response was received from the radio stations as to whether they would make the announcement. The press release was posted to the district website and handouts on the Drought Stage are available at the District Office.

President Rowney then called on the General Manager for the General Manager and/or Staff Report.

a. Well Registrations & Permitting

General Manager Sodek provided a graph on well applications received from 2011-2020 and noted that not all applications result in a completed well as some applications are canceled and some wells are dry holes. He reported that the number of applications increased in 2017 and that the number had exploded in 2020 with an average of 40 applications per month due to development in the county.

	Total as of January 20,	Last 30 Days Days	Last 90 Days	Last 365
Wells in Database	7538	38	113	465
Registered Wells	5233	26	71	297
Wells Pending Registration	176	32	90	167
Imported Unregistered Wells	1693	0	0	0
Canceled/Denied/Not Completed	435	1	4	64
Non-Exempt - By Rule	435	20	67	234
Permit Applications Received	168	0	0	2

Permits by Status	Received	Approved	Deni	Pendi	Incompl	Expi	Termina
	168	150	1	5	2	0	10

Permits Approved by Use	Total
Commercial	14
Domestic, Livestock & Poultry	66
Industrial	11
Irrigation	32
Public Water Supply	43
Total	166

Permits Approved by Precinct	Permits	Wells
Precinct 1	69	141
Precinct 2	35	76
Precinct 3	19	31
Precinct 4	24	37
Precinct 1,2,3	1	13
Precinct 1,3	1	2
Precinct 1,4	1	3
Totals	150	303

b. TAGD Amicus Brief on Mountain Pure (Petitioner) v. NTVGCD (Respondent)

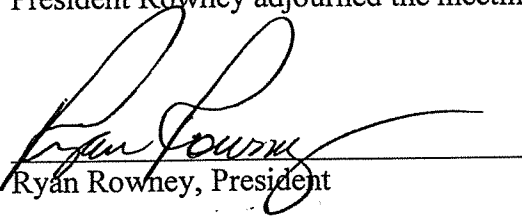
General Manager Sodek reported that the vote to support the Amicus Brief in support of NTVGCD, that the District had previously approved supporting with up to a \$500.00 pledge, had passed at the January 7, 2021 TAGD Meeting. The brief will be filed by an attorney selected by the TAGD Executive Committee if the Supreme Court takes up the case.

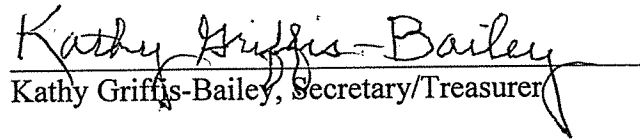
President Rowney then called for Director comments. President Rowney and Director Bindseil discussed the need to consider technology wiring and set up for future technical needs for board meeting presentations if the District pursues a new District Office Facility. A member of the public suggested buying land this year and building a new facility in the future.

President Rowney then called for agenda items for the next Regular Board Meeting. He stated that Directors could contact the General Manager or Board President prior to the deadline for posting notice of the next meeting if they have a suggested agenda item.

President Rowney then set the date for the next regular board meeting for, Friday, February 19, 2021 at a time and location to be determined by General Manager Sodek based on availability of the Texas Agrilife Extension Auditorium or an alternate meeting place that provides space for social distancing due to Covid-19.

President Rowney adjourned the meeting at 10:22 a.m.

  
Ryan Rowney, President

  
Kathy Griffis-Bailey, Secretary/Treasurer