
MINUTES OF
June 28, 2021
BOARD MEETING
CENTRAL TEXAS GROUNDWATER
CONSERVATION DISTRICT

The Board of Directors of the Central Texas Groundwater Conservation District met in regular session on Monday, June 28, 2021 at 9:00 a.m. in the District office located at 225 S. Pierce Street, Suite 104, Burnet, Texas.

Members Present: Ryan Rowney, President Ricky Bindseil, Vice-President
Kathy Griffis-Bailey, Secretary/Treasurer

Members Absent: 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: 7 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 asked for public comment. There was no public comment.

President Rowney then called a Permit Hearing to order at 9:02 a.m.

General Manager Sodek presented his General Managers recommendation on Permit Application OP-21042201 – Sunset Water Utilities/Ricky and Sandra Rowe which was deemed administratively complete and in accordance with District Rules. He recommended approval of a 152.5 acre feet per year New Large Well Operating Permit.

President Rowney announced that public comment and action on each permit application would be addressed following the General Managers recommendation on each permit.

There was no public comment on Permit Application OP-21042201 – Sunset Water Utilities/Ricky and Sandra Rowe.

Kathy Griffis-Bailey moved to:

Approve Permit Application OP-21042201 - Sunset Water Utilities/Ricky and Sandra Rowe for a 152.5 acre feet per year New Large Well Operating Permit.

Second was by Ricky Bindseil.

Vote on the motion carried.

General Manager Sodek presented his General Managers recommendation on Permit Application OP-21051101 - R. Scott Westlund which was deemed administratively complete and in accordance with District Rules. He recommended approval of a Substantial Alteration of a Well and a 30 acre feet per year Existing Well Operating Permit.

There was no public comment on Permit Application OP-21051101 - R. Scott Westlund.

Ricky Bindseil moved to:

Approve a Substantial Alteration of a Well and Permit Application OP-21051101 - R. Scott Westlund for a 30 acre feet per year Existing Well Operating Permit.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney adjourned the Permit Hearing at 9:13 a.m.

President Rowney then asked for consideration and/or action on Compliance with District Agreed Order for the following:

a. Corix Utilities (Texas)

General Manager Sodek reported that Corix is still not compliant with the District Agreed Order that expired on June 21, 2020 and that they had requested a six month extension to the original compliance deadline date. Discussion was held between the Board, General Manager Sodek, District Legal Counsel Dugat, Corix representative Scott Ahlstrom, Summit Springs HOA President Larry Whatley and HOA Representative Meg Bergquist regarding ongoing negotiations for the leasing/purchasing of water rights by Corix.

Kathy Griffis-Bailey moved to:

Extend the current Corix Utilities (Texas) Agreed Order for a period of June 21, 2021 to December 21, 2021.

Second was by Ryan Rowney.

Vote on the motion carried.

b. Deer Springs Water Company

General Manager Sodek reported that Deer Springs Water Company is still not compliant with the District Agreed Order and had not corresponded with the District until the last few days and after being contacted by the District. Discussion was held on enforcement action and collection of penalties for non-compliance.

c. Theresa Schweiger

General Manager Sodek reported that Theresa Schweiger is still not compliant with the District Agreed Order and that after speaking with Theresa Schweiger, no permit had been applied for, no water rights from contiguous controlled acreage had been obtained and no changes to the pumping scheme from wells had been changed. Discussion was held on enforcement action and collection of penalties for non-compliance.

Kathy Griffis-Bailey moved to:

Proceed with notice of a July 19, 2021 Show Cause Hearing on the Deer Springs Water Corporation and Theresa Schweiger non-compliant Operating Permits.

Second was by Ryan Rowney.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Operating Permit OP-10102004 Backbone Valley Nursery- Non Compliance. General Manager Sodek reported that he had spoken to the permittee on multiple occasions about exceeding the amount of groundwater authorized to be produced under a permit and the application process for acquiring additional permitted water use but the permittee has failed to complete an application.

Ricky Bindseil moved to:

Proceed with notice of a July 19, 2021 Show Cause Hearing and to authorize the General Manager to seek an Agreed Order on the Backbone Valley Nursery non-compliant Operating Permit OP-10102004.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Additional MAG Run performed by INTERA and Summary of Relevant Comments Received and any Suggested Revisions and the basis for any Suggested Revisions on Proposed DFCs. Dr. Neil Deeds, District Technical Consultant with INTERA, reviewed the results of the additional MAG run that was done at the Boards requested action on April 30, 2021 and recommended the Board adopt the DFCs with no revisions.

General Manager Sodek reviewed his summary of written comments, any suggested revisions, and basis for any such revision on proposed DFCs

Kathy Griffis-Bailey moved to:

(1) adopt this summary of written comments (including Attachments A-D) with no revision to the proposed DFCs, (2) submit this summary of written comments to GMA 8, including in the submission package to GMA 8, the “WEL’ pumping file and analysis of public water supply systems for consideration of water supply needs and water management strategies for GMA 8 to include in the explanatory report; and; find, after the Board’s consideration of the comments in their entirety, that matters described in the comments not fully addressed in this summary, if any, are deemed not relevant.

Second was by Ricky Bindseil.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Appointment for Director At-Large position. Kathy Griffis-Bailey recommended that the Board go into Executive Session on this agenda item which District Legal Counsel Dugat noted would fall under the Texas Open Meetings Act, Chapter 551, Government Code, Vernon’s Texas Codes, Annotated, personnel matters (§551.074). President Rowney recommended that the Executive Session also include Agenda Item Number 9 Determination of Drought Stage and Complaint Letter from Felps LLC Regarding Drought Stage Determinations and Practice without a Geoscience License which District Legal Counsel Dugat noted would fall under the Texas Open Meetings Act, Chapter 551, Government Code, Vernon’s Texas Codes, Annotated, consultation concerning attorney- client matters (§551.071).

President Rowney called the Board into Executive Session at 10:00 a.m. President Rowney adjourned the Executive Session at 10:45 a.m. and reconvened the Regular Meeting at 10:49 a.m.

President Rowney then asked for consideration and/or action on Appointment for Director At-Large position.

Kathy Griffis-Bailey moved to:

Appoint Paul King to the Director At-Large Position for the District.

Second was by Ricky Bindseil.

Vote on the motion carried.

General Manager Sodek will contact Mr. King to see if he will be available to be sworn in at the July 19, 2021 Regular Meeting.

For the record all current Directors, Ryan Rowney, President; Ricky Bindseil, Vice President; Kathy Griffis-Bailey, Secretary/Treasurer; Homer Will, Director; Paul King, Director; and staff, General Manager, Mitchell Sodek will be the authorized signers for the checking account of the District at financial institutions used for this purpose by the District.

For the record Ryan Rowney, President; Kathy Griffis-Bailey, Secretary/Treasurer; General Manager, Mitchell Sodek; and Public Funds Investment Officer, Donnita Coats will remain the public funds investment authorized signers for the investment of funds of the District at financial institutions used for this purpose by the District and that any two of the public funds investment authorized signers named here could process investments and transfer investment funds between any accounts of the District.

President Rowney then asked for consideration and/or action on Determination of Drought Stage and Complaint Letter from Felps LLC Regarding Drought Stage Determinations and Practice without a Geoscience License. President Rowney stated that the Board appreciated comments from Felps LLC. General Manager Sodek said we are currently in Drought Stage 3 and that Groundwater Resource Specialist Paul Babb's showed the Palmer Hydrological Drought Index to be in mid-range corresponding to District Drought stage 1.

Kathy Griffis-Bailey moved to:
Move to Drought Stage 1 based on the Palmer Hydrological Drought Index.
Second was by Ricky Bindseil.
Vote on the motion carried.

President Rowney then asked for consideration and/or action on Texas 4-H Water Ambassadors Program. General Manager Sodek informed the Board that the District has been a signature sponsor for the program since its inception and sponsored the 2020 program at the signature level even though it was limited in scope of activities due to the Covid-19 pandemic. President Rowney and Director Griffis-Bailey asked General Manager Sodek to follow up with David Smith, 4-H2O Program Coordinator, to see if any of the funds provided last year will carry forward to 2021 or if they need additional funds. No action was taken.

President Rowney then asked for consideration and/or action on the Minutes of the Regular Board Meeting held on May 21, 2021.

Ricky Bindseil moved to:
Approve the Minutes of the Regular Board Meeting held on May 21, 2021.
Second was by Kathy Griffis-Bailey.
Vote on the motion carried.

President Rowney then asked for consideration and/or action on Expenditures for May 2021; Review of 2020-2021 Budget; and Budget Line Item Adjustments. General Manager Sodek reported that no line item adjustments were made or needed to the FY 2020-2021 Budget.

Kathy Griffis-Bailey moved to:
Approve the Expenditures for May 2021.
Second was by Ricky Bindseil.
Vote on the motion carried.

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

a. Well Registrations & Permitting

General Manager Sodek reported that well registration applications have been consistent at 40-45 per month and that drilling companies have a large backlog of wells to drill.

	Total as of June 23, 2021	Last 30 Days	Last 90 Days	Last 365 Days
Wells in Database	7760	41	151	517
Registered Wells	5398	25	97	340
Wells Pending Registration	187	39	119	178
Imported Unregistered Wells	1691	0	0	0
Canceled/Denied/Not Completed Wells	484	0	1	75
Non-Exempt - By Rule	531	21	73	239
Permit Applications Received	170	0	2	2

Permits by Status	Received	Approved	Denied	Pending	Incomplete	Expired	Terminated
	170	147	1	7	2	0	13

Permits Approved by Use	Total
Commercial	14
Domestic, Livestock & Poultry	64
Industrial	11
Irrigation	30
Public Water Supply	43
Total	162

Permits Approved by Precinct	Permits	Wells
Precinct 1	68	140
Precinct 2	34	75
Precinct 3	18	30
Precinct 4	24	37
Precinct 1,2,3	1	13
Precinct 1,3	1	2
Precinct 1,4	1	3
Totals	147	300

b. TAGD Groundwater Summit

All District Staff will attend the Summit from August 31 to September 2, 2021. Any Directors wanting to attend can contact the General Manager to be registered.

c. Collier Consulting Database

The development and migration process is moving along and General Manager Sodek will meet with Collier this week.

President Rowney then called for Director comments. President Rowney expressed appreciation to the District Staff for all that they are doing at this very busy time for the District.

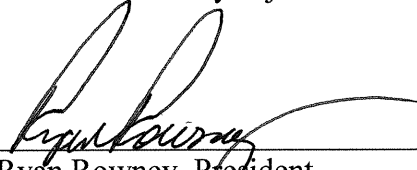
President Rowney then called for agenda items for the next Regular Board Meeting.

Swearing in of New Director At-Large
Texas 4-H Water Ambassadors Program
Show Cause Hearing
Real Estate Options for District Office

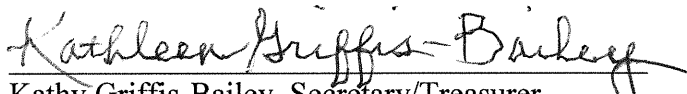
Directors may contact the General Manager or Board President prior to the deadline for posting notice of the next meeting if they have a suggested agenda item.

President Rowney then set the date for the next regular board meeting for, Monday, July 19, 2021 at 9:00 a.m. at the District Office located at 225 S. Pierce, Burnet, Texas.

President Rowney adjourned the meeting at 11:06 a.m.



Ryan Rowney, President



Kathy Griffis-Bailey, Secretary/Treasurer