

MINUTES OF
August 30, 2021
BOARD MEETING
CENTRAL TEXAS GROUNDWATER
CONSERVATION DISTRICT

The Board of Directors of the Central Texas Groundwater Conservation District held a Hearing under Water Code Section 36.119 and conducted a Regular Board Meeting on Monday, August 30, 2021 at 9:00 a.m. at the Texas Agrilife Extension Auditorium, 607 North Vandever Street, Burnet, TX 78611.

Members Present: Ryan Rowney, President Ricky Bindseil, Vice-President
Kathy Griffis-Bailey, Secretary/Treasurer Homer Will, Director
Members Absent: Paul King, 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: 11 Members of the Public

President Rowney declared a quorum present and called the Meeting to order at 9:01 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 Hearing on the Felps LLC complaint against Hanson Aggregates LLC under Water Code Section 36.119 to order at 9:04 a.m.

He noted that the hearing was being recorded, that a quorum was present, and that the hearing was being held at the Texas AgriLife Extension Auditorium in Burnet, Texas. He noted that as President of the Board he would preside over the hearing and that he may call upon District Legal Counsel Bill Dugat during the proceeding. He noted that notice of the hearing had been provided for at least 10 days prior to the hearing by posting at the District Office, on the District website and at the Burnet County Courthouse, and that the notice was published in the Highlander and Burnet Bulletin.

After giving a summary of the written complaint he asked the parties of the complaint and anyone representing the parties to introduce themselves and swore them, District Technical Consultant, Dr. Neil Deeds and General Manager Sodek in at the direction of District Legal Counsel Dugat. Comments on the complaint were given by Parties representing Felps LLC, Hanson Aggregates LLC and by General Manager Sodek. General Manager Sodek provided to the Board and for the record: INTERA's review of Forster Engineering Report, GM Summary of Finding from Felps Complaint under Water Code Section 36.119, Alternative to Show Cause Hearing, as well as Hanson's Letter to the GM, Hanson's Forester Engineering Report, and Felps 36.119 Clarification of Complaint with exhibits.

District Counsel Dugat commented that if the Board had legal questions they could meet in executive session. President Rowney stated that the Board would go into Executive Session at 10:23 a.m. under Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated for consultation concerning attorney-client matters (§551.071) and that no action would be taken in executive session.

President Rowney reconvened the Hearing at 11:04 a.m. and stated that no decision or final action was taken in Executive Session. President Rowney then asked for director comments on the hearing.

Comments were made by Director's Bindseil and Griffis-Bailey. President Rowney noted that all documentation provided to the board would be part of the record and then asked for consideration and/or action relating to the Hearing under Water Code Section 36.119.

Ricky Bindseil moved to:

Accept the General Managers conclusion on

Complaint Number 1 - Dismiss

Complaint Number 2 - Dismiss

Complaint Number 3 - Dismiss

Complaint Number 4 - As General Manager Described is Inconclusive at this time

Add to motion to direct the General Manager to follow alternative processes described with negotiated enforcement that would include a \$500.00 deferred penalty, metering on pit and holding pond with proper calibration per industry standards, transducer installation in holding pond and pit, written agreement to be completed by October Board Meeting of which date has not been set , provide all historical pumping info including hour meter flow meter information if possible, maximum of 90 days following the order to install meters and transducers and a twelve month time frame for the General Manager to evaluate the data from the transducers and meters.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney adjourned the Hearing at 11:05 a.m.

The Board reconvened the regular session at 11:05 a.m.

President Rowney then asked for consideration and/or action on the Minutes of the Regular Board Meeting held on August 10, 2021.

Kathy Griffis-Bailey moved to:

Approve the Minutes of the Regular Board Meeting held on August 10, 2021.

Second was by Ricky Bindseil.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Expenditures for July 2021; Review of 2020-2021 Budget; and Budget Line Item Adjustments.

Ricky Bindseil moved to:

Approve the Expenditures for July 2021.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Non-Compliance for Well Owner Theresa Schweiger. General Manager Sodek reviewed the previous agreed order and the subsequent non-compliance with the order. He informed the Board that the non-compliance issue has now been resolved by Theresa Schweiger by only having one operating well instead of two and that the well meets the definition of an exempt status well.

Kathy Griffis-Bailey moved to:

Officially acknowledge that the matter has been resolved but that the matter was not timely to the original agreed order so to enforce the deferred \$500.00 penalty.

Second was by Ricky Bindseil.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Determination of Drought Stage. General Manager Sodek reported that the Palmer Hydrological Drought Index shows the District to be in the mid-range for drought and recommended that there is no need to change the current Drought Stage at this time.

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 averaging 40 per month and that most applications are for exempt and non-exempt by rule applications.

	Total as of August 25, 2021	Last 30 Days	Last 90 Days	Last 365 Days
Wells in Database	7837	29	118	505
Registered Wells	5462	30	87	371
Wells Pending Registration	176	28	90	167
Imported Unregistered Wells	1690	0	0	0
Canceled/Denied/Not Completed Wells	509	0	2	75
Non-Exempt - By Rule	577	19	67	252
Permit Applications Received	171	0	1	3

Permits by Status	Received	Approved	Denied	Pending	Incomplete	Expired	Terminated
	171	147	1	8	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	29
Precinct 4	24	37
Precinct 1,2,3	1	13
Precinct 1,3	1	2
Precinct 1,4	1	3
Totals	147	299

b. Monitor Wells

Water Levels are generally lower than they were in 2011. No significant recovery in declines in the Trinity Oakalla well which is indicative of wells in the Trinity and Eastern part of the County.

President Rowney then called for Director comments. There were no Director comments.

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

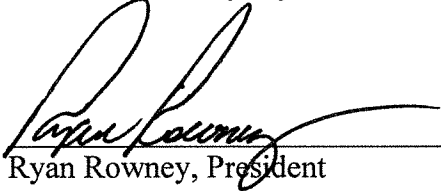
Budget

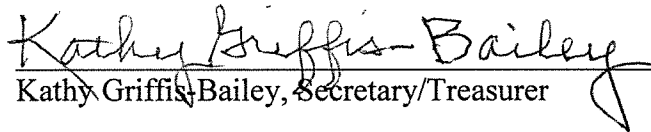
Tax Rate

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, Tuesday, September 14, 2021 at 9:00 a.m. to be held at the Texas Agrilife Extension Auditorium, 607 North Vandevener Street, Burnet, TX 78611. If the Auditorium is not available at this date and/or time, General Manager Sodek will set an alternate location, meeting date and/or time.

President Rowney adjourned the meeting at 11:26 a.m.


Ryan Rowney, President


Kathy Griffis-Bailey, Secretary/Treasurer