

**MINUTES OF
October 18, 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, October 18, 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 Homer Will, Director 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
Others Present: 5 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 Show Cause Hearing to order at 9:01 a.m.

President Rowney then asked for consideration and/or action on Household Hazardous Waste Event(s). Burnet County Commissioner Beierle informed the Board of the successful results of the event held on October 16, 2021. He discussed staff and volunteer involvement in the events and funding of the events. He requested that the District increase its budgeted \$10,000.00 donation to \$25,000.00 for the 2022 event.

Kathy Griffis-Bailey moved to:

Make a Budget Adjustment of \$15,000.00 out of Education - General Public Education to County Waste Disposal for a total of \$25,000.00 for County Waste Disposal.

Second was by Homer Will.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Agreed Order for Hanson Aggregates LLC (Hanson) OP-10110301. General Manager Sodek reviewed the Agreed Order that was created at the direction of the Board at its August 30, 2021 Hearing Under Water Code Section 36.119. The Agreed Order was presented to and signed by Hanson for consideration and/or action by the Board. President Rowney asked for public comment and Robert Felps with Felps LLC asked for clarification that the pit and pond referenced in the order was on Clinton Property and not Felps, made comments on historical data, and requested that Board Members listen to the recording of the March 2015 Permit Hearing for the Hanson Permit.

Kathy Griffis-Bailey moved to:

Approve the Agreed Order for Hanson Aggregates LLC OP-10110301 as presented.

Second was by Ricky Bindseil.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Deer Springs Water Company's failure to comply with District Rules, relevant statutes, and Permit OP-10102102. General Manager Sodek informed the Board that the terms agreed to following the previous Show Cause Hearing and Agreed Order are still not in compliance with the District Rules. District Legal Counsel Dugat informed the Board that they could go into Executive Session for consultation concerning attorney-client matters under Texas Open Meetings Act, Chapter 551.071, if needed on this agenda item and/or agenda item number 7.

President Rowney moved to Agenda Item Number 7 and asked for consideration and/or action relating to Theresa Schweiger Penalty for failure to timely comply with District Rules. General Manager Sodek informed the Board that District Legal Counsel Dugat sent a letter to Theresa Schweiger and her Attorney on September 7, 2021 to inform them of the action taken by the Board at its August 30, 2021 Board Meeting that Ms. Schweiger must pay the District \$500.00 for failure to timely comply with the terms of an Agreed Order executed by Ms. Schweiger on July 21, 2020. The District has not received a response to the letter.

At 9:47 a.m. President Rowney stated that the Board would go into Executive Session for consultation concerning attorney-client matters under Texas Open Meetings Act, Chapter 551.071 regarding Agenda Items 6 and 7.

President Rowney reconvened the regular meeting at 10:19 a.m.

President Rowney returned to Agenda Item number 6 and asked for consideration and/or action on Deer Springs Water Company's failure to comply with District Rules, relevant statutes, and Permit OP-10102102.

Kathy Griffis-Bailey moved to:

Issue a letter to Deer Springs Water Company notifying them of non-compliance with District Rules and the intention to take future legal action.

Second was by Paul King.

Vote on the motion carried.

President Rowney returned to Agenda Item number 7 and asked for consideration and/or action relating to Theresa Schweiger Penalty for failure to timely comply with District Rules.

Paul King moved to:

File a lawsuit for failure to pay the penalty of \$500.00 and to include legal fees in the lawsuit.

Second was by Ricky Bindseil.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Request for Qualifications for Financial Audit Services and Incidental Accounting Services. General Manager Sodek informed the Board that an annual financial audit is required and the previous auditor for the District is no longer doing the type of government audits the District is required to do. He presented a Request for Qualifications (RFQ) for approval, and there was discussion on the budget for the service, deadline for submission, and where and how notifications of the RFQ would be distributed.

Ricky Bindseil moved to:

Move forward with the Request for Qualifications for Financial Audit Services and Incidental Accounting Services with a submission deadline of one week prior to the November 2021 Regular Board Meeting.

Second was by Paul King
Vote on the motion carried.

President Rowney then asked for consideration and/or action on the Minutes of the Regular Board Meetings held on August 30, 2021 and September 14 2021.

Ricky Bindseil moved to:

Approve the Minutes of the Regular Board Meetings held on August 30, 2021 and September 14 , 2021.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Expenditures for August 2021 and September 2021; Review of 2020-2021 Budget; Budget Line Item Adjustments; Review of 2021-2022 Budget and Quarterly Report on Investments. General Manager Sodek reported the following line item adjustments made within a budget category to the final FY2020-2021.

Moved \$8200.00 from Expenses - Reserves - Water Study/Conserv./USGS Projects to Expenses - Reserves - Database Application

Moved \$6052.24 from Expenses - Reserves - Water Study/Conserv./USGS Projects to Expenses - Reserves - Legal

Moved \$3179.44 from Expenses - Payroll Expenses - Payroll Taxes

Moved \$3593.76 from Expenses - Payroll Expenses - Health Ins

Moved \$9500.00 from Expenses - Payroll Expenses - Intern/PTE

\$16273.20 Total

To Expenses - Payroll Expenses - Salary & Wages \$15671.76

To Expenses - Payroll Expenses Retirement Fund \$601.44

\$16273.20 Total

Moved \$1314.50 from Expenses - Contract Services - Model Runs

To Expenses - Contract Services - Technical Consultant

Kathy Griffis-Bailey moved to:

Approve the Expenditures for August 2021 and September 2021

Second was by Paul King.

Vote on the motion carried.

Public Funds Investment Officers, Mitchell Sodek and Donnita Coats, provided to the Board a Quarterly Report on the Investment Position of the District for the quarter ending September 30, 2021 in accordance with Section IV of the Public Funds Investment Policy of the District.

President Rowney then asked for consideration and/or action on a request for Waiver of Penalty and Interest on Taxes from Elizabeth Szombathy.

Ryan Rowney moved to:

Deny the request for Waiver of Penalty and Interest on Taxes from Elizabeth Szombathy.

Second was by Kathy Griffis-Bailey.

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 a drought stage corresponding to District Drought Stage 1-Near Normal and that a possible La Nina is back in play . He 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 40-45 per month and are evenly distributed precinct wide. He reported that subdivision projects are increasing and that he is working on a map of approved subdivisions to report to the Board.

	Total as of October 15, 2021	Last 30 Days	Last 90 Days	Last 365 Days
Wells in Database	7947	61	157	529
Registered Wells	5505	20	73	343
Wells Pending Registration	232	57	130	223
Imported Unregistered Wells	1691	0	1	1
Canceled/Denied/Not Completed Wells	519	0	0	57
Non-Exempt - By Rule	639	33	95	274
Permit Applications Received	171	0	0	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. Collier Consulting Database

The new database has been tested and is expected to go live this week.

c. Little Cypress Creek/Krause Springs

There was a stakeholder meeting held on Tuesday, October 12, 2021 to receive community input and participation on a study that seeks to better understand how Krause Springs and the Little Cypress Creek watershed interact with the underlying aquifers. Twenty-five to thirty attended the meeting.

d. American Rescue Plan Act

The act was passed by Congress in the Spring and includes water infrastructure funding but it has not been determined how funds will be divided out by Burnet County. General Manager Sodek and District Technical Consultant, Dr. Neil Deeds will work on a proposal to present to the County, if they receive funds, to include aquifer studies to tighten models for the Trinity and other aquifers in the county.

President Rowney then called for Director comments. Ryan Rowney reported that he attended the 2021 Texas Groundwater Summit, that it was a good event, and recommends that other Directors attend in the future. Kathy Griffis-Bailey reported that she will attend the GMA 8 Meeting on November 4th and that General Manager Sodek will be chairing the meeting.

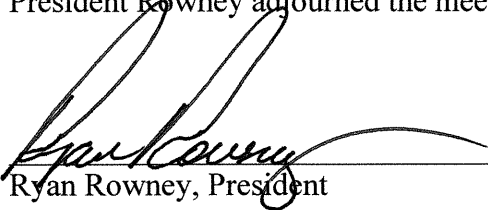
President Rowney then called for agenda items for the next Regular Board Meeting.

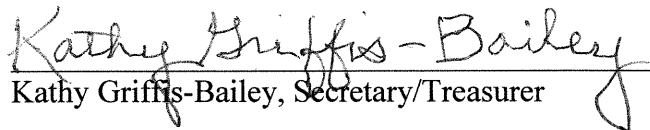
RFQ's for District Auditor/Accountant

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, Friday, November 19, 2021 at 9:00 a.m. at the District Office located at 225 S. Pierce, Burnet, TX 78611.

President Rowney adjourned the meeting at 10:52 a.m.


Ryan Rowney, President


Kathy Griffis-Bailey, Secretary/Treasurer