

**MINUTES OF  
March 21, 2023  
BOARD MEETING  
CENTRAL TEXAS GROUNDWATER  
CONSERVATION DISTRICT**

The Board of Directors of the Central Texas Groundwater Conservation District held a Permit Hearing and a Regular Board Meeting on Tuesday, March 21, 2023 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    Homer Will, Director    Paul King, Director  
**Staff and/or Consultants Present:** Mitchell Sodek, General Manager    Shrader Davis, Groundwater Technician    Donnita Coats, Office Manager    Bill Dugat, District Legal Counsel  
Dr. Neil Deeds, District Hydrogeologic Consultant, Intera, Inc.  
**Others Present:** 23 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 a Permit Hearing to order at 9:01 am. He asked for the General Manager's recommendation on Permit Applications OP- 23020801- Todd Fox; OP-10102018 - Lhoist North America LLC; and OP-23030101 - Lhoist North America LLC. The Permit Applications have been determined to be administratively complete and are in accordance with District Rules.

General Manager Sodek presented details of the Permit request by Todd Fox for Operating Permit OP-23020801 and gave the Board his recommendation to approve the Permit for 10 Acre Feet of water per year for a term of 5 years. A spacing variance has been requested and an absence of objection has been signed by the property owner affected.

President Rowney opened the hearing for public comment on the Permit Application for OP-23020801- Todd Fox. Four members of the public made comments with one of the members including a slide presentation. President Rowney ended the public comment on this permit application at 9:40 a.m.

President Rowney then asked for consideration and/or action on Permit Application OP- 23020801- Todd Fox. Following Board, Staff, and Consultant discussion on the application:

Kathy Griffis-Bailey moved to:  
Approve Operating Permit OP-23020801 - Todd Fox as presented.  
Second was by Paul King.  
Vote on the motion carried.

President Rowney announced at 9:45 a.m. that there would be a short break before continuing the hearing.

President Rowney reconvened the hearing at 9:53 a.m. and asked for the General Manager's recommendation on Permit Application OP-10102018 - Lhoist North America LLC

General Manager Sodek presented details of the Permit request by Lhoist North America LLC for Operating Permit OP-10102018 and gave the Board his recommendation to approve the Permit for 3.06 Acre Feet of water per year for a term of 5 years. Proof was received that the applicant had notified all landowners within a ½ mile with a copy of the notice of application and hearing, as is required for a large well.

President Rowney opened the hearing for public comment on the Permit Application for OP-10102018 - Lhoist North America LLC. There was no public comment.

President Rowney then asked for consideration and/or action on Permit Application OP-10102018 - Lhoist North America LLC.

Ricky Bindseil moved to:  
Approve Operating Permit OP-10102018 - Lhoist North America LLC as presented.  
Second was by Paul King.  
Vote on the motion carried.

President Rowney then asked for asked for the General Manager's recommendation on Permit Application OP-23030101 - Lhoist North America LLC.

General Manager Sodek presented details of the Permit request by Lhoist North America LLC for Operating Permit OP-23030101 and gave the Board his recommendation to approve the Permit for 10 Acre Feet of water per year for a term of 5 years.

President Rowney opened the hearing for public comment on Permit Application OP-23030101 - Lhoist North America LLC. There was no public comment.

President Rowney then asked for consideration and/or action on Permit Application OP-23030101 — Lhoist North America LLC.

Paul King moved to:  
Approve Operating Permit OP-23030101 - Lhoist North America LLC as presented.  
Second was by Kathy Griffis-Bailey.  
Vote on the motion carried.

President Rowney adjourned the permit hearing and resumed the regular meeting at 9:59 a.m.

President Rowney then asked for Public Comment. There were two comments from the public regarding Agenda Item Number 8 on a Stakeholder Committee to Review District Rules.

President Rowney then asked for consideration and/or action on Spacing Variance Requests for Todd Fox and Lawrence E. & Laurie L. Linden. General Manager Sodek reviewed the Applications for Spacing Variances and the required Absence of Objections to the Spacing Variances that met District Rules requirements for both applicants and recommended approval of both requests.

Kathy Griffis-Bailed moved to:  
Approve the Spacing Variance and Issue an Order Granting a Spacing Variance for Todd Fox.  
Second was by Ricky Bindseil.  
Vote on the motion carried.

Ricky Bindseil moved to:

Approve the Spacing Variance and Issue an Order Granting a Spacing Variance for Laurence E. & Laurie L. Linden.

Second was by Paul King.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Requests for Waiver of Penalty and Interest on Taxes received from Jerry Merlick; Jimmy & Amy Hinton; & Jody Spillman. General Manager Sodek reviewed the requests and supporting documents showing that timely payments were made but claiming there was a lack of mail service due to the recent extreme ice event in the area.

Paul King moved to:

Approve the Requests as presented for Waiver of Penalty and Interest on Taxes for Jerry Merlick; Jimmy & Amy Hinton; & Jody Spillman.

Second was by Ricky Bindseil.

Kathy Griffis-Bailey voted Aye

Ricky Bindseil voted Aye

Paul King voted Aye

Homer Will voted Aye

Ryan Rowney voted Nay

Vote on the motion carried.

President Rowney then asked for consideration and/or action on an Interlocal Agreement Regarding Groundwater Management Area 8 Funding for an Update to Groundwater Availability Model. General Manager Sodek reviewed and recommended approval of the agreement and District Hydrogeologic Consultant, Dr. Neil Deeds, gave input regarding past and future models. Dr. Deeds stated for the record that he and Intera, Inc. are involved in the making of the model (Conflict of Interest) The District's portion of the cost of the model would be for an amount up to \$74,000.00 and is included in a budget item as Expenses - Reserves - Regional Water Study.

Paul King moved to:

Approve the Interlocal Agreement Regarding Groundwater Management Area 8 Funding for an Update to Groundwater Availability Model as presented with a contribution of up to \$74,000 for the project.

Second was by Kathy Griffis-Bailey.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on a Stakeholder Committee to Review District Rules. General Manager Sodek suggested forming a committee that would be presented with a structured red line draft of suggested changes and concepts showing items that need to be addressed in the District Rules. Board, Staff and Legal Counsel discussed the size and scope of the committee, the possible stakeholder groups, obtaining a committee facilitator, and timing on formation and notice of requests for applicant resumes to serve on the committee.

Paul King moved to:

Go forward with the next steps to form a Stakeholder Committee to Review District Rules and obtain a consultant to facilitate the committee with Director Kathy Griffis-Bailey as head of the committee.

Second was by Ricky Bindseil.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on a Conservation Campaign with Texas Water Foundation. General Manager Sodek presented a slide presentation of an example of the

campaign “Texas Runs on Water” which emphasizes the awareness of the precious resource of water. He suggested that the campaign has a positive clear message and recommended that the Board consider using the campaign, which can be modified to meet the needs of the District, in the future. The Board directed General Manager Sodek to obtain more details on the scope and cost of the campaign and to include an update or action item on a future meeting agenda.

President Rowney then asked for consideration and/or action on an Extension of the District Office Lease. General Manager Sodek informed the Board that the current lease will end in May; that there is a two or three year extension option on the current lease; and that it is in the contract to renegotiate the Consumer Price Index (CPI) at the time of renewal of the lease. The CPI would increase the lease payment by \$327.00 per month but the agreement offers to increase the payment by \$160.00 which is half of the actual index increase.

Kathy Griffis-Bailey moved to:

Approve the three year extension option to the current office lease with Huttluck One, Ltd starting June 1, 2023 and running through May 31, 2026 in the amount of \$2345.00 per month.

Second was by Ricky Bindseil.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on the Texas 4-H Water Ambassadors Program. General Manager Sodek recommended a \$5,000.00 Signature Level Sponsorship as has been done in the past and is included in the general public education budget.

Ricky Bindseil moved to:

Approve a \$5,000.00 Signature Level Sponsorship for the Texas 4-H Water Ambassadors Program to be funded from the general public education budget of the District’s FY 2022-2023 Budget.

Second was by Paul King.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Determination of the Drought Stage. General Manager Sodek reported that there were no updates and recommended that no change be made to the current Stage 4 - Critical Drought status at this time.

President Rowney then asked for consideration and/or action on the Minutes of the Regular Board Meeting held on February 17, 2023.

Kathy Griffis-Bailey moved to:

Approve the Minutes of the Regular Board Meeting held on February 17, 2023.

Second was by Ricky Bindseil.

Vote on the motion carried.

President Rowney then asked for consideration and/or action on Expenditures for February 2023; Budget Line Item Adjustments; and Review of the FY 2022-2023 Budget. General Manager Sodek reviewed the financial statements and there were no adjustments.

Paul King moved to:

Approve the Expenditures for February 2023.

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  
The number of applications received decreased in January and February but are increasing. There is an expectation for a possible increase in commercial use applications in the future.
- b. GMA 8 Meeting  
A Meeting was held on March 7, 2023 and the Interlocal Agreement Regarding Groundwater Management Area 8 Funding for an Update to Groundwater Availability Model was discussed.
- c. Clearwater UWCD Annexation Request  
The Annexation Request has been pulled by the Aquifer Conservation Alliance.
- d. Bopate Event  
There will be a Bopate event on April 29, 2023 from 9:00 a.m. to 1:00 p.m. at 1000 Manzano Mile, Marble Falls, Texas. Event Flyers can be picked up at the District office or downloaded from the District Website.
- e. District Presentations  
General Manager Sodek made a presentation to the Texas Extension Educators Association on March 20<sup>th</sup>, will give a presentation in Oatmeal on March and 23<sup>rd</sup> and will give several presentations in April.

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

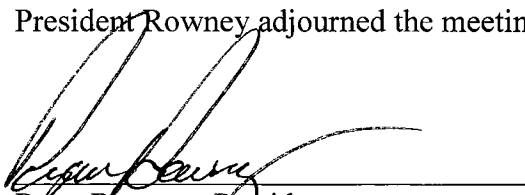
President Rowney then called for agenda items for the next Regular Board Meeting.

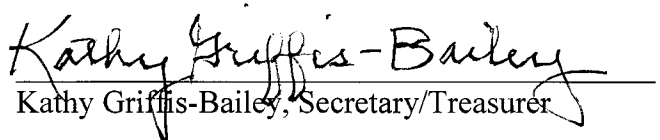
Texas Water Conservation Campaign  
District Rules Stakeholder Committee

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 April 27, 2023 at 9:00 a.m. at the District Office.

President Rowney adjourned the meeting at 10:56 a.m.

  
Ryan Rowney, President

  
Kathy Griffis-Bailey, Secretary/Treasurer