

# Victoria County Groundwater Conservation District



**Directors:**

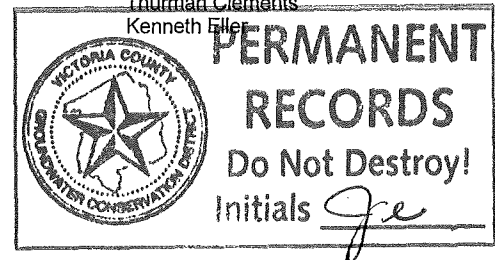
Mark Meek  
*President*

Jerry Hroch  
*Vice-President*

Barbara Dietzel  
*Secretary*

Thurman Clements  
Kenneth Eller

**THE STATE OF TEXAS  
VICTORIA COUNTY**



The Victoria County Groundwater Conservation District Board of Directors' Regular Meeting convened in the Patti Dodson Health Center, 2805 N. Navarro St., Classroom A #108, Victoria, Texas, at 9:00 a.m. on December 19, 2008.

**Present:** Mark Meek, Chairman, Precinct No. 4  
Jerry Hroch, Vice Chairman, Precinct No. 1  
Barbara Dietzel, Secretary, Precinct No. 3  
Tim Andruss, General Manager  
James Allison, Attorney

**Absent:** Kenneth Eller, Precinct No. 3, At Large  
Thurman Clements, Precinct No. 2

**CALL TO ORDER – 1.**

Chairman Mark Meek called the meeting to order at 9:00 a.m. Pledge of Allegiance, to United State and Texas flags, was observed.

**WELCOME GUESTS – 2.**

Chairman Meek welcomed guests: Bill Richter-Citizen, Gary Burns-Co. Commissioner Precinct 3, Jerry James-City of Victoria, Kevin Janak-Co. Commissioner Precinct 2, and Walter Womack-LaQuerencia.

**MINUTES - 3.**

Secretary Barbara Dietzel presented the minutes of VCGCD Regular Meeting – November 21, 2008, and VCGCD/GCGCD Joint Hosted Meeting – November 24, 2008 for review.

**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to accept and approve the minutes of VCGCD Regular Meeting – November 21, 2008 and VCGCD/GCGCD Joint Hosted Meeting – November 24, 2008. Motion carried three (3) ayes and zero (0) nays.**

**FINANCIAL REPORT – 4.**

General Manager Tim Andruss presented the financial reports of VCGCD Monthly Transactions and Operating Budget for November 2008.

VCGCD Minutes – December 19, 2008

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2805 N. Navarro St. Suite 210, Victoria, Texas 77901, Phone (361)579-6863, Fax (361)579-0041

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**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to accept and approve the financial reports of VCGCD Monthly Transactions and Operating Budget for November 2008, as presented to the board. Motion carried three (3) ayes and zero (0) nays.**

## **PUBLIC COMMENT – 5.**

Bill Richter-Citizen and Jerry James-City of Victoria made public comment.

## **DISTRICT ANNUAL REPORT FOR FY07-08 – 6.**

The original draft of the District Annual Report for FY07-08 was presented to the Board during the November 2008 monthly meeting for consideration. No changes were made.

**MOTION by Mrs. Dietzel and seconded by Mr. Hroch, to move to accept and approve the District Annual Report for FY07-08. Motion carried three (3) ayes and zero (0) nays.**

## **DROUGHT CONDITION MONITORING – 7.**

The adopted Management Plan established a management objective related to drought monitoring. Objective: Collect and review drought conditions information related to Victoria County and the surrounding region of Texas on a monthly basis. Reviewed Palmer Drought Severity Index Maps-December 2008. The District will continue to monitor drought conditions.

## **PUBLIC NOTIFICATION OF RULES EFFECTIVE DATE – 8.**

The Board of Directors adopted the District's Management Plan on October 24, 2008. The District anticipates the approval of the Management Plan in the near future by TWDB. The resolution adopting the District Rules set out that the rules are effective upon TWDB approval of the District Management Plan.

In order to provide a comprehensive notification to the public regarding the effective date of the District Rules, it is suggested that the District:

- 1) Place a notice in the legal notices section of the Victoria Advocate for seven days;
- 2) Place a 4x6 advertisement in the Crossroads Section of the Victoria Advocate for seven days;
- 3) Send letters directly to all well drillers and pump installers within the area;
- 4) Place notice on the District's Home Page regarding the effective date for one month.

Recommended wording for the notice and advertisement:

The Victoria County Groundwater Conservation District Board of Directors adopted the District's Management Plan and Rules on October 24, 2008. The District's Rules became effective upon the Texas Water Development Board's approval of the District's Management Plan. The District's Management was approved on \_\_\_\_\_, 2008. The District has updated its website ([www.vcgcd.org](http://www.vcgcd.org)) in order to facilitate the use of the Management Plan, Rules, and associated forms. In particular, the public will find the

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forms necessary for well registration (voluntary for exempt wells), validation of non-exempt wells, application for drilling permit, and application for an operating permit.

**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to approve the notice and authorize the General Manager, Tim Andruss, to publish and pay for the notices and advertisements, to be placed in the Victoria Advocate, notifying the public of effective date of the District Rules. Motion carried three (3) ayes and zero (0) nays.**

### **WEBSITE DESIGN – 9.**

Several mock-ups of a new website design were presented to the Board at the November 2008 monthly meeting. The content within the web pages will be updated continuously as new data or information becomes available.

**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to accept the redesigned web pages and authorize the General Manager, Tim Andruss, to update the District's website upon TWDB approval of the District's Management Plan and update continuously as new data or information becomes available.. Motion carried three (3) ayes and zero (0) nays.**

### **DISTRICT FEE SCHEDULE AND RESOLUTION - 10.**

The District's Management Plan is currently under review by TWDB. Upon approval of District Management Plan by TWDB, the District Rules become effective. The Board stated in the District's Rules that the District's fees would be established by Board Resolution. The Proposed Fee Schedule has been modified to include the changes requested at the November 2008 monthly board meeting related to Permit Amendments of an Administrative nature and the refunding of remaining fees.

**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to adopt the Resolution establishing the Fee Schedule for VCGCD. Motion carried three (3) ayes and zero (0) nays.**

### **RFQ FOR PROFESSIONAL SERVICES RELATED TO HYDROGEOLOGY AND GROUNDWATER MANAGEMENT - 11.**

The purpose of the RFQ is to solicit information from qualified parties (Respondent) regarding their skills, abilities, experience, and credentials relevant to providing professional services related to groundwater management and hydrogeology.

**MOTION by Mrs. Dietzel and seconded by Mr. Hroch, to move to authorize the General Manager, Tim Andruss, to publish the RFQ in the Victoria Advocate, collect all responsive submittals, complete an initial review of submittal, and present to the Board a recommendation regarding the staff's recommended respondent. Motion carried three (3) ayes and zero (0) nays.**

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## **DISTRICT POLICY – INJECTIONS WELLS - 12.**

The committee, appointed by the Board, Mark Meek and Barbara Dietzel, met and provided guidance to the General Manager, to facilitate the development of a draft policy. The General Manager drafted a policy and submitted to Jim Allison, Attorney, for review.

The draft policy outlines the general concerns the District has regarding Injection Wells and their permitting and the procedure the District will follow when Injection Well permit applications are being evaluated. The policy delegates authority to the General Manager to collect, review, and register a protest if deemed necessary. The policy also clearly states that the General Manager will, whenever possible, seek specific authorization from the Board to spend District funds or protest an application. The policy clearly states that only the Board may withdraw a protest on the behalf of the District.

**MOTION by Mrs. Dietzel and seconded by Mr. Hroch, to move to adopt the Resolution establishing District Policy on Injection Wells. Motion carried three (3) ayes and zero (0) nays.**

## **DISTRICT FORMS – DRILLING PERMIT APPLICATION FOR EXEMPT WELLS; DRILLING PERMIT APPLICATION FOR NON-EXEMPT WELLS; OPERATING PERMIT APPLICATION – 13.**

**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to adopt the District Forms – Drilling Permit Application for Exempt Wells; and Drilling Permit Application for Non-Exempt Wells; Operating Permit Application. Motion carried three (3) ayes and zero (0) nays.**

## **AUTHORIZATION TO PURCHASE CRIME COVERAGE – 14.**

Public Employee Dishonesty coverage by TML-IRP, that addresses potential dishonest acts of employees, was tabled until the next regular meeting of VCGCD. Mr. Andruss will discuss with TML, certain coverage descriptions. Mr. Andruss will renew the Surety Bonds (coverage limit of \$10,000), which are required by TWC Ch. 36.055 (C), for the Directors and General Manager.

## **AUTHORIZATION TO PURCHASE STEEL TAPE AND REEL – 15.**

The District has agreed to assume the water level monitoring efforts for TWDB of the 31 TWDB monitor wells located within Victoria County. In order to measure the wells previously measured by TWDB, the District will need to use a steel tape as opposed to an e-tape or sonic water level meter. While these devices may produce accurate measurements, the space limitations prevent the use of e-tapes or sonic measuring tools.

**MOTION by Mrs. Dietzel and seconded by Mr. Hroch, to move to authorize the General Manager, Tim Andruss, to purchase a steel tape and reel, in an**

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amount not to exceed \$625.00. Motion carried three (3) ayes and zero (0) nays.

### **AUTHORIZATION TO PURCHASE PHYSICAL MODEL OF AQUIFER – 16.**

The groundwater model would dramatically improve the District's ability to educate the public about the groundwater resources of Victoria County. In particular, the model will enable District staff to simulate the movement of water within the aquifer and demonstrate the effects of groundwater pumping and groundwater contamination. Envision Environmental Education is currently working on a cost estimate for creating a custom model that reflects the structure of the Gulf Coast Aquifer. This model would be used in the District's Conservation and Education Programs.

**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to authorize the General Manager, Tim Andruss, to purchase and pay for a Groundwater Model and associated equipment in an amount not to exceed \$1,750.00. Motion carried three (3) ayes and zero (0) nays.**

### **GENERAL MANAGER REPORT: TAGD LEGISLATIVE COMM. MTG; STUDIES AND PROJECTS WITH USGS; WATER QUALITY MONITORING; FINANCIAL AUDIT STATUS – 17.**

Topic 1: TAD Legislative Committee Meeting – December 3, 2008, Austin, Texas. TAGD Legislative Committee will be actively supporting legislative efforts to require governmental entities to pay fees and penalties assessed by groundwater conservation districts. Other topics briefly discussed included: presenting a unified message; ownership of groundwater; transport of groundwater; clarifying the DFC process/MAG; elections and tax; legislator's brochure; injection wells.

#### Topic 2: Studies and Projects with USGS

Dec. 8, 2008, met with USGS to discuss future collaborative project between VCGCD and USGS. USGS will support the project but does not feel as though VCGCD has enough well inventory information to move forward. We will meet in a few months to gage the District progress in collecting well inventory information. USGS will aid the District as we design our water well inventory and related programs.

Dec. 10, 2008, met in Goliad with GCGCD and USGS on the progress of Coletto Creek Project with USGS. USGS will be forwarding a draft agreement that outlines the agreement between VCGCD and USGS including goals, responsibilities, and funding information.

#### Topic 3: Water Quality Monitoring

We have discussed the need to design and document a formal program related to water quality monitoring, there may be potential land use activities and events that require the District to collect and analyze groundwater samples prior to activities starting. This was the approach the District took regarding potential uranium mining in the Mission Valley area. In the northern area of Victoria County there is a potential for land to be used for sanitary sewer waste in the form of sludge to be disposed. In the coming month(s), Mr. Andruss will bring this matter before the Board to consider authorizing the collection and analysis of groundwater samples from wells in close proximity.

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## Topic 4: Financial Audit Status

Goldman, Hunt, and Notz have completed their data collection efforts at the District's office. The audit results are tentatively scheduled to be presented at the January monthly meeting. While the audit is not completed as of yet and a few pieces of information must be supplied, there were not significant issues discovered during the in-office work.

Mr. Goldman and his staff complimented Barbara Dietzel and Jan Eager for the outstanding record keeping and ease with which information was found and provided to them.

### Past Events –

1. VCGCD Regular Board Meeting – November 21, 2008
2. GBRA Presentation – November 24, 2008
3. TAGD Legislative Committee Meeting – December 3, 2008
4. USGS Meeting – Potential Studies Relating To Groundwater Management – December 8, 2008
5. Coleto Creek Study Meeting – December 10, 2008

### Future Events –

1. VCGCD Holiday Observed – December 24-26, 2008
2. VCGCD Holiday Observed – January 1, 2009
3. TCDRS New Enrollee Meeting – January 15, 2009 – Austin, Tx.
4. VCGCD Regular Board Meeting – January 16, 2009

## **GENERAL MANAGER PERFORMANCE EVALUATION – 18.**

VCGCD Board will discuss general manager performance evaluation in closed meeting.

## **CLOSED MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551 – 19.**

**MOTION by Mr. Meek and seconded by Mrs. Dietzel, to move for the VCGCD Board of Directors to go into Closed Meeting at 11:20 a.m., pursuant to V.T.C.A. Government Code 551.071, to conduct private consultation with VCGCD attorney regarding matters protected by the Attorney-Client privilege or V.T.C.A. Government Code regarding personnel. Motion carried three (3) ayes and zero (0) nays.**

## **RETURN TO OPEN MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551 – 20.**

**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move for the VCGCD Board of Directors to return to Open Meeting at 12:50 p.m., pursuant to V.T.C.A. Government Code 551.102, to return to Open Meeting to take any action deemed necessary based upon discussion in closed meeting. Motion carried three (3) ayes and zero (0) nays.**

## **DISCUSSION AND ACTION RELATED TO CLOSED MEETING - 21.**

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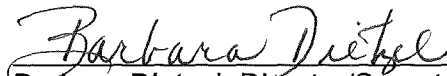
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MOTION by Mr. Meek and seconded by Mr. Hroch, to move to place a copy of the General Manager- Employee Performance Evaluation in Tim Andruss' confidential personnel file. Motion carried three (3) ayes and zero (0) nays.

MOTION by Mr. Meek and seconded by Mr. Hroch, to move to authorize VCGCD General Manager, Tim Andruss, to draft a letter to be signed by VCGCD Board Members to the Refugio Groundwater Conservation District General Manager, Garrett Engelking, with a copy to RGCD Board President, Larry Aduddell, explaining the current status of invoices and reporting. Motion carried three (3) ayes and zero (0) nays.

ADJOURN – 22.

MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move for the Victoria County Groundwater Conservation District Board of Directors to adjourn the VCGCD Regular Board meeting at 12:55 p.m. Motion carried three (3) ayes and zero (0) nays.

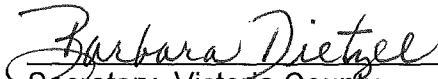


Barbara Dietzel, Director/Secretary of the Victoria  
County Groundwater Conservation District  
Board of Directors

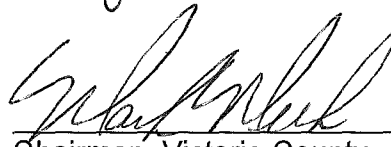
THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON

THIS THE 16th DAY OF January A.D. 2009.

ATTEST:



Secretary, Victoria County  
Groundwater Conservation District



Chairman, Victoria County  
Groundwater Conservation District