

# 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 January 16, 2009.

**Present:** Mark Meek, Chairman, Precinct No. 4  
Jerry Hroch, Vice Chairman, Precinct No. 1  
Barbara Dietzel, Secretary, Precinct No. 3  
Thurman Clements, Precinct No. 2  
Tim Andruss, General Manager  
James Allison, Attorney

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

### CALL TO ORDER – 1.

Vice Chairman Jerry Hroch called the meeting to order at 9:00 a.m.

### WELCOME GUESTS – 2.

Vice Chairman Hroch welcomed guests: Judge Don Pozzi-Victoria County, Bill Richter-Citizen, Jerry James-City of Victoria, Tara Bozick-Victoria Advocate, James Dodson-Goliad Sands, Linda Lentz Elmore-Citizen, Mr. Watts-Citizen and Donald Goldman-Goldman, Hunt and Notz.

### OATH OF OFFICE AND BOARD OFFICERS – 3.

Judge Don Pozzi administered the Oath of Office and Statement of Elected Officer to re-elected VCGCD Directors, Mark Meek and Thurman Clements, Jr. Re-elected VCGCD Director, Kenneth Eller will take the Oath of Office and Statement of Elected Officer at the February VCGCD Regular Meeting.

Vice Chairman Hroch then turned the meeting over to Chairman Meek. Chairman Meek then asked for Pledge of Allegiance, to United States and Texas flags.

### MINUTES - 4.

Secretary Barbara Dietzel presented the minutes of VCGCD Regular Meeting – December 19, 2008, for review.

# Victoria County Groundwater Conservation District

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**MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to accept and approve the minutes of VCGCD Regular Meeting – December 19, 2008. Motion carried four (4) ayes and zero (0) nays.**

## **FINANCIAL REPORT – 5.**

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

**MOTION by Mr. Hroch and seconded by Mr. Clements, to move to accept and approve the financial reports of VCGCD Monthly Transactions and Operating Budget for December 2008, as presented to the board. Motion carried four (4) ayes and zero (0) nays.**

## **PUBLIC COMMENT – 6.**

Jerry James, City of Victoria, made public comment.

## **FINANCIAL AUDIT UPDATE – 7.**

The VCGCD Board authorized the initiation of the annual financial audit, by Goldman Hunt and Notz, at the November 21 2008 meeting. Mr. Goldman and his staff gathered the necessary information from the District files the week of December 1, 2008. Mr. Goldman presented the report of the VCGCD Audit.

**MOTION by Mr. Clements and seconded by Mr. Hroch, to move to accept and approve the Financial Audit Report for FY07-08, as presented by Donald Goldman. Motion carried four (4) ayes and zero (0) nays.**

## **INJECTION WELL PERMITTING UPDATE – 8.**

The Board adopted the Injection Well Policy during the December 19, 2008 meeting. Since this meeting, the District has discovered one (1) injection well permit referenced as Miocene Formation – Kilgore Lease, Well Number 25WD. On December 23, 2008, the District requested all information regarding the application in order to facilitate its review of the application in accordance with District's policy. The information has not been received as of January 12, 2009 and we have left messages with RRC staff (Susan Moore) regarding our request. The District will coordinate with the RRC to ensure these types of requests are sent to the appropriate office/staff via the preferred method such as registered mail, FAX, and/or email.

Mr. Allison stated he has not received a transcript of the Protest Hearing by VCGCD and Quail Creek Mud District, on the Pro-Field Services Injection Well Permit.

## **AUTHORIZATION FOR INVOICE PAYMENT – VICTORIA CENTRAL APPRAISAL DISTRICT – 9.**

**MOTION by Mr. Hroch and seconded by Mr. Clements, to move to approve and authorize the General Manager, Tim Andruss, to pay the Victoria**

# Victoria County Groundwater Conservation District

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**Central Appraisal District invoice in the amount of \$7,801.00. Motion carried four (4) ayes and zero (0) nays.**

## **AUTHORIZATION FOR INVOICE PAYMENT – VICTORIA COUNTY LEASE – 10.**

**MOTION by Mr. Clements and seconded by Mrs. Dietzel, to move to approve and authorize the General Manager, Tim Andruss, to pay the Victoria County Lease invoices in the amount of \$12,960.00. Motion carried four (4) ayes and zero (0) nays.**

## **AUTHORIZATION TO PAY FOR AND ATTEND TWCA ANNUAL CONVENTION - 11.**

The District is a member of Texas Water Conservation Association (TWCA). This convention is the annual convention and includes sessions related to groundwater management and discussion sessions with Governor Rick Perry, State Senator Kip Averitt, and Chairman of TWDB, James Herring.

**MOTION by Mr. Hroch and seconded by Mr. Clements, to move to approve and authorize the General Manager, Tim Andruss, to register, attend, and pay for expense related to attending the TWCA Annual Convention in an amount not to exceed \$1,300.00. Motion carried four (4) ayes and zero (0) nays.**

## **HOLIDAY SCHEDULE FOR 2009 - 12.**

Attached is the proposed holiday schedule of VCGCD which is identical to Victoria County's holiday schedule. For previous years, the District has followed the same schedule as Victoria County. The primary reason for doing so is that the office building is closed on these days.

**MOTION by Mr. Clements and seconded by Mr. Hroch, to move to approve and adopt the proposed holiday schedule. Motion carried four (4) ayes and zero (0) nays.**

## **LEGISLATIVE SESSION UPDATE - 13.**

Jim Allison presented a Bill Research Report and information regarding the upcoming legislative session. The appointments of Committee Chairs should be complete by the first week in February. Mr. Allison will be sending an Analytical Report to the District on bills, that could affect groundwater, which need to be monitored. He reminded the Board of Directors about purpose of a Groundwater Conservation District being to protect the Aquifer, as per Chapter 36.0015 and the Legislature. He discussed HB 43 possibly being counter to the District's Rules.

## **GENERAL MANAGER REPORT: MANAGEMENT PLAN AND RULES UPDATE; DROUGHT MONITORING UPDATE; PROFESSIONAL SERVICES RFQ UPDATE; TAGD QUARTERLY MEETING; CALENDAR OF EVENTS – 14.**

# Victoria County Groundwater Conservation District

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**Management Plan and Rules:** The District sent letters via certified mail to over 39 well drillers as well as published notices in the Victoria Advocate for seven (7) consecutive days. In addition, the web site has been updated with the current management plan, rules, and forms.

**Drought Monitoring Update:** Victoria County has not received any significant rainfall in the past month and the drought status has not changed.

**Professional Services RFQ:** The District published a notice of the approved RFQ in the Victoria Advocate as well as sent notification letters directly to nine (9) firms. The District held its pre-submittal meeting on January 6, 2009 with one attendee. The district has received a number of inquiries by phone and anticipates receiving several submittals.

**TAGD Quarterly Meeting:** TAGD will hold its quarterly meeting at the Thompson Conference Center, Room 2.120 in Austin on January 27 and 28, 2009.

## **Calendar of Events:**

### Past 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

### Future Events –

1. VCGCD Holiday Observed – January 19, 2009
2. TRWATWCA Water Law Seminar 9<sup>th</sup> Annual – January 22, 2009 - Austin, Tx.
3. TAGD Quarterly Meeting – January 27-28, 2009 – Austin, Tx.
4. VCGCD Holiday Observed – February 16, 2009
5. VCGCD Board Meeting – February 20, 2009

## **ANNUAL REVIEW: JAN EAGER – 15.**

Jan Eager has served as the District's Secretary for the past 12 months. During this period of time, Jan has been an excellent employee and has developed a thorough understanding of the administrative processes of the District.

## **CLOSED MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551 – 16.**

**MOTION by Mr. Meek and seconded by Mr. Clements, to move for the VCGCD Board of Directors to go into Closed Meeting at 10:37 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 four (4) ayes and zero (0) nays.**

## **RETURN TO OPEN MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551 – 17.**

**MOTION by Mr. Hroch and seconded by Mr. Clements, to move for the VCGCD Board of Directors to return to Open Meeting at 11:59 a.m.,**

# Victoria County Groundwater Conservation District

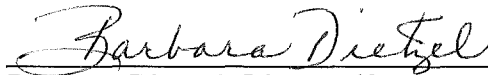
pursuant to V.T.C.A. Government Code 551.102, to return to Open Meeting to take any action deemed necessary based upon discussion in closed meeting. Motion carried four (4) ayes and zero (0) nays.

## DISCUSSION AND ACTION RELATED TO CLOSED MEETING - 18.

MOTION by Mrs. Dietzel and seconded by Mr. Clements, to move to approve and authorize a four (4) percent (%) pay raise for VCGCD Secretary, Jan Eager, effective January 16, 2009. Motion carried four (4) ayes and zero (0) nays.

## ADJOURN – 19.

MOTION by Mr. Hroch and seconded by Mr. Clements, to move for the Victoria County Groundwater Conservation District Board of Directors to adjourn the VCGCD Regular Board meeting at 12:01 p.m. Motion carried four (4) 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 20<sup>th</sup> DAY OF February A.D. 2009.

ATTEST:



Secretary, Victoria County  
Groundwater Conservation District



Chairman, Victoria County  
Groundwater Conservation District