

Victoria County Groundwater Conservation District

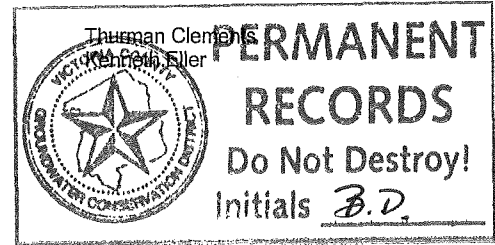


Directors:

Mark Meek
President

Jerry Hroch
Vice-President

Barbara Dietzel
Secretary



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 April 17, 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
Kenneth Eller, Precinct No. 3, At Large
Tim Andruss, General Manager
James Allison, Attorney

CALL TO ORDER – 1.

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

WELCOME GUESTS – 2.

Chairman Meek welcomed guests: Bill Richter-Texas Water Watchdog, Matt Wickham-PBW, Jerry James-City of Victoria, Asa Logan-Pop's Pecans, Kevin Janak- County Commissioner, Bradley Blanton-MIB Development, Coolidge Gerdes-Republic of Texas.

PUBLIC COMMENT PROCEDURES AND RULES – 3.

At the request of the board, procedures and rules relating to required conduct and decorum at VCGCD meetings has been drafted that will ensure the effective and efficient operation of District meetings.
A public comment form has been prepared as well. The purpose of the form is to provide the public a method of registering their intent to address the board either during the public comment portion of the meeting or during a specific agenda item. In addition, the use of the form will improve record keeping and documentation of the District.

**MOTION by Mr. Eller and seconded by Mr. Hroch, to move to adopt the RULES OF PROCEDURE, CONDUCT AND DECORUM AT MEETINGS OF THE VICTORIA COUNTY GROUNDWATER CONSERVATION DISTRICT.
Motion carried five (5) ayes and zero (0) nays.**

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PUBLIC COMMENT – 4.

Public comment was made by Bill Richter, Jerry James, Kevin Janak and Bradley Blanton.

MINUTES - 5.

Secretary Barbara Dietzel presented the minutes of VCGCD Regular Meeting – February 20, 2009 and VCGCD Special Called Meeting – March 6, 2009, for review.

MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept and approve the minutes of VCGCD Regular Meeting – February 20, 2009 and VCGCD Special Called Meeting – March 6, 2009 . Motion carried five (5) ayes and zero (0) nays.

FINANCIAL REPORTS – FEBRUARY 2009 AND MARCH 2009 - 6.

General Manager, Tim Andruss, presented the financial reports of VCGCD Monthly Transactions and Operating Budget for February 2009 and March 2009.

A new format (a standard QuickBooks report format) is recommended for presenting a detailed listing of each transaction during the month. Both the new and original formats are presented for comparison. The new format will be used from this point forward.

MOTION by Mr. Eller and seconded by Mrs. Dietzel, to move to accept and approve the financial reports of VCGCD Monthly Transactions and Operating Budget for January 2009, and to authorize the use of the new format for reporting monthly transaction details, as presented to the board. Motion carried five (5) ayes and zero (0) nays.

GMA 15 JOINT PLANNING – PRELIMINARY DFC STATEMENT – 7.

VCGCD's Proposed Process for Submitting DFC Statements to GMA 15.

1. VCGCD review and revise (if necessary) VCGCD's Preliminary DFC Statement.
2. VCGCD submit VCGCD's Preliminary DFC Statement to GMA 15 for discussion and submittal as part of GMA 15's Draft DFC Statement for a GAM run.
3. VCGCD conduct a technical analysis of previous GMA 15 GAM runs including the Draft DFC Statement GAM run.
4. VCGCD conduct a public hearing to receive comments from the public on the VCGCD's Preliminary DFC Statement, Results of the Draft DFC Statement GAM Run; and the Findings of the Technical Analysis.
5. VCGCD adopt VCGCD's Final DFC Statement for submittal to GMA 15.

Review of Preliminary DFC Statement:

VCGCD's Preliminary DFC Statement approved April 2008 has many of the elements required by TWDB as well as elements not identified by TWDB. In response to the discussion at GMA 15 meetings and the feedback from TWDB, alternate preliminary DFC statement language has been developed for consideration by the Board. In addition, TWDB has requested that the following information be provided by GMA 15:

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1. Pumping Distribution (Even vs. Cell-Specific)
2. Recharge (Drought of Record vs. Average Recharge b/t 1981-90).

MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept the proposed Process for Submitting DFC Statements to GMA 15, and to move to approve and adopt VCGCD's preliminary DFC statement with (or without) the alternate language, and to move to authorize General Manager, Tim Andruss, to submit VCGCD's Preliminary DFC Statement to GMA 15 for the purposes of requesting a Draft DFC Statement GAM Run for GMA 15. Motion carried five (5) ayes and zero (0) nays.

AUTHORIZATION FOR INVOICE PAYMENT - PBW TASK ORDER 1 – 8.

PWB has completed their analysis of the District's well construction and spacing requirements and completed all the activities associated with PBW Task Order 1. Their final report is attached. Based on the findings set out in the report, alternate rule language will be developed by District staff for consideration by the Board.

MOTION by Mr. Eller and seconded by Mrs. Dietzel, to move to authorize the General Manager, Tim Andruss, to pay the PBW Invoice 3161-2 (PWB Task Order 1), in the amount of \$3,235. Motion carried five (5) ayes and zero (0) nays.

AUTHORIZATION OF PBW TASK ORDER 2 – ADMINISTRATIVE PURPOSES – 9.

From time to time, the District may have a need to request technical support from PBW that is not large enough in scope to be considered a project or must be completed in short period of time. Currently, the District does not have a task order under which these activities could be conducted or billed. Having an approved general contracting task order would remedy this situation.

MOTION by Mr. Eller, and seconded by Mr. Hroch, to move to approve PBW Task Order 2 and authorized expenditures against PBW Task Order 2, in an amount not to exceed \$5,000. Motion carried five (5) ayes and zero (0) nays.

GENERAL MANAGER REPORT: PERMITTING AND REGISTRATION ACTIVITY; SAND/GRAVEL PIT COMPLAINT; PERMIT HEARING FOR VARIANCES; PLANNING OF SUBDIVISION WELL PLACEMENT; LEGISLATIVE SESSION UPDATE; DROUGHT MONITORING REPORT; CALENDAR OF EVENTS – 10.

1. **Permitting and Registration Activity:** See attached report.
2. **Sand/Gravel Pit Complaint:** The District conducted a preliminary site evaluation of the sand and gravel pit and surrounding area to assess the potential impact of the de-watering activities associated with the mining activity. The pit is not currently being mined. There does not appear to be evidence or reason to believe that the previous de-watering activities are currently or have previously caused harm to the aquifer or adjacent property owners. Therefore,

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the District will not undertake a more extensive Investigation in association the complaint. The District will remain in communication with the land developer (Mr. Davis) and monitor aquifer effects of sand and gravel mining if the operation begins in the future. (See attached report by PBW).

3. **Permit Hearing for Variances:** The District has scheduled and provided required notice regarding the permit hearing for April 24, 2009. The hearing will begin at 6:30 p.m. and be held at the Pattie Dodson Health Center Classroom #108 A. There are three applicants requesting variances to the District's spacing and completion requirements. (See attached notice)
4. **Planning of Subdivision Well Placement:** Developer Bradley Blanton has begun the process of developing a 39 acre tract of land on Parsons Road. Mr. Blanton has provided the District with a copy of his proposed subdivision plan with proposed well locations and septic system locations. As designed, the proposed subdivision would satisfy the District's well spacing requirements except for the property line offset (50' offset). The Board is encouraged to consider its options regarding permitting for this subdivision. (See attached documents)
5. **Legislative Session Update:** Mr. Allison provided the VCGCD Board with a Legislative Bill Status Report. He discussed and commented on bills pertaining to water. He stated there are 43 days to go before the Legislative session ends on June 1, 2009.
6. **Drought Monitoring Update:** See attached report.
7. **Calendar of Events:**

Past Events –

1. TWCA Annual Convention – February 25 -27, 2009 – Austin, TX.
2. Victoria Jaycee Livestock Show – February 26, 2009 thru March 1, 2009
3. Water Well Measuring Victoria County for TWDB – February 18, 20, 23, 2009
4. Fluid Injection Well Pro Field Services Meeting – March 11, 2009
5. 81st Legislature – March 17, 2009
6. 81st Legislature – March 24, 2009
7. GMA 15 Meeting – March 26, 2009
8. VCGCD Holiday Observed – April 10, 2009
9. VCGCD Board Meeting – April 17, 2009

Future Events –

1. Earth Day at Victoria College – April 22, 2009
2. VCGCD Public Hearing – April 24, 2009
3. Earth Day at the Zoo – April 25, 2009
4. Quail Creek MUD Town Hall Meeting – April 30, 2009
5. Lower Guadalupe Water Supply Region L – May 7, 2009
6. Uranium Mining Meeting – May 14, 2009
7. VCGCD Board Meeting - May 15, 2009

**CLOSED MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551 – 11.
No Closed Meeting**

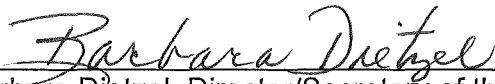
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RETURN TO OPEN MEETING: PURSUANT TO V.T.C.A. GOVERNMENT
CODE 551 – 12.
No Closed Meeting

DISCUSSION AND ACTION RELATED TO CLOSED MEETING - 13.
None

ADJOURN – 14.

MOTION by Mr. Eller and seconded by Mr. Hroch, to move for the Victoria County Groundwater Conservation District Board of Directors to adjourn the VCGCD Regular Board meeting at 12:40 p.m. Motion carried five (5) ayes and zero (0) nays.



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

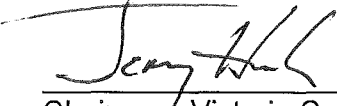
THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON

THIS THE 19th DAY OF June A.D. 2009.

ATTEST:



Secretary, Victoria County
Groundwater Conservation District



Chairman, Victoria County
Groundwater Conservation District