

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 Commissioner Courtroom, 2nd Floor, Victoria County Courthouse, 115 N. Bridge St., Victoria, Texas, on Friday, **SEPTEMBER 25, 2009**, at **9:00 a.m.**

Present: Mark Meek, President, Precinct No. 4
Jerry Hroch, Vice President, Precinct No. 1
Barbara Dietzel, Secretary, Precinct No. 3
Thurman Clements, Director, Precinct No. 2
Kenneth Eller, Director, Precinct No. 3, At Large
Tim Andruss, General Manager

Absent: James Allison, Attorney

1. CALL TO ORDER.

President Mark Meek called the meeting to order at 9:00 a.m. on Friday, September 25, 2009. Pledge of Allegiance, to United States and Texas Flags, was observed

2. WELCOME GUESTS.

President Meek welcomed guests – Jerry James-City of Victoria, Bill Jones- Region L, Kevin Janak-County Commissioner, James Dodson-GroundSwell, Donald Goldman-Goldman, Hunt & Notz, Bill Richter-TWW, and Lisa Peterson-Rep. Morrison.

3. PUBLIC COMMENT.

Public comment was made Jerry James, Bill Jones, Kevin Janak, and Bill Richter.

4. MINUTES OF PRIOR MEETINGS– July 13, 2009, July 17, 2009 and August 28, 2009.

Secretary Barbara Dietzel presented the minutes of VCGCD Special Called Meeting and Budget Workshop – July 13, 2009, VCGCD Regular Meeting and PERMIT HEARING – July 17, 2009 and VCGCD Regular Meeting-PUBLIC HEARING-PROPOSED REVISED VCGCD RULES-BUDGET-TAX RATE-CERTIFIED APPRAISAL ROLLS – August 28, 2009, for review.

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MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept and approve the minutes of VCGCD Special Called Meeting and Budget Workshop – July 13, 2009, VCGCD Regular Meeting and PERMIT HEARING – July 17, 2009 and VCGCD Regular Meeting-PUBLIC HEARING-PROPOSED REVISED VCGCD RULES-BUDGET-TAX RATE-CERTIFIED APPRAISAL ROLLS – August 28, 2009, as presented to the Board. Motion carried five (5) ayes and zero (0) nays.

5. FINANCIAL REPORTS.

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

MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept and approve the financial reports of VCGCD Monthly Transactions and Operating Budget for June 2009 and August 2009, as presented to the Board. Motion carried five (5) ayes and zero (0) nays.

6. RATIFICATION OF REVISED DISTRICT RULES AND DISTRICT FORMS.

During the August 28, 2009 meeting, the VCGCD Board –

1. conducted a Public Hearing on the Proposed Revised District Rules,
2. modified those rules by hand to include a grammatical correction,
3. passed a resolution adopting the revised rules, and
4. approved and adopted revised district forms to conform with the revised rules.

See meeting packet for copy of Resolution, Revised District Rules, which include the grammatical correction, and the approved forms as revised.

MOTION by Mrs. Dietzel and seconded by Mr. Clements, to move to RATIFY the VCGCD Adopted Revised Rules and Revised District Forms, adopted after PUBLIC HEARING on August 28, 2009, by the VCGCD Board of Directors. Motion carried five (5) ayes and zero (0) nays.

7. GROUNDWATER PUMPING / GUADALUPE RIVER FLOWS.

As requested by the Board, the City of Victoria has submitted a report of groundwater production for August 2009. The report lists the daily groundwater production amounts for all the water wells associated with the City's water distribution system.

In addition, TCEQ has responded to the District's open record request regarding groundwater exchanges for surface water. See meeting packet for file that TCEQ indicated may be responsive to open records request.

On September 12, 2009, Jerry James of City of Victoria contacted the District and explained that the City had discontinued their groundwater exchange program. The City of Victoria does not anticipate having to restart their program in the near future.

8. AUTHORIZATION TO PROCEED WITH FINANCIAL AUDIT FOR FY2008-2009.

Mr. Goldman of Goldman, Hunt, and Notz has submitted an engagement letter for the financial audit for FY08-09. Mr. Goldman's firm has conducted the annual audits for

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VCGCD for the previous two years. District staff is very satisfied with the services provided by GHN and anticipates that the auditing process will be efficient because of GHN familiarity with VCGCD records and financial reporting setup.

Mr. Goldman has estimated a cost of up to \$6400.00, which represents an increase of \$1450.00 compared to last year's cost.

MOTION by Mr. Hroch and seconded by Mrs. Dietzel, to move to authorize Goldman, Hunt, and Notz to perform the annual financial audit for FY08-09 at a cost not to exceed \$6,400.00. Motion carried five (5) ayes and zero (0) nays.

9. ENROLLMENT IN TEXAS MUNICIPAL LEAGUE (TML) HEALTH INSURANCE PROGRAMS.

The VCGCD Board adopted the budget for FY09-10 which included funding for the addition of health benefits for the general manager and administrative assistant. Texas Municipal League – Intergovernmental Employee Benefit Pool (TML-IEBP) offers health benefit programs to groundwater conservation districts.

The monthly contribution by VCGCD will be limited to \$350 per employee per month in FY09-10. The benefits will include medical, vision, and dental coverage.

MOTION by Mr. Eller and seconded by Mr. Hroch, to move to authorize participation in the TML-IEBP, for the VCGCD General Manager, Tim Andruss and Administrative Assistant, Jan Eager, and to execute the necessary documents for enrollment. Motion carried five (5) ayes and zero (0) nays.

10. MODIFICATION TO VCGCD'S PARTICIPATION IN TEXAS COUNTY & DISTRICT RETIREMENT SYSTEM (TCDRS) TO INCLUDE GROUP TERM LIFE PROGRAM.

The VCGCD Board adopted the budget for FY09-10 which included funding for the addition of term life insurance for the general manager and administrative assistant. VCGCD participates in the TCDRS retirement system which offers term life insurance as an optional coverage. The cost associated with this program will not exceed \$10 per month per employee.

MOTION by Mr. Eller and seconded by Mr. Clements, to move to authorize participation in the TCDRS Group Term Life Program of TCDRS for General Manager, Tim Andruss and Administrative Assistant, Jan Eager. Motion carried (5) ayes and zero (0) nays.

11. COMMITTING DISTRICT FUNDS TO PAY FOR ADMINISTRATIVE COSTS OF SCTRWP (REGION L).

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The estimated costs associated with Region L administrative activities are estimated at \$65,000.00 per year which are provided by SARA staff. Other organizations such as SAWS and GBRA have committed to share in the administrative cost up to 94%. The remaining 6% is to be sought from other interested or involved entities.

Erin Newberry of SARA has provided an invoice for \$1,500.00 to VCGCD for cost-sharing of administrative costs of Region L.

The City of Victoria is considering making a commitment of \$1,980.00 for cost-sharing of administrative costs of Region L.

MOTION by Mr. Eller and seconded by Mr. Clements, to move to authorize the General Manager, Tim Andruss, to pay the Region L Cost-Sharing of Administrative Costs Invoice in the amount of \$1,500.00. Motion carried five (5) ayes and zero (0) nays.

12. AUTHORIZATION TO PURCHASE LATERAL FIRE PROOF FILING CABINET.

VCGCD has two fire proof filing cabinets which are used to store the district records. Both Cabinets are nearly full. The district needs an additional cabinet to store records. The district has attempted to locate used cabinets with no success. The district requested bids from three vendors. Victoria Office Equipment, Coastal Office Products, and Central Office Equipment submitted bids. The low bid was Victoria Office Equipment at \$3,620.00

MOTION by Mr. Clements and seconded by Mr. Eller, to move to authorize the General Manager, Tim Andruss to order and pay for a fire proof filing cabinet in an amount not to exceed \$3,620.00. Motion carried five (5) ayes and zero (0) nays.

13. AUTHORIZATION TO PAY INVOICE FROM MIKE McCAULEY FOR PAYROLL BOOKKEEPING.

Mike McCauley's office has been providing payroll services to VCGCD for several. This invoice covers these services provided between January 2009 through July 2009.

MOTION by Mr. Clements and seconded by Mr. Eller, to move to authorize the General Manager, Tim Andruss, to pay the invoice for Mike McCauley, for Payroll Bookkeeping, in the amount of \$625.00. Motion carried five (5) ayes and zero (0) nays.

14. AUTHORIZATION TO PAY INVOICE TO USGS AND COMMIT FUNDS TO THE PROJECT IN FY09-10.

On February 20, 2009, the VCGCD Board authorized the execution of the Coletto Creek SW/GW Interaction Study and the Joint Funding Agreement. This authorization included budgeting \$10,000 from Account 405 in FY08-09.

On August 5, 2009, the VCGCD Board authorized a payment for USGS Bill No. 9-8653-169057 in the amount of \$2,451.36.

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MOTION by Mr. Eller and seconded by Mrs. Dietzel, to move to authorize the General Manager, Tim Andruss, to pay invoice USGS Bill No. 9-8653-246030, in the amount of \$7,548.64. Motion carried five (5) ayes and zero (0) nays.

MOTION by Mr. Eller and seconded by Mr. Clements, to move to commit funds budgeted in FY09-10 Account 405 to project in an amount not to exceed \$10,000. Motion carried five (5) ayes and zero (0).

15. GENERAL MANGER REPORT.

Recent Events:

The Guadalupe Basin Workshop of Region L has met on two occasions: August 28, 2009 and September 18, 2009. The purpose of the workgroup is to develop and recommend a set of water management strategies related to the Guadalupe Basin for 2011 Regional Water Plan of SCTRWPG (Region L). The anticipated date for making a recommendation to the planning group is November 5, 2009.

VCGCD had received and accepted two invitations to speak to community groups regarding the District's activities. The District focused its presentation on the ongoing registration efforts. Following the presentation, the groups were provided an opportunity to ask questions. A significant portion of the questions revolved around the perceived threat of a GCD requiring water meters. VCGCD's position regarding meters (no meters on exempt wells) was explained and reiterated.

VCGCD conducted a water well driller seminar on September 17, 2009. The purpose of the seminar was to provide well drillers, with detailed explanation of the VCGCD rules related to well drilling as revised on August 28, 2009. The revised rules include a provision related to the permitting of exempt wells that allows a landowner to proceed with the drilling of an exempt well if all VCGCD requirements are satisfied, and administratively complete application is submitted prior to drilling, and a licensed well driller who has completed VCGCD's most recent water well drilling seminar drills the new well. The seminar was attended by 13 water well drillers.

Registration and Permitting Update:

Year-to-Data Statistics for FY08-09:

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|---|-----|
| Drilling Permit Applications | 128 |
| Operating Permit Applications | 11 |
| Registration Applications for Grandfathered Wells | 82 |
| Registered Wells | 53 |

Drought Monitoring:

See Meeting Packet for details.

Calendar of Events:

See Meeting Packet for details.

16. CLOSED MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551.071, TO CONDUCT PRIVATE CONSULTATION WITH VCGCD ATTORNEY REGARDING

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MATTERS PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE OR V.T.C.A. GOVERNMENT CODE REGARDING PERSONNEL.

MOTION by Mr. Meek and seconded by Mrs. Dietzel, to move for the VCGCD Board of Directors to go into Closed Meeting at 10:30 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 five (5) ayes and zero (0) nays.

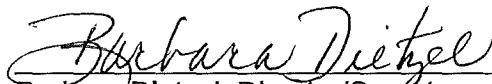
17. RETURN TO OPEN MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551.102, RETURN TO OPEN MEETING AND TAKE ANY ACTION DEEMED NECESSARY BASED UPON DISCUSSION IN CLOSED MEETING.

MOTION by Mr. Clements and seconded by Mr. Eller, to move for the VCGCD Board to return to Open Meeting at 11:00 a.m., and take any action deemed necessary based upon discussion in closed meeting. Motion carried five (5) ayes and zero (0) nays.

NO ACTION TAKEN.

18. ADJOURN.

MOTION by Mr. Clements and seconded by Mr. Eller, to move for the Victoria County Groundwater Conservation District Board of Directors to adjourn the VCGCD Regular Meeting of September 25, 2009, at 11:05 a.m. Motion carried five (5) ayes and zero (0) nays.



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

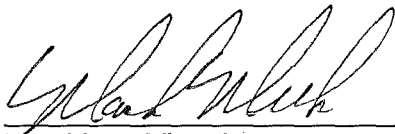
THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON

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

ATTEST:



Secretary, Victoria County Groundwater Conservation District



President, Victoria County Groundwater Conservation District