

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 Dr. Patti Dodson Health Center, Classroom 108B, 2805 N. Navarro St., Victoria, Texas, on **Friday, February 19, 2010, at 9:00 a.m.**

Mr. Mark Meek	President	Precinct No. 4	Present
Mr. Jerry Hroch	Vice President	Precinct No. 1	Present
Mrs. Barbara Dietzel	Secretary	Precinct No. 3	Present
Mr. Thurman Clements	Director	Precinct No. 2	Present
Mr. Kenneth Eller	Director	At Large	Present
Mr. Tim Andruss	General Manager		Present
Mr. James Allison	Attorney		Absent

1) CALL TO ORDER.

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

2) WELCOME GUESTS.

Mr. Mark Meek, President, welcomed guests – Lisa Peterson-Rep. Morrison, Gary Burns-Co. Commissioner, Wayne Dierlam-Co. Commissioner, Linda Lenz Elsmore-Citizen, Marie Lester- City of Victoria, Jerry James-City of Victoria, Matt Wickham-Pastor, Behling & Wheeler, and Donald Goldman-Goldman, Hunt & Notz.

3) PUBLIC COMMENT.

None.

4) APPROVAL OF MINUTES OF PREVIOUS MEETINGS – DECEMBER 18, 2009; JANUARY 8, 2010.

MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept and approve the minutes of VCGCD Regular Meeting and Permit Hearing - December 18, 2009 and VCGCD Special Called Meeting and Permit Hearing January 8, 2010. Motion carried five (5) ayes and zero (0) no.

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5) APPROVAL OF FINANCIAL REPORTS OF PREVIOUS MONTHS – DECEMBER 2009; JANUARY 2010.

Approval of Financial Reports was tabled until next meeting.

6) VICTORIA CENTRAL APPRAISAL DISTRICT UPDATE ON FUNDS.

Mr. John Haliburton gave a report update on the VCAD. He stated the VCAD Board voted to retain all unspent funds this year for development of a legal fund.

7) ACCEPTANCE AND APPROVAL OF THE FY08-09 ANNUAL REPORT.

The draft version of the FY08-09 Annual Report was delivered to the board at the December 18, 2009 meeting. The identified changes have been incorporated into the final version. See Meeting Packet for details.

MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept and approve the FY08-09 VCGCD Annual Report. Motion carried five (5) ayes and zero (0) no.

8) ACCEPTANCE AND APPROVAL OF THE FY08-09 FINANCIAL AUDIT.

Mr. Goldman of Goldman, Hunt and Notz LLC has completed the financial audit of the District and provided the VCGCD Board with a summary of the findings. See Meeting Packet for copy of the audit for FY08-09.

MOTION by Mrs. Dietzel and seconded by Mr. Eller, to move to accept and approve the FY08-09 VCGCD Financial Audit by Goldman, Hunt and Notz LLC. Motion carried five (5) ayes and zero (0) no.

9) ACCEPTANCE AND APPROVAL OF THE VCGCD PERMIT HEARING SCHEDULE.

MOTION by Mr. Clements and seconded by Mr. Eller, to move to accept and approve the proposed meeting and application deadline schedule. Motion carried five (5) ayes and zero (0) no.

10) GROUNDWATER PUMPING/GUADALUPE RIVER FLOWS.

Mr. Jerry James of City of Victoria gave a power point presentation. Mr. James stated he is working with Dr. Brandes on the 10% evaporation and with Dr. Hardy on the effects of groundwater into the river from biological standpoint. He also stated the permit amendment process with TCEQ could take over one year. He assured the Board, he will share the permit amendment paperwork as he turns it in to TCEQ.

11) ACCEPTANCE AND APPROVAL OF THE CITY OF VICTORIA EARTH DAY SPONSORSHIP REQUEST.

Last year, the City of Victoria coordinated an Earth Day event which included a large number of exhibit booths geared toward conservation education for school-aged children. The event was held at the UHV campus and VCGCD participated in the event

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and considered it a major success. The District was able to provide educational material and hands-on demonstrations related to aquifers.

MOTION by Mr. Clements and seconded by Mr. Eller, to move to authorize the VCGCD General Manager, Tim Andruss, to sponsor the City of Victoria's Earth Day Event in an amount not to exceed \$1,000. Motion carried five (5) ayes and zero (0) no.

12) ACCEPTANCE AND APPROVAL OF THE SERVICE AGREEMENT RENEWAL WITH PBW, LLC.

The services agreement executed between PBW and the District has an initial term of 12 months. The agreement was executed on February 20, 2009. The agreement allows for the renewal with written request by both parties. PBW has submitted their written request to renew the agreement. See meeting packet for details.

MOTION by Mr. Clements and seconded by Mr. Eller, to move to accept PBW's request to renew the agreement and authorize the General Manager, Tim Andruss, to renew the agreement for an additional 12 months. Motion carried five (5) ayes and zero (0) no.

13) ACCEPTANCE AND APPROVAL OF TASK ORDER PBW-5, PBW-6, PBW7, AND PBW-8 RELATING TO THE DEVELOPMENT OF THE DISTRICT'S MONITORING PROGRAMS.

In November 2009, PBW presented to the District an outline for the development of the District's monitoring programs. The outline set out several additional tasks that would need to be completed to fully implement the baseline monitoring programs. Task orders PBW-5 through PBW-8 represent the tasks that need to be completed to fully implement the plan. After completing these tasks, the District will be able to resume the water quality and water level monitoring with assurance that the District's objectives will be met. For these task orders, PBW's compensation is based on a fixed-fee approach as allowed in the services agreement. Each task order has milestones established with associated payment amounts.

MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept and approve Task Orders PBW-5, PBW-6, PBW-7 and PBW-8 and authorize the General Manager, Tim Andruss, to pay the resulting invoices when the established milestones are met for a total amount not to exceed \$18,680.00 from account 405. Motion carried five (5) ayes and zero (0) no.

14) ACCEPTANCE AND APPROVAL OF THE SERVICES AGREEMENT AND ASSOCIATED TASK ORDERS TO PROVIDE PROFESSIONAL CONSULTING SERVICES RELATED TO DFC DEVELOPMENT.

On February 8, 2010, the District sent emails to two consulting firms, Daniel B. Stephens & Associates as well as Pastor, Behling, & Wheeler, requesting that they review and respond to an attached request for proposals (RFP). The RFP outlined the professional services the District was seeking related to additional

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GAM simulations. The simulations included an extension of the TWDB GAM 09-10 run as well as two reduced-recharge scenarios. The results of these additional simulations will provide the District, and perhaps GMA 15 as a whole, additional data to consider while developing its DFC.

The District received responses from both firms. Both of the proposals were considered responsive and were evaluated.

MOTION by Mr. Hroch and seconded by Mr. Clements, to move to accept the PBW proposal and associated Task Order (PBW-9) and authorize the General Manager, Tim Andruss, to pay the resulting invoices when the established milestones are met for a total amount not to exceed \$27,510.00 from account 405. Motion carried five (5) ayes and zero (0) no.

15) ACCEPTANCE AND APPROVAL OF THE VCGCD HOLIDAY SCHEDULE FOR CY 2010. See meeting packet for Holiday Schedule.

MOTION by Mr. Eller, and seconded by Mrs. Dietzel, to move to accept and adopt the proposed VCGCD holiday schedule for CY 2010. Motion carried five (5) ayes and zero (0) no.

16) AUTHORIZATION TO PAY SARA INVOICE FOR REGION L ADMINISTRATIVE BUDGET CONTRIBUTION.

At the September 2009 board meeting, the board authorized a contribution of \$1,500 toward the CY2009 administrative costs for Region L.

MOTION by Mr. Clements and seconded by Mr. Eller, to move to authorize the General Manager, Tim Andruss, to pay the Region L invoice in the amount of \$1,500.00 from account 460. Motion carried five (5) ayes and zero (0) no.

17) AUTHORIZATION TO PAY GOLDMAN, HUNT AND NOTZ, LLC INVOICE FOR FY08-09 AUDIT.

In September 2009, the board authorized GHN to perform the annual financial audit in an amount not to exceed \$6,400.00. The audit is complete and has been delivered to the District.

MOTION by Mr. Eller and seconded by Mr. Hroch, to move to authorize the General Manager, Tim Andruss, to pay invoice #29655-1 from Goldman, Hunt & Notz LLC, in the amount of \$6,100.00 from account 401. Motion carried five (5) ayes and zero (0) no.

18) AUTHORIZATION TO PAY VICTORIA COUNTY INVOICE FOR OFFICE RENT.

MOTION by Mr. Hroch and seconded by Mr. Eller, to move to authorize the General Manager, Tim Andruss, to pay the Victoria County invoice in the

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amount of \$9,720.00 from account 450 – Office Rent. Motion carried five (5) ayes and zero (0) no.

19) GENERAL MANAGER REPORT – REGION L UPDATE; GMA 15 UPDATE; REGISTRATION UPDATE; DROUGHT MONITORING; CALENDAR OF EVENTS.

Region L Update: On February 4, 2010, the Region L planning group adopted the initially Prepared Plan. On April 12, 2010, a public hearing will be held in Victoria County to accept public comments on the plan.

GMA 15: On February 18, 2010, the GMA 15 met to continue the discussion regarding the development of a DFC. TWDB presented the results of GAM Run 09-10.

Registration and Permitting Update:

	Previous Report	Current Report
Drilling Permit Applications	150	165
Operating Permit Applications	14	14
Registration Applications	148	161
Registered Wells	251	329

Drought Monitoring:

See Meeting Packet for details.

Calendar of Events:

See Meeting Packet for details.

20) CLOSED MEETING: 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 551.074 REGARDING PERSONNEL. NO CLOSED MEETING.

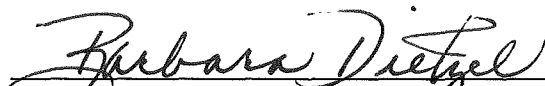
21) RETURN TO OPEN MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551.102, RETURN TO OPEN MEETING AND TAKE ANY ACTION DEEMED NECESSARY BASED UPON DISCUSSION IN CLOSED MEETING. No Closed Meeting.

22) DISCUSSION AND ACTION RELATED TO CLOSED MEETING. No discussion or action.

23) ADJOURN.

MOTION by Mr. Eller and seconded by Mr. Clements, to move for the Victoria County Groundwater Conservation District Board of Directors to adjourn the VCGCD Regular Meeting of February 19, 2010, at 11:30 a.m. Motion carried five (5) ayes and zero (0) no.

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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 March A.D. 2010.

ATTEST:



Secretary, Victoria County
Groundwater Conservation District



President, Victoria County
Groundwater Conservation District