

**COASTAL BEND GROUNDWATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING**

AGENDA PREPARED AND POSTED: December 9, 2011
DATE OF MEETING: December 13, 2011
TIME OF MEETING: 8:00 A.M.

PLACE WHERE MEETING WAS HELD: District Office, 109 E. Milam, WHARTON, TEXAS 77488.

I. In Attendance:

II. Ronald Gertson – President CBGCD; L.G. Raun – Vice President CBGCD; Edmund Weinheimer – Secretary CBGCD; Leonard Wittig – Director CBGCD; Arthur Priesmeyer – Director CBGCD; Neil Hudgins – Manager CBGCD; Mandy Bain – CBGCD; Craig Elam, Judge Phillip Spenrath.

III. Call to Order:

The meeting was called to order at 8:04 A.M.

IV. Public Comments:

None.

V. Approval of Minutes:

Vice President Raun made a motion to accept the November 8, 2011 regular meeting minutes as presented, and the November 8, 2011 permit hearing minutes as presented. Director Priesmeyer seconded. All voted for; motion carried.

VI. Manager's Report:

Financial Report – Mr. Hudgins reported a checking account balance of \$ 29,822.96 and a money market balance of \$ 718,775.37. A budget vs. actual, a list of total District investments, and the balance sheet for November was also presented. The Quarterly Investment Report was presented. After discussion and review, Director Priesmeyer made a motion to approve the checking account balance, the money market account balance, the investment report, and a list of detailed checks and deposits for the month of November as presented. Director Wittig seconded. All voted for; motion carried.

Well Registration Update – Mr. Hudgins presented the Board with a detailed breakdown of current Exempt and Non Exempt Well Information for the 2011-2013 permitting term.

Well Monitoring Update – Mr. Hudgins presented the Board with the November well monitoring report. The index wells indicate that the water level is 8 foot lower than at this time last year, and 3 foot lower than November 2005.

GMA15 Update – GMA 15 met on December 8, 2011 in Victoria, Texas. Tim Andruss will be the new administrator for the next planning cycle. Mr. Hudgins will serve as the GMA 15 representative for Region P.

VII. Review and Approve Permit Applications: After discussion and review of the permit applications, Vice President Raun made a motion to approve permits OP-11113001 for Locke Division of JD Hudgins, OP-11113002 for Hlavinka Equipment, OP-11113003 for Pete Merta, OP-05050602 for Forgason Division, OP-11113005 for Michael Koudela, OP-11113004 for Toby Schoenenberg, and OP-11021101 for Arthur Anderson and to table action on permit amendments on OP-04070601 for Rancho Grande Farms, Op-04070201 for Phillip Stelzel, OP-05020701 & OP-05031601 for

James E Kainer until more information on the amendments is presented to the Board. Secretary Weinheimer seconded. All voted for motion carried.

- VIII. **Historic Use Permits/Conjunctive Use Permits:** The Board had a discussion on Historic User's and the Permits associated with Historic Use. It was discussed that permit holders could come to the District and provide proof of what they have pumped in a certain period or the permit holder can accept the average maximum the Board sets as to quantify their permits. Another option the Board discussed is the possibility of in Board determined "critical years", issuing single year permits until the District is out of the critical period. With that, the Board will have a good handle on pumpage within the District while monitoring the aquifer. Also, perhaps the creating of three classes of users could be helpful. Class A being the Historic User with proven Historic Use, Class B being the Existing User without Historic Use and Class C being the completely New User. The Board will need to begin working on wording for the District Rules to implement historic use and/or conjunctive use permits. A letter should be sent to new permit holders to warn them that changes are possible in the upcoming months. Staff will begin working on setting up a public meeting to discuss possible Rule amendments. Mr. Hudgins will email any draft Rules that Coastal Plains GCD are discussing.
- IX. **Resolution Regarding Senate Bill 1/ Exemption of goods in transit submitted by Linebarger Goggan Blair Sampson, LLC, Attorneys At Law:** After discussion, Secretary Weinheimer made a motion to adopt the Resolution regarding Senate Bill 1 on Exemption of goods in transit. Director Priesmeyer seconded. All voted for; motion carried.
- X. **PDSI/Situation Report:** The quarterly PDSI/Situation report was presented.
- XI. **Public Comment:** Craig Elam of Conoco Philips reported on the progress of their pump test in accordance with the CBGCD Hydrogeological Assessment and Aquifer Test Report Guidelines. The pump test is currently being conducted at the New Gulf location. They are monitoring water quality as well. The full report should be completed 2-3 weeks after the completion of the pump test. Once the Hydro Report is complete, Conoco Philips will submit the report with the Operating Permit Application and Transport Permit Application.
- XII. **Next Meeting:** The next general board meeting was set for Tuesday, January 10, 2012 at 8:00 a.m. at the District Office.
- XIII. **Adjournment:** Secretary Weinheimer made a motion to adjourn. Vice President Raun seconded. All voted for; motion carried. Adjournment at 10:42 a.m.