

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

AGENDA PREPARED AND POSTED: June 12, 2009
DATE OF MEETING: June 16, 2009
TIME OF MEETING: 8:00 A.M.

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

I. In Attendance:

Ronald Gertson – President; L.G. Raun, Jr. – Vice President CBGCD; Leonard Wittig – Director CBGCD; Edmund Weinheimer – Secretary CBGCD; Neil Hudgins – Manager CBGCD; Mandy Bain – Administrative Assistant CBGCD.

II. Call to Order:

The meeting was called to order at 8:10 A.M.

III. Public Comments:

None.

IV. Approval of Minutes:

Vice President Raun made a motion to accept the minutes as presented. Secretary Weinheimer seconded. All voted for; motion carried.

V. Manager's Report:

Financial Report – Mr. Hudgins reported a checking account balance of \$ 114,506.78 and a money market balance of \$520,370.63. A budget vs. actual and a list of total District investments was also presented. After discussion and review, Director Wittig 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 May as presented. Vice President Raun seconded. All voted for; motion carried.

Quarterly Investment Report – Director Wittig made a motion to accept the quarterly investment report as presented by Mr. Hudgins. Vice President Raun 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. There are a total of 4,235 wells registered. 745 of the 4,235 are non exempt wells.

Well Monitoring Update – Mr. Hudgins presented the Board with the water level readings for the month of June. Water levels are declining due to the pumping season. Staff also received a phone call pertaining to a domestic well's production declining due to the excessive pumping by a local irrigation well. Staff will begin researching possible guidelines for any future situations that may occur.

GMA 15 – GMA 15 held a meeting on May 28, 2009 and the GMA 15 members submitted their draft DFC's. GMA 15 submitted the DFC's to the Texas Water Development Board for a GAM run to produce MAG numbers for GMA 15. A tentative meeting has been scheduled for October, pending the completion of the GAM run by the TWDB.

Upcoming Meetings – TAGD will hold their quarterly meeting in Corpus Christi on July 28th and July 29th. The 19th Annual Texas Water Law Conference is September 14th and 15th in Austin.

VI. District Management Plan: Discussion on the renewal of the District Management Plan was tabled until the July meeting. The Texas Water Development Board would

- like additional information added to the Management Plan. Mr. Hudgins will email copies of the updated Plan as soon as the additional information is completed.
- VII. **GeoTrans Review of LCRB Groundwater Model:** GeoTrans is in the process of their final review of the LCRB Groundwater Model report. GeoTrans will present the report to the Board when their review report is finalized.
- VIII. **Budget Workshop:** Staff reviewed the 2009-2010 proposed budget with the Board. The Board will take the proposed budget and review until the July meeting.
- IX. **Hosting Region K Meeting in Wharton County:** After discussion, Vice President Raun made a motion to host the June Region K meeting in Wharton County with expenditures not to exceed \$600. Secretary Weinheimer seconded. All voted for; motion carried.
- X. **Agreement for Assessment and Collection Services:** After discussion and review, Secretary Weinheimer made a motion to accept the proposed new Agreement for Assessment and Collection Services between Wharton County and Coastal Bend GCD. Director Wittig seconded. All voted for; motion carried.
- XI. **Entered into Executive Session – 9:20 a.m.:** Annual performance and salary evaluation of General Manager and Administrative Assistant.
Executive Session ended at 9:36 a.m.
- XII. **Executive Session** – Director Wittig made a motion to increase General Manager Salary to \$63,000 annually for the 2009-2010 fiscal year and Administrative Assistant Salary to \$37,500 annually for the 2009-2010 fiscal year. Secretary Weinheimer seconded. All voted for; motion carried.
- XIII. **PDSI/Situation Report:** Mr. Hudgins presented the Board with the quarterly copy of the PDSI/Situation Report.
- XIV. **Unfinished Business:** None.
- XV. **Next Meeting:** The next general board meeting was set for Tuesday, July 21, 2009 at 8:00 a.m. at the District Office, 109 E. Milam, Wharton, Texas.
- XVI. **Adjournment:** Secretary Weinheimer made a motion to adjourn. Director Wittig seconded. All voted for; motion carried. Adjournment at 9:55 a.m.

Texas Alliance of Groundwater Districts (TAGD) Meeting Report April 28, 2009

On April 27, 2009, Ronald Gertson and I traveled to Austin to meet with Lisa Craven (chief of staff for Senator Glenn Hegar) to discuss a bill authored by the Senator that could affect GCDs. His original bill SB 1714 had language that tries to clear up the definition of beneficial use. The Committee Substitute of SB 1714 had additional language that created an option for districts to permit groundwater before it was to be used, called “pre-production permits.” The intent was to give Districts another way to permit up to the Managed Available Groundwater amount once received from the TWDB. Lisa said their main goal was to give GCDs another tool in management, for example, in a case where there is substantial in-district population anticipated, those Municipalities could apply for a permit now to sure up their demand in the future. We felt the intent was good, but this option of permitting given to GCDs seems like it would be more beneficial to exporters; giving them the chance to apply for a permit now and then give them 5 years to shop around for a buyer. The current language states that this is only an option for GCDs, but we expressed to our fear of that option turning into a requirement. She let us know that bill was probably not going to pass out of committee. She also said to look for Senator Hegar to be at the forefront of water legislation next session as a pro-groundwater district legislator and to always feel free to contact her with any future issues we have with any legislation.

On April 28, the Texas Alliance of Groundwater Districts met at the Thompson Conference Center on the UT campus. After minutes and financials were approved, new voting members of TAGD were approved: Corpus Christi Aquifer Storage and Recovery Conservation District, Red Sands GCD, and the Upper Trinity GCD. Three new Associate Members were also voted into membership: Haynes and Boone, LLP, LBG-Guyton Associates, and URS.

There was a new committee approved by the membership which their duty was to be looking ahead at possible future legislation and other issues that GCDs might be faced with in the future. Harvey Everhardt, Mesa UWCD, was to chair this committee with others that have spent a number of days in Austin monitoring legislation such as C. E. Williams, Panhandle GCD, Mike Mahoney, Evergreen UWCD, Scott Holland, Irion Co. UWCD, among others.

Jim Conkwright, High Plains GCD, gave a very brief legislative update. Ronald and I thought this report should have taken the majority of the meeting, but only a few bills were covered. HB 43 was not discussed but we heard that it was going nowhere likely to die in committee. HB 43 was the bill that tried to give everyone 30 yr permits, disabled GCDs from being able to amend permits unless there were severe aquifer conditions that needed to be addressed, and if permits were amended, it could only be decreased by 5% or less. Most of the discussion was on SB 2120. The original SB 2120 talks about training requirements for GCD Managers and Board Members, makes clear that only one Mgmt Plan is required and requires oil and gas water wells to report their exempt use to us each year. No one really had a problem with this bill until the committee substitute CSSB 2120. In this substitute, other legislators tried to tack on other language from their bills that looked like they were never going to get out of committee. The substitute added language regarding a complete new study of the Carrizo Study and other language that sets up a review process by the TWDB that gives them authority to audit/review each GCD’s Mgmt Plan to make sure the GCD is achieving their DFC. TAGD voted to oppose CSSB 2120 as written.

Robert Bradley, TWDB, presented just a few announcements to the group and was basically there to answer questions about the joint planning process. Below are some of the announcements he made:

- Bill Hutchinson was hired by TWDB to replace Dr. Robert Mace as division leader for Groundwater Resources.
- TWDB will begin to post GMA meeting notices on their website
- There will be a Carrizo Aquifer conference in College Station – look for an email regarding date.

- TWDB representatives will not be available to attend any outside meetings through May 15 due to the recent Swine Flu