

Minutes of Meeting
7-06-09
GCGCD

Mr. Dohmann called the meeting to order at 5:00 p.m. at the Water District office. Everyone stood and recited the Pledge to the United States flag and the Water District Pledge.

Mr. Dohmann introduced guests Ginger Cook, Mr. and Mrs. Ray Arnold, Mr. and Mrs. Gutmann and Newton Warzecha. Roll call of directors found John Duke absent. Also in attendance was Michelle Shelton, GCGCD office assistant. Ted Long joined the meeting at 5:20 p.m.

Item 1 – Public Comment on Operations of the District – Mr. Dohmann opened the floor for public comment. Mr. Gutmann stated his concern with UEC. Mr. Gutmann had a nice talk with one of our officials this afternoon. Mr. Gutmann is concerned with the cost of the litigation; where is the money going to come from. Mr. Gutmann wants to bring the same issue up with county commissioners. Mr. Gutmann would like to know if the District has looked into grants of any kind. Mr. Dohmann stated that the activity that GCGCD is involved with specifically involved Mr. Baiamonte as the Groundwater District attorney, the District has hired Dr. Richard Abitz and Neil Blandford with Daniel B. Stephens. Mr. Dohmann stated that a discussion of the associated costs will take place later in the agenda if Mr. Gutmann would like to stay. Mr. Dohmann relayed to the public that as far as the lawsuit, GCGCD is not involved at all. Commissioner's Court will be held on the 13th of July if the public wants to take those questions there. Generically speaking, there are certain grants for, i.e. educational programs that the District could qualify for. The District participates in water monitoring stations and the original installation of equipment was furnished by grant money. Mr. Dohmann stated that specifically as to this activity the District is not aware of any grant money that would be available. Mr. Gutmann wanted to know if the District has come up with a figure for expenses and broke down per capita. Mr. Dohmann stated that the meeting will cover this item under agenda item 6 in new business.

Ginger Cook thanked the Directors for being responsible for the county. Mrs. Cook would like to see the continuation of the contested case hearing on the part of the District. Mrs. Cook stated that mining operations will be water intensive and she believes she will be affected as far as water is concerned.

Mr. Arnold weighed in as far as the District staying involved with the Contested Case hearing. He believes the District should not stop the fight. Mr. Gutmann wants on record that he dittos Mr. Arnold's comment, but would like to know what the future expenses would be.

Mr. Dohmann closed public comment and proceeded to *Item 2* of the agenda.

Item 2 - Action on Minutes of June 15, June 27, and June 30, 2009 – The Board reviewed the minutes of June 15th, June 27th and June 30th. Mr. Irwin moved to approve the minutes as written. Mr. Dreier seconded and the motion carried. Mr. Dohmann instructed the Board to move to *Item 7* of the agenda.

Item 3 - Discussion and Possible Action on Meetings Attended and Upcoming Meetings – The Board reviewed the upcoming meetings.

a. Budget Workshop – 7-21-09 – The Board will begin the Budget Workshop for the fiscal year of 2009-2010 on Tuesday, July 21st at 2:00 p.m. at the GCGCD offices. No further action was required.

b. USGS/San Antonio River Study meeting – 7-24-09 – Mr. Dohmann stated that he will be attending this meeting and anyone else is welcome to accompany him. No further action was required.

c. Goliad County Appraisal District Budget Hearing – 9-14-09 – The Board reviewed the proposed budget submitted by the Goliad County Appraisal District. The budget appears to be down slightly from the previous year. Note was made of hearing date on calendar. No further action was required.

d. Texas Outdoor Education Association Workshop – 10-2 thru 10-4-09 – Mrs. Smith presented to the Board the session descriptions for the upcoming TOEA Workshop to be held in Leakey, Texas. The District was invited to present at this year's session. Mr. Dohmann instructed that more information be obtained and presented to the Board at the next meeting. No further action was required.

e. **other meetings** – Mr. Dohmann relayed to the Board that the next Region L meeting is to be held on August 6th. No further action was required.

Item 4 - Discussion and possible action on Correspondence –

a. **Article in My SA and Victoria Advocate** – The Board reviewed an article that originated from Mr. Dohmann entitled “New power-plant drain on rivers sparks debate” that speaks about power plants in general, and the amount of water that they use. Another article from My S.A. originating from Mr. Dohmann covers the LCRA decision not to proceed with SAWS and their agreement not to take water from the lower Colorado. A couple of days later Exelon posted a notice in the Victoria Advocate that they intend to postpone the build at the Victoria facility for up to 20 years, then an article appeared in the Victoria Advocate stating that Exelon intends to continue with the permitting process for future plant construction and operation. No further action was required.

b. **other correspondence** – None. Mr. Irwin suggested that the Board move to new business in respect to our guests. The Board moved to *Agenda Item 6*.

Item 5 - Unfinished Business –

a. **Discussion and action on repairs, equipping and moving to new office building; also D&A on moving money from contingency to cover cost.** – The Board discussed any proposed renovations or additions to the old extension building that will need to be submitted to Commissioners Court on Monday, July 13th. Mr. Ball moved to approve the list of repairs and additions prepared and submitted by Ms. Smith, with the exception of the sink and water in the break room, and present to Commissioners Court along with the intent of the District to use prisoner labor. Mr. Dohmann seconded and the motion carried.

b. **Discussion, action and approval of revisions of GCGCD Policy Manual** – Ms. Smith moved to table this discussion until the budget workshop. Mr. Irwin seconded and the motion carried.

c. **Discussion and action water well brochure** – The Board reviewed the draft of the District water well brochure that was prepared by Ms. Smith. The Board was directed to take home, review and come back with any suggested changes or revisions. No further action was required.

d. **Report on Drought Conditions in County and Development of Drought Contingency Plan** – Fox Crossing was reported to the District as stopped flowing. The initial study in March 2009 had a rate of flow at the Fox Crossing location of 1,500 gpm. Arnold Road has ceased flowing as well. Doug Audilet’s spring is still flowing but flow at the creek quit as of two weeks ago. The District discussed the possibility of limiting pumping on permitted wells. This is really all the District would have the ability to do in the event of a severe drought. Any contingency plan will have to be spelled out in the rules and be specific on the permit applications when they are granted. The District will need to be specific how the rules will be administered. This will be covered in the rules revisions to take place at a future Board Meeting. No further action was required.

e. **Discussion and Action on Comment on PAA-1** – The Board reviewed and discussed the submitted PAA-1 from UEC that was posted in the Victoria Advocate on June 30th and in the Texan Express on July 1st. Mr. Dohmann will have a response written up this week, and out to the Board by e-mail for review and comment. Comments will need to be submitted no later than July 18th. No further action was required.

f. **Other Unfinished Business** – The Board reviewed, once again, the geothermal application and process for industry, and the need for possible rules revisions by the District. No further action was required.

Item 6 - New Business –

a. **Discussion and Action on Budget Adjustments for Remainder of Year** – Mr. Dohmann instructed the Board to move to *Item B* in explanation of budget adjustment necessity. Mr. Irwin moved to transfer surplus funds in line items 202 (\$2,950), 401 (\$7,000), 402 (\$5,000), 404 (\$2,800), 406 and 407 combo (\$2,800), and 408 (\$10,000) as well as additional total income in the amount of \$11,100 for a total adjustment of \$41,650 to line item 405 (Special Projects). Ms. Smith seconded and the motion carried.

b. Discussion and Action on Payment of Invoices from Daniel B. Stephens, Richard Abitz and Rob Baiamonte – The Board reviewed the bills submitted by Daniel B. Stephens, Dr. Abitz and Rob Baiamonte. Mr. Kozielski moved to pay all the bills. Mr. Irwin seconded and the motion carried.

c. Discussion and action on requesting Water Conservation Plan from UEC – Mr. Dreier reviewed with the Board Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.3 referencing Water Conservation Plans for Industrial or Mining Use. Mr. Dreier moved that the District make a formal records request jointly to TCEQ and UEC of a copy of their water conservation plan according to Texas Administrative Code Title 30, Part 1, Chapter 288, Subchapter A, Rule §288.3. Mr. Irwin seconded and the motion carried.

d. Discussion and Action on Untitled Handout from Town Hall Meeting – The Board reviewed the “Facts to Understand” distributed by UEC at the town hall meeting. Mr. Dohmann would like the record to reflect that there was an unidentified document handed out at the Town Hall Meeting that contained official documents from the District. No further action was required.

e. Discussion and Action on Rules Revisions – Penalty for “after the fact” rules violators – The Board discussed rules violations by licensed drillers. It was recommended that rules revisions were needed in order to address “after the fact” rules violations by water well drillers. This will be addressed at a later Board Meeting. No further action was required.

Item 7 - Public Hearing – Holt Ranch Drilling Application – Mr. Dreier moved to table this hearing and repost at a time a representative could be present. Mr. Irwin seconded and the motion carried.

Presidio La Bahia Drilling and Operating Permit Application – The Board reviewed a drilling and operating permit on property that contains less than 1.7 acres and does not meet the exemption criteria. The permit is requested as a restricted draw. In this particular case, property is 1.28 acres of land in the La Bahia area. This installation would be restricted to 13 gpm. The property will have a building on the property with ½ storage and ½ accommodations to include a laundry room. No full time use of the property is anticipated. Mr. Dohmann has a concern that there is contamination in the area and the requested use is for a drinking water supply. The Board highly recommends a deeper well, at least below 300’, to avoid contamination. It is noted on the application permit that the well will be drilled to 300’. Mr. Kozielski moved to approve the drilling and operating permit applications with the stated intent to drill to approximately 300’, as well as the Board recommendation that upon completion of drilling, the well be tested for bacteria. Mr. Irwin seconded and the motion carried.

Item 8 - GCGCD Calendar– The Board reviewed the calendar for July, 2009. No further action was required.

Items for next and future agendas include: Holt Ranch Drilling Permit, Policy Manual Update, Rules Revisions on “after the fact” well registrations and geothermal wells, follow up on bacteria testing on Presidio well,

Item 9 - Public Comment – Mr. Dohmann opened the meeting up for public comment. Ted Long stated what a good job the Board was doing and to please continue to fight with UEC.

Item 10 - Adjourn – Mr. Kozielski moved to adjourn the meeting. Mr. Irwin seconded and motion carried. The meeting was adjourned at 7:08 p.m.

Respectfully Submitted,
Barbara Smith, Secretary GCGCD
Michelle Shelton, Office/Field Assistant