

Fayette County Groundwater Conservation District

255 Svoboda Lane, Room 115
La Grange, Texas 78945
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MINUTES of the August 2, 2010 Board of Directors Meeting

Directors Present: L.J. Calley, Charles Richter, Robert Leer, Leo Wick, Sr.
Directors Absent: Leo Kainer
Others Present: David Van Dresar, General Manager; Monique Norman, Legal Counsel;
Wendi Denton, Administrative Assistant ; Stefan Schuster, DBS&A; Andy
Donnelly, DBS&A; Rod Willis

The meeting was called to order by President Calley at 8:38 a.m. on August 2, 2010, at the Fayette County Agricultural Building Conference Room 104 located at 255 Svoboda Lane, in La Grange, Texas, immediately following the public hearing. A quorum to conduct business was declared to be present.

President Calley asked for any public comments. Mr. Calley introduced Mr. Willis and spoke on Mr. Willis' service to the district as a former board member and general manager.

Minutes from the July 7, 2010, board of directors meeting were presented. Mr. Wick made the motion to accept the minutes as presented. Mr. Leer seconded the motion and the motion was approved.

Minutes from the July 7, 2010, public hearing were presented. Mr. Leer made the motion to accept the minutes as presented. Mr. Wick seconded the motion and the motion was approved.

The July financial statement and all outstanding bills to be paid were presented. Mr. Richter made the motion to accept the financial statement and to pay the bills presented. Mr. Wick seconded the motion and it was approved.

Mr. Van Dresar gave the District Manager's report to the board. Mr. Van Dresar informed the board of a complaint received concerning a well near Schulenburg possibly adversely affecting neighboring wells. On June 14, Van Dresar stated, GMA 15 held a public hearing and meeting in Victoria to take testimony and then take action on adopting desired future conditions for GMA 15 to submit to the TWDB. Van Dresar added that a copy of the GMA 15 submission is available in the district's office for copying upon request. Mr. Van Dresar then updated the board on the district's work with the City of Schulenburg regarding the City's application for an operating permit. Mr. Van Dresar stated that he met with the City Administrator and the City's engineer regarding questions the city had on screening multiple aquifers in the same well. Van Dresar advised the board that a variance request was received from the City of Schulenburg on July 27. Mr. Van Dresar then updated the board regarding several phone calls and personal visits that the district office received concerning the possible impact the Frisch Auf! Valley County Club well could pose to the existing WCID well near the golf course. Mr. Van Dresar then advised the board of a request for information from a law firm for all documents related to the GMA 12

desired future conditions planning process. Van Dresar stated that district staff is gathering the information and he appreciated the assistance provided by DBS&A and Mrs. Norman. Upcoming meetings and seminars were presented.

The board considered action on director s' compensation. After a brief discussion, Mr. Leer made the motion to table the item until next month so that Mr. Kainer could be allowed to participate in the discussion. Mr. Wick seconded the motion and the motion was approved.

The board considered action on desired future conditions for GMA 12. Mr. Andy Donnelly discussed preliminary model run results for the Yegua Jackson conducted by consultants in GMA 12. Mr. Donnelly also discussed DBS&A s' recommendations regarding the Fayette County Groundwater Conservation District desired future conditions. Mr. Van Dresar advised the board of other revisions to the proposed desired future conditions that were brought to Mr. Donnelly s' attention during a GMA consultants meeting on July 16. Mr. Van Dresar presented his recommendations to the board. After a brief discussion, Mr. Wick made the motion to remove outcrop statements from the Queen City and Sparta aquifer desired future condition statements, revise the average drawdown in the Yegua Jackson from an average of 50 feet to an average of 75 feet maximum, remove outcrop statements for the Yegua Jackson aquifer, and remove the desired future conditions statement for the Colorado Alluvium, and designate the General Manager to make adjustments to the desired future conditions, if necessary, prior to adoption of the desired future condition by GMA 12 on August 11, 2010. Mr. Leer seconded the motion and the motion was approved.

The board considered action on the 2010-2011 Fiscal Year Budget. Mr. Van Dresar stated that the only change made to the budget since the workshop on July 7 was to the estimated revenue. Van Dresar stated that revised property values from the Fayette County Appraisal District were used to calculate the estimated revenue. Mr. Richter made the motion to approve the 2010-2011 fiscal budget. Mr. Leer seconded the motion. The motion was approved.

The board considered action on the 2010 Election of Directors. A letter to the Department of Justice was presented for approval. Mr. Richter made the motion to approve the letter. Mr. Wick seconded the motion and the motion was approved. Mr. Calley read aloud the call for election notice. Mr. Wick made the motion to approve the notice and call for the election. Mr. Leer seconded the motion and the motion was approved.

The board considered action on Applications for Exception. Mr. Van Dresar presented the Board with a letter from the City of Schulenburg requesting a variance to allow a proposed well in Schulenburg to produce water from two aquifers. Mrs. Norman discussed the state regulations that disallow screening of more than one aquifer. Mrs. Norman stated that the Texas Department of Licensing and Regulation was contacted by Mr. Van Dresar and confirmed that waters which were chemically different could not be mixed in a well. Mr. Van Dresar stated that he spoke with Mr. Donnelly regarding the issue and that both of them felt that water allocation and monitoring would be impossible if more than one aquifer were screened in a single well. After a brief discussion, Mr. Leer made the motion to deny Schulenburg s' request to produce from two aquifers in one well and to authorize district staff to compose a letter to the City of Schulenburg. Mr. Van Dresar advised the board on a permit amendment request that he approved for Fugro Data Solutions on July 19. Mr. Van Dresar stated that the permit amendment request was considered a minor amendment in the district rules and the general manager was authorized to take action on the request.

Mr. Van Dresar updated the Board on the District Goals and Management Objectives.

Items were identified for the next meeting s' agenda. The next meeting is scheduled for Tuesday, September 7, 2010 in Room 104 of the Fayette County Agricultural Building located at 255 Svoboda Lane, La Grange, Texas 78945.

There being no further business, Mr. Wick made the motion to adjourn the meeting. Mr. Leer seconded the motion and the meeting was adjourned at 10:20 a.m.

L.J. Calley, President

Leo Wick, Secretary-Treasurer