

Fayette County Groundwater Conservation District

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MINUTES of the April 2, 2007 8:30 a.m. Board of Directors Meeting

Directors Present: Eddie Schneider, Leo Kainer, Leo Wick, L.J. Calley, Lloyd Brunner
Directors Absent: None
Others Present: General Manager David Van Dresar,

The meeting was called to order by President Schneider at 8:30 a.m. on April 2, 2007 at the Fayette County Groundwater Conservation District office at 254 N. Jefferson, Room 600 in La Grange, Texas. A quorum to conduct business was declared to be present.

During public comments, Mr. Brunner advised the Board that the San Antonio Water System was writing to residents in the Cistern area. Mr. Van Dresar stated that he would look into the issue and advise the Board.

Minutes from the March 5, 2007 Public Hearing and Board of Directors meeting were presented. Mr. Kainer made the motion to accept the minutes with Mr. Brunner seconding the motion. The minutes were approved with no corrections.

The financial statement was distributed, and all outstanding bills were listed to be paid. A correction to the February financial statement was also presented for approval by the Board. Mr. Calley made the motion to approve the corrected February financial statement. Mr. Wick seconded the motion and it was approved. Mr. Brunner made the motion to approve the March financial statement and to pay the bills presented. Mr. Kainer seconded the motion and it was approved.

Mr. Van Dresar gave the District Manager's report to the Board. He presented the progress of complaints investigated in March and on the results of a pumping test performed in February. A total of 2 notices of violation were sent out in March. Van Dresar praised the District residents for voluntarily complying when receiving a notice of violation. Only one application for an Existing and Historic Use Permits was submitted during the month of March. However, seven applications were distributed during the month. Additionally, one application is administratively complete, two applications are awaiting additional information from the well owner, and one application is in the review process. Van Dresar reported on the Texas Alliance of Groundwater Districts meeting which he attended on March 28-29, 2007 and on the Young Farmers Association meeting which he attended on March 27, 2007. He then updated the Board on Texas Legislature activities and on noteworthy activities concerning groundwater districts around the state. Mr. Van Dresar then reported that three water wells were evaluated during the month of March and added to the monitoring network. Upcoming training events and meetings were also presented.

Progress concerning the search for legal counsel was discussed. Mr. Van Dresar advised the Board that he had emailed a scope of work to five attorneys specializing in representing groundwater districts and requested that each attorney forward a statement of qualifications or a resume to the District as well as a base fee rate and hourly rate for services. Three of the five attorneys responded with the requested information and two of the five attorneys

declined to participate. After discussing the qualifications of the three respondents, and evaluating their fees, the Board authorized Mr. Van Dresar to approach Ms. Monique Norman, Attorney at Law, with a proposal to perform legal counsel services for the District.

The Board then discussed adding auto liability coverage to the general liability insurance, which the District has through the Texas Municipal League, to cover the General Manager s' vehicle. Mr. Brunner made the motion to pay \$64 per year for a \$2,000,000 policy with no deductible. Mr. Kainer seconded the motion and it was approved.

Mr. Van Dresar presented the Board his recommendation to approve the Existing and Historic Use Permit Application of Mr. Leo Ernstes for 28.4 acre feet of water per year for irrigation of his hay pasture. Mr. Calley made the motion to approve publishing the required public notice in the local newspapers and Mr. Brunner seconded the motion. The motion was approved.

One bid was received for FCAD unsold property, being 485 Lowd Street in Plum, Texas, from Rolando Cardenas in the amount of \$2,200.00. Mr. Wick made the motion to accept the bid from Rolando Cardenas in the amount of \$2,200.00. Mr. Kainer seconded the motion and it was approved.

Mr. Van Dresar updated the Board on the District Goals and Management Objectives. Several questions were asked for clarification of the report as the Board thoroughly examined the progress being made by the District staff in meeting the Management Plan s' objectives.

Items were identified for the next meeting s' agenda. The next Board meeting is scheduled for May 7, 2007 at 8:30 a.m. at the District office.

The meeting was adjourned at 10:30 a.m.

Lloyd Brunner, Vice President

L.J. Calley, Secretary-Treasurer