

Fayette County Groundwater Conservation District

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MINUTES of the October 2, 2006 Board of Directors Meeting

Directors Present: Eddie Schneider, Lloyd Brunner, L. J. Calley, Leo Kainer, Carl Wendler
Directors Absent: none
Others Present: District manager Linda Streicher, Assistant Fayette County Attorney Harold Streicher

The meeting was called to order by President Schneider at 8:30 a.m. on October 2, 2006 at the District Office in Room 600 of the Fayette County Agricultural Building at 254 N. Jefferson Street in La Grange, Texas. A quorum to conduct business was declared to be present.

One member of the public was present: Kenneth Ladd of La Grange.

Minutes from the previous meetings of September 11, 25, and 26, 2006 were presented. The minutes were approved with no corrections.

The financial statement was distributed, and all outstanding bills were listed to be paid. Mr. Brunner moved to accept the financial statement and pay the bills that were presented. Mr. Kainer seconded the motion and it was approved.

Mrs. Streicher gave the District Manager s report to the Board. She updated the Board on the status of the open water usage complaints. As a result of one of those complaints, the District has instituted a new procedure wherein District staff will verify the tract size as soon as a well log is received from the driller. Mrs. Streicher presented a draft of revisions to the District s employee policy for Board review. She also informed the Board that the Texas Water Development Board has granted a contract to begin data collection for the preparation of a groundwater availability model for the Yegua-Jackson aquifer. Since this aquifer has the second highest number of wells in Fayette County, a model of this aquifer will be highly beneficial to the District. Therefore, the District will provide data for inclusion in this model.

Prior to this meeting, the Board had conducted interviews of all candidates applying for the position of General Manager. Mr. Schneider moved that the District hire David Van Dresar as the new General Manager, effective November 1st, at the negotiated salary and with health insurance provided by the District. In next year s budget, the District will try to include some

type of employee savings or retirement plan. Mr. Calley seconded the motion and it was approved.

Mr. Streicher complimented the rules committee for having done a good job in drafting the District's proposed amended and new rules, and then reviewed his suggestions concerning these changes. Mr. Streicher also discussed the State law prohibiting the pumping of groundwater into surface reservoirs, and a recent lawsuit upholding the consideration of that practice as wasteful. Mr. Brunner moved to accept the proposed amended and new rules and schedule a public rule-making hearing on these revisions for November 6, 2006. Mr. Kainer seconded the motion and it was approved.

The Board had requested the District's legal counsel for advice regarding an application for an exception to the District Rules concerning the minimum tract size. After discussion with Mr. Streicher, Mr. Calley moved to deny the application for exception. Mr. Brunner seconded the motion and it was approved, with Mr. Wendler abstaining.

At this time, the Board recessed the regular meeting and convened into a Public Hearing to hear and review the application for a water well permit submitted by Rev. Rex Comer, representing Powerhouse Ministries, which was uncontested. The proposed well is to be used for public supply to a Christian retreat center at the property on FM 2238 near Engle. The general manager reviewed the major points of the application, and the Board asked questions for clarification. After further discussion, Mr. Wendler moved to grant the permit. Mr. Kainer seconded the motion and it was approved.

The Board adjourned the Public Hearing and reconvened the regular Board meeting.

Mrs. Streicher presented her recommendations, continued from the last board meeting, for the first phase of establishing an aquifer monitoring network.

The Board reviewed two bids for unsold property received by the Fayette County Appraisal District. Mr. Kainer moved to accept the bids for both unsold properties. Mr. Wendler seconded the motion and it was approved.

The District had posted a supplemental meeting agenda for two items of business that arose after the first agenda posting. The supplemental meeting began at 10:55 a.m., with all of the above named parties in attendance.

Mr. Kainer moved to allow the new General Manager and the District's administrative assistant to select a mutually agreed-upon health insurance benefits package from the options presented to the Board, as long as the actual cost does not exceed the budgeted amount. Mr. Brunner seconded the motion and it was approved.

Mr. Brunner moved to renew the maintenance contract with Dewitt Poth & Son for the office copier machine. Mr. Calley seconded the motion and it was approved.

Items were identified for the next meeting s'agenda. The next Board meeting is scheduled for November 6, 2006 at 9:30 a.m. at the District office, following the public rule-making hearing at 8:30 a.m. on the same date.

Mr. Brunner moved that the meeting be adjourned, seconded by Mr. Kainer, and the meeting was adjourned at approximately 11:05 a.m.

Eddie L. Schneider, President

Carl Wendler, Secretary-Treasurer