

Fayette County Groundwater Conservation District

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MINUTES of the May 7, 2007 8:30 a.m. Board of Directors Meeting

Directors Present: Leo Kainer, Leo Wick, L.J. Calley, Lloyd Brunner

Directors Absent: Eddie Schneider

Others Present: General Manager David Van Dresar, Monique Norman, Carol Nagel

The meeting was called to order by Vice President Brunner at 8:30 a.m. on May 7, 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.

The Board discussed the Terms of Engagement letter received by Monique Norman for providing legal services to the District. Mr. Calley asked Mrs. Norman about her background in water law. Mrs. Norman briefly spoke on her experience and background in many areas of water law. Mr. Calley made the motion to approve signing the letter of engagement with Mrs. Norman. Mr. Kainer seconded the motion and it was approved.

The Board considered an Application for Exception to the District Rules, submitted by Carol Nagel on behalf of Donna Parker. Ms. Nagel addressed the Board stating that she was representing her friend that wished to purchase 1.974 acres of property on Hartfield Road. Ms. Nagel stated that they had attempted to acquire the necessary water rights from the neighboring property owners but were unsuccessful. Mr. Van Dresar stated that he had only one day to review the application and investigate the request. He stated that he had contacted Fayette Water Supply Corporation to find out if a part of their water system was near the property. FWSC responded that they had no system near the property and that they had no plans on extending the system at this time. Mr. Kainer made the motion to table the application at this time to allow time for Van Dresar to look into the matter further. Mr. Calley seconded the motion and it was approved.

Minutes from the April 2, 2007 Board of Directors meeting were presented. Mr. Wick made the motion to accept the minutes with Mr. Calley seconding the motion. The minutes were approved with no corrections.

The financial statement was distributed, and all outstanding bills were listed to be paid. Mr. Van Dresar presented the Board with a request to adjust the Fiscal Year 2006-2007 budget to cover the costs associated with paying for Mrs. Norman's legal services and increased attendance at training events for District staff and board members. Mr. Wick made the motion to approve the request to adjust the budget. Mr. Kainer seconded the motion and it was approved. Mr. Calley made the motion to approve the financial statement and pay the bills presented. Mr. Wick seconded the motion and it was approved.

The presentation of the Fiscal Year 2005-2006 budget was tabled until the next meeting.

Mr. Van Dresar gave the District Manager's report to the Board. He presented the progress of complaints investigated in April. He stated that one notice of violation was sent out in April. Van Dresar advised the Board concerning one Application for Exception to the District Rules regarding minimum tract size, received from George

and Nadine Morris. The application was approved by the General Manager as the property was subdivided prior to the Rules being adopted. Van Dresar stated that he had met with a geologist, Mr. Bob Pickens, regarding review of the District's data and desired future conditions. Mr. Pickens was asked to develop a cost for providing his services to the District. Current progress of the 80th Legislative session was discussed. Mr. Van Dresar presented a list of monitoring wells within the District that he received from the Texas Water Development Board. The District will now be monitoring these wells for the TWDB in addition to the monitoring wells being added to the network. Tentative vacation schedules for the District staff were presented to the Board. Van Dresar then updated the Board on the new Groundwater Availability Model completed by the Texas Water Development Board for the central portion of the Gulf Coast Aquifer which was requested by GMAs 15 and 16. Upcoming training events and meetings were then presented.

The Board then considered a resolution to approve reassigning a small portion of land located in Bastrop County, from GMA 12 to GMA 10. This action was requested by the Barton Springs/Edwards Aquifer Conservation District. Mr. Calley made the motion to approve the resolution. Mr. Kainer seconded the motion and it passed.

The Board considered approving a subdivision plat submitted to the District by Frank Surveying Company, for the La Bahia Subdivision. The subdivision consists of 125.30 acres of land to be subdivided into tracts no smaller than five (5) acres. After reviewing the plat, Mr. Kainer made the motion to send an approval letter to Frank's Surveying Company. Mr. Calley seconded the motion and it was approved.

The Board then discussed the purchase of a color printer/copier for the District office. Information on three printer/copiers was presented. Mr. Wick made the motion to approve the purchase of an HP Office Jet Pro L7780. Mr. Kainer seconded the motion and it was approved.

Mr. Van Dresar presented the Board his recommendations to approve the following Existing and Historic Use Permit Applications:

1. A-EHUP- 2007 0102 Mr. Mark E. Brown for 110 acre feet of water per year for irrigation of his hay pasture.
2. A-EHUP-2007-0103 Mr. Mark E. Brown for 11 acre feet of water per year for irrigation of his hay pasture.
3. A-EHUP-2007-0105 Mr. Steven W. Lehmann for 80.1 acre feet of water per year for irrigation of his hay pasture.

Mr. Wick made the motion to approve publishing the required public notices in the local newspapers and Mr. Kainer seconded the motion. The motion was approved.

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

Items were identified for the next meeting's agenda. The next Board meeting is scheduled for June 4, 2007 at 8:30 a.m. at the District office.

The meeting was adjourned at 10:45 a.m.

Lloyd Brunner, Vice-President

Leo Wick, Director