

BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

Board of Directors Meeting

Wednesday, July 20, 2005
6:00 PM

Bluebonnet Groundwater Conservation District
Board Room, Suite B & C
303 East Washington Avenue
Navasota, Texas

Minutes

In Attendance: Chairman Patout, Directors Thomas, Daugette, Morrison, Huebner, Blezinger, Brandes, General Manager Behm; Bill Dugat of Bickerstaff Heath; Karen Way, Student and Frances Behm, TACC

1. Call to order: Meeting was called to order at 6:15 pm
2. Public Comment
(Public comment is limited to a maximum of 5 minutes per speaker and/or 30 minutes total time for all speakers)
There being no one present requesting to be heard, there was no Public Comment.
3. 79th Texas Legislature – Briefing by and discussion with Bill Dugat, Attorney, of legislative action effecting BGCD.

Mr Dugat explained that in the regular session of the Texas Legislature, 25% of the bills passed.

Mr. Dugat explained that the bulk of the changes are changes to Chapter 36,

Significant changes were made in the way the district does rule making and permit hearings.

New groundwater conservation districts were created.

One of the changes is the new open records act: all board members will be required to go through training by the end of 2007, new member appointed after January 1, 2006 must be trained within 90 days of appointment.

Mr. Dugat explained that “daisy-chaining” can be considered a violation of the open meetings act. The term “daisy-chaining” is used to describe discussions between board members and staff that are then passed on to other board members.

Mr. Dugat explained the 914 conflict disclosure statements to the board.

4. Discussion of proposed District Rule changes/amendments with General Manager and Bill Dugat, Attorney. Recommendations by Board members for changes/amendments to current or proposed District Rules will also be discussed.

General Manger Behm explained that each board member had a copy of the rules, showing underlines and strikeouts. The underlines indicate changes, the strikeouts are items that have been deleted. Some of the changes are to bring the District’s rules into compliance with the changes to Rule 36.

All changes to the current rules that are reflected by the strikeouts or underlining of the new set each board member has been given have been reviewed by the rules committee and Attorney Dugat. All members of the rules committee recommend consideration for adoption.

5. Discussion and possible action to authorize preparation of final draft of Amended Rules, authorize publication of notice of public hearing and set date of public hearing on Amended Rules for August 17, 2005 at a special Called Board meeting to be held at 6:00 PM in the Boardroom at the District Offices.

Director Thomas moved that the board authorize preparation of final draft of the Amended Rules, authorize publication of notice of public hearing and set a date of public hearing on Amended Rules for August 17, 2005 at a special Called Board meeting to be held at 6:00pm in the Boardroom at the District Offices. Director Daugette seconded

Motion Carried

6. Discussion and possible action to approve minutes of April 20, 2005 Board meeting.

Director Morrison moved that the minutes of the April 20, 2005 Board meeting be approved as submitted. Director Thomas seconded.

Motion Carried.

7. Discussion and possible action to approve quarterly Financial Reports.

General Manager Behm stated that financial stability has been difficult to achieve with a wet year. He also reported that Nestle has paid last year's fees and is current to date.

The unpaid Citation invoices will remain as open on the financial statement until Citation's bankruptcy is final and all disbursements have been made..

Director Morrison moved that the board approve the quarterly Financial Reports. Director Daugette seconded.

Motion Carried.

- 8.. Discussion and possible action to approve quarterly Investment Reports.

General Manager Behm announced that the District received \$10.98 interest for the last quarter.

Director Thomas moved that the Board approve the quarterly Investment Reports, Director Brandes seconded.

Motion Carried.

9. Discussion and possible action to accept quarterly Drought Status Assessment.

General Manager Behm reported that Grimes and Walker Counties are in a moderate drought while Austin County is near normal.

Information for this report comes from the Texas Water Board.

Director Huebner moved that the board accept the quarterly Drought Status Assessment, Director Morrison seconded.

Motion Carried.

10. Appointment by President of the presiding officers' designee for groundwater management area joint planning as required by Sec. 36.108, Texas Water Code (effective 9/1/2005).

Chairman Patout announced "I appoint the District's General Manager, Lloyd Behm, as the presiding officer's designee to represent the Bluebonnet Groundwater Conservation District in the groundwater management area joint planning process for all groundwater management areas that include any portion of the District.

I ask that the Board concur in this appointment."

GM Behm stated that there is a possibility if the water development board does not remove a small portion of Walker County from a different area, Bluebonnet will be in 2 areas. The management areas are supposed to be along county lines, for some reason a very small area of Walker County was included in a second management area.

Director Morrison moved that the Board concur with President Patout's appointment of GM Behm as the presiding officer's designee to represent the Bluebonnet Groundwater Conservation District in the groundwater management area joint planning process. Director Thomas seconded.

Motion Carried.

11. Report on permits granted.

GM Behm reported that

In Austin County were issued

In Grimes County 2 non-exempt, 6 exempt and 5 railroad well permits were granted.

In Walker County 28 exempt, 0 railroad and 0 non-exempt well permits were granted.

12. Report on status of Region G & H, RWPG's regional water plans.

Both regions have submitted plans to their boards that are in the review stage. Public hearings are planned in both regions.

13. Date for next Board meeting – August 17, 2005.

The GM will submit a proposed budget at the August meeting. If the budget is approved at that time, there will be no need to hold a September meeting.

14. Adjourn

Director Daugett moved that the meeting adjourn at 7:40 pm, Director Morrison seconded.

Motion Carried.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE BLUEBONNET GROUNDWATER CONSERVATION DISTRICT HELD ON JULY 20, 2005 ARE APPROVED AND ADOPTED BY THAT BOARD ON OCTOBER 19, 2005.

(s) J Jared Patout

J. Jared Patout, President

ATTEST:

(s) Joe B Sandel

Joe B. Sandel, Secretary