

**BREWSTER COUNTY GROUNDWATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING**

Monday, November 24, 2008

MINUTES

BOARD MEETING

The called meeting of the Board of Directors of the Brewster County Groundwater Conservation District was called to order by Vice-Chairman Mike Davidson at 9:00 a.m. A quorum was present. Members of the Board present were: Vice-Chairman Mike Davidson, Leo Dominguez, Tom Santry, Billito Donnell, and Rob Dean. General Manager Conrad J. Arriola was also present.

Vice-Chairman Davidson declared that a quorum was present and the notice of the meeting had been posted as required by law.

3. Public Comment

Marcia Roberts asked the Board to look into a potential conflict in the Rules concerning Rule 7 and Rule 9. Also, Ms. Roberts asked about the concept of the Board establishing a subcommittee to look at certain issues facing the District.

Bill Carlisle commented on the need to get more information on the Marathon Aquifer. He asked about the pending contract between the Middle Pecos GCD and the Brewster County GCD.

Rawles Williams stated to the Board that he is trying to help the District find test well locations in Marathon to help get more data for the Marathon aquifer.

4. Approval of Minutes of October 20, 2008

The Board reviewed the copy of the September 20, 2008, meeting minutes. Mr. Santry moved to accept the minutes, and Mr. Dominguez seconded the motion. Mr. Davidson called for the vote, and the Board unanimously approved the minutes

5. General Manager's Report, Directors' Report/Discussion and appropriate action

The General Manager reported to the Board that the District had received no new well permit applications for the month of October. Also, the General Manager reported to the

Board that he and Mr. Davidson and Tom Santry had met with a representative from Banks Environmental Inc., about the well database proposal for the District. The General Manager told the Board the representative reiterated the points of the proposal, and if approved, Banks could get started gathering information very quickly.

Next, the General Manager told the Board to look at the copy of the District's Management Plan and its recommended changes from the Texas Water Development Board. He told the Board the changes in the Plan do not change the plan. The General Manager expressed his hope that the Board would approve these changes.

6. Financial Report

The General Manager presented the Board the October 2008 financial report. He reported that the District had two expenditures for the month. He also reported to the Board that he had no pending bills at this time. Mr. Dean moved to accept the report and bills and Mr. Dominguez seconded the motion. Vice-Chairman Davidson called for the vote and the Board approved the General Manager's financial report.

7. Discussion and appropriate action on October drilling permits

The General Manager reported to the Board that he had received no new well applications for the month of October.

8. Consider and discuss well database needs for the District/ Discussion and appropriate action/ Discuss and review the well database proposal from Banks Environmental Data, Inc, for Brewster County

The General Manager told the Board he, Mike Davidson and Tom Santry met with a representative from Banks Environmental Data, Inc., in regards to the well database proposal from the District. The General Manager asked the Board to look at the proposal again, and asked the Board if they had any questions regarding the proposal. Mr. Davidson expressed to the Board the need for developing a database for the County and this proposal would be the first step in collecting good data for the County. Mr. Donnell moved to accept the proposal and purchase the well database from Banks Environmental Inc., and Mr. Santry seconded the motion. The Vice-Chairman called for the vote and the Board unanimously approved the motion

9. Consider and Discuss contracting Caroline Runge legal counsel to review District Rules and advise the District in regards to new rule changes and possible future changes regarding bulk sales and transport of water within the District. Discussion and appropriate action

Mr. Davidson told the Board he put this item on the agenda to discuss the importance of having the District Rules and Management Plan being looked over by someone with a

legal background. He told the Board contacted Caroline Runge, Menard Co., General Manager, to inquire if she would be willing to look over the documents for the District when the District decided it needed someone to look over documents. Mr. Davidson told the Board that Ms. Runge would charge \$70 per hour and mileage, but would not charge more than \$3,000 for her services. Mr. Dominguez moved to accept to retain Ms. Runge when the District needed legal counsel to review and comment on certain District documents, and Mr. Santry seconded the motion. The Vice-Chairman called for the vote and the Board unanimously approved the motion.

10. Discussion and appropriate action on matters related to Groundwater Management Area #4

The General Manager did not have any information on this item but he told the Board he would check to see when the next meeting would be taking place.

11. District Management Plan

A. Approve District's Management Plan schedule contract with the Texas Commission on Environmental Quality (TCEQ)

The General Manager presented to the Board TCEQ's Management Plan Compliance Agreement for approval by the Board. After reviewing the compliance agreement, the General Manager told the Board it was not possible to schedule a hearing before December 31, 2008. Mr. Davidson asked the General Manager if he work with TCEQ on an appropriate time frame so the District could finish up approving the District's Management Plan. The General Manager told the Board he would work with TCEQ to accomplish this task.

B. Discussion and appropriate action to go forward with recommendations from the Texas Water Development Board

The General Manager asked the Board if they had reviewed the changes from the Texas Water Development Board. Mr. Davidson stated that he recommends approving the changes made by the TWDB. Mr. Donnell moved to accept the changes and Mr. Dominguez seconded the motion. Mr. Davidson called for the vote and the Board unanimously approved the changes made by the TWDB.

12. Administrative and Procedural Matters

The General Manager asked the Board if the next meeting could be on December 16, 2008, due to the holidays. The Board agreed to set the next meeting date on December 16, 2008.

Next, Rob Dean asked the Board if he could have some time for personal remarks. Mr. Dean expressed that he enjoyed his time serving on the Board and the progress the

District had made. Mr. Dean expressed his frustration about recent actions the Board had taken in regards enforcing, or in some cases, not enforcing the Rules of the District. Mr. Dean explained that the time had come for him to resign from the Board.

13. Adjourn

The Board adjourned at 10:26 a.m.