

Meeting of the
Groundwater Management Area 8
December 17, 2007 in Bellmead, TX

Minutes

The Groundwater Management Area 8 consisting of the Central Texas Groundwater Conservation District (GCD), Clearwater Underground Water Conservation District (UWCD), Fox Crossing Water District (WD), McLennan County GCD, Middle Trinity GCD, Northern Trinity GCD, Post Oak Savannah GCD, Saratoga UWCD, Tablerock GCD, and Upper Trinity GCD held a meeting on Monday, December 17, 2007 in the City of Bellmead City Council Room, located at 3015 Bellmead Drive, Bellmead, Texas.

Groundwater District Representatives Present:

Central Texas GCD: Richard Bowers	Northern Trinity GCD: Jim Oliver
Clearwater UWCD: Horace Grace	Post Oak Savannah GCD: Gary Westbrook
Fox Crossing WD: Jerry Priddy	Saratoga UWCD: Dave Hamilton
McLennan Co. GWCD: Rodney Kroll	Tablerock GCD: Wyllis Ament
Middle Trinity GCD: Joe Cooper	Upper Trinity GCD: Mike Massey

1. *Call meeting to order and establish quorum.*

The Groundwater Management Area 8 meeting was called to order at 10:05 a.m. at the City of Bellmead City Council Chambers. Gary Westbrook gave the invocation. Horace Grace called roll and established that a quorum was present. All districts were represented.

2. *Welcome and introductions.*

Members of the audience were asked to introduce themselves.

3. *Public Comments.*

There was no public comment.

4. *Approve minutes of November 27, 2007 GMA 8 meeting.*

Mr. Cooper made a motion to approve the minutes of the November 27, 2007 GMA8 meeting, seconded by Mr. Hamilton. The motion passed unanimously.

5. *Discuss action taken at the February 8, 2007 GMA 8 meeting regarding the adoption of Desired Future Conditions for the minor aquifers, except the Woodbine.*

Mr. Bowers asked the committee to reconsider the February 8, 2007 action on the minor aquifers. He asked for a revote and to not accept the desired future conditions for the three minor aquifers at this time. This issue was discussed.

Mr. Hamilton stated his opinion was to move forward and when something better comes up, the committee could make amendments at that time.

Mr. Cooper said he would not feel comfortable going forward if some of the committee is not ready to move forward.

Mr. Grace summed up what happened in the February meeting and presented his thoughts on the issue.

6. ***Hold public hearing on proposed desired future conditions for the major and minor aquifers within GMA 8 to include the following: Edwards BFZ, Trinity, Blossom, Brazos River Alluvium, Ellenburger-San Saba, Hickory, Marble Falls, Nacatoch, and Woodbine.***

Public Hearing was opened at 10:37 a.m. with Mr. Grace asking Randy Williams, TCB, Inc. to provide a summary regarding how the DFCs were developed. When he finished, Mr. Grace asked if there were any public or committee comments. There being none, he closed the public hearing at 11:07 p.m.

7. ***Discussion and possible action to ratify adoption of proposed desired future conditions for the major and minor aquifers within GMA 8 as described above.***

Mr. Ament advised that he wishes to work with the committee, but at this time his district is not comfortable with their DFC's, so he will not be in support of the adoption.

Mr. Ament made a motion to table the adoption of the DFCs until all the Districts agreed on the DFC's, seconded by Mr. Bowers. Discussion ensued.

Mr. Priddy and Mr. Hamilton disagreed with the motion on the table.

Mr. Kroll questioned what timeframe Mr. Ament was considering? Mr. Ament stated they're willing to work at it but they want to investigate the whole concept.

Mr. Grace let it be known that he was against tabling the item.

Mr. Bowers suggested that he may want to amend the motion and leave the Edwards BFZ out.

The motion and second were withdrawn.

Mr. Ament made a motion to vote on the DFCs aquifer by aquifer, seconded by Mr. Massey. The motion passed with 9 votes in favor and 1 in opposition. Mr. Priddy cast the opposing vote.

It was asked that as they do each aquifer that Mr. Williams state what Counties or Districts were affected by the aquifer.

Mr. Grace stated the first aquifer under consideration is the Edwards BFZ.

Mr. Cooper made a motion to adopt the DFCs for the Edwards BFZ aquifer, seconded by Mr. Westbrook. The motion passed unanimously.

Mr. Grace stated the next aquifer under consideration is the Trinity.

Mr. Hamilton made a motion to adopt the DFCs for the Trinity aquifer, seconded by Mr. Kroll. The motion to adopt failed with 6 votes in favor, 3 votes in opposition, and 1 abstention. The opposing votes were cast by Mr. Bowers, Mr. Massey, and Mr. Ament. Mr. Westbrook abstained. (DFC adoption requires approval by two-thirds of the members present at a meeting where two-thirds of the voting representatives are in attendance.)

The next aquifer under consideration was the Blossom.

Mr. Priddy made a motion to adopt the DFCs for the Blossom aquifer, seconded by Mr. Cooper. The motion passed with 8 votes in favor, 1 vote in opposition cast by Mr. Kroll, and 1 abstention by Mr. Massey.

The Brazos River Alluvium was the next aquifer under consideration.

Mr. Westbrook made a motion to adopt the DFCs for the Brazos River Alluvium, seconded by Mr. Kroll. The motion passed unanimously.

The next aquifer under consideration was the Ellenburger-San Saba.

Mr. Bowers made a motion to deny adopting the DFCs for the Ellenburger-San Saba aquifer, seconded by Mr. Ament. The motion to deny adoption passed with 7 votes in favor, 1 vote in opposition cast by Mr. Hamilton, and 2 abstentions by Mr. Kroll and Mr. Grace.

The Hickory aquifer was the next aquifer under consideration.

Mr. Bowers made a motion to deny adopting the DFCs for the Hickory aquifer, seconded by Mr. Ament. The motion to deny adoption passed with 7 votes in favor, 1 vote in opposition cast by Mr. Hamilton, and 2 abstentions by Mr. Kroll and Mr. Grace.

The next aquifer under consideration was the Marble Falls.

Mr. Bowers made a motion to deny adopting the DFCs for the Marble Falls aquifer, seconded by Mr. Massey. The motion to deny adoption passed with 7 votes in favor, 1 vote in opposition cast by Mr. Hamilton, and 2 abstentions by Mr. Kroll and Mr. Grace.

The Nacatoch aquifer was the next aquifer under consideration.

Mr. Hamilton made a motion to adopt the DFCs for the Nacatoch aquifer, seconded by Mr. Cooper. The motion passed with 9 votes in favor; Mr. Massey abstained.

The next aquifer under consideration was the Woodbine.

Mr. Hamilton made a motion to adopt the DFCs for the Woodbine aquifer, seconded by Mr. Cooper. The motion passed unanimously.

8. *Discussion and possible action to amend contract with TCB, Inc. to develop the desired future conditions for the aquifers in GMA 8.*

Mr. Grace asked the committee members whether their district could provide money to amend the contract with TCB, Inc. He explained that extra work had been done that was not included in the contract price that he felt should be paid. He stated that TCB, Inc. has done fine work and he feels they should be compensated for it.

At the last meeting a poll was taken showing seven districts would be able to provide extra funds to pay the outstanding bill. Five of the seven were able to actually get the funds. It was decided that TCB, Inc would bill for the work provided and GMA 8 would pay what they could. In the meantime, the other districts will ask their board or commissioners for an additional amount to pay the remaining portion.

Mr. Grace and Mr. Cooper stated if necessary, they could come up with another \$500 each to give the other districts time to get more money.

David Parkhill, Vice President of TCB, Inc., advised that there was much time and effort put in with the contract that was not billed. They submitted the bills at the risk of non-payment for being over the contract amount. He stated that at this time, TCB, Inc. will stay on as consultants but additional work would require compensation.

A question was brought up about two GAM runs that were done on the Trinity which resulted in extra billing. Mr. Cooper advised that he requested these runs to confirm his availability numbers.

Mr. Bowers said he requested additional funds from his board but was turned down. He stated that if the contract was amended to show the additional bills and he could take a copy of that back to his board, they would reconsider the request and may provide some extra money.

The committee discussed the limited funds available and the additional cost that would be involved with TCB, Inc. to finalize the DFCs for the remaining aquifers.

After discussion, the committee returned to Item No. 7.

7. Discussion and possible action to ratify adoption of proposed desired future conditions for the major and minor aquifers within GMA 8 as described above.

Mr. Priddy made a motion to reconsider adopting the DFCs for the four aquifers—Trinity, Ellenburger-San Saba, Hickory, and Marble Falls, seconded by Mr. Cooper. The motion to reconsider passed with 7 votes in favor, 2 votes in opposition cast by Mr. Massey and Mr. Ament, and 1 vote in abstention by Mr. Westbrook.

The first aquifer up for reconsideration was the Trinity.

Mr. Priddy made a motion to adopt the DFCs for the Trinity aquifer, seconded by Mr. Kroll. The motion to adopt failed with 6 votes in favor, 3 votes in opposition, and 1 abstention. Opposing votes were cast by Mr. Bowers, Mr. Massey, and Mr. Ament. Mr. Westbrook abstained.

Mr. Bowers made a motion to table action on the DFCs for the four remaining aquifers (Trinity, Ellenburger-San Saba, Hickory, and Marble Falls) until the next meeting, seconded by Mr. Oliver. The motion to table failed with 5 votes in favor and 5 in

opposition. The opposing votes were cast by Mr. Kroll, Mr. Hamilton, Mr. Grace, Mr. Massey, and Mr. Westbrook.

The next aquifer up for reconsideration was the Ellenburger-San Saba.

Mr. Hamilton made a motion to adopt the DFCs for the Ellenburger-San Saba aquifer, seconded by Mr. Priddy. The motion to adopt failed with 4 votes in favor, 5 votes in opposition, and 1 abstention. The opposing votes were cast by Mr. Bowers, Mr. Massey, Mr. Ament, Mr. Cooper, and Mr. Oliver. Mr. Westbrook abstained.

The Hickory aquifer was the next aquifer up for reconsideration.

Mr. Bowers made a motion to deny adoption of the DFCs for the Hickory aquifer. There was no second to the motion so the motion died.

Mr. Hamilton made a motion to adopt the DFCs for the Hickory aquifer. There was no second to the motion so the motion died.

No motion was made to reconsider the DFCs for the Marble Falls aquifer.

The committee returned to Item No. 8.

8. Discussion and possible action to amend contract with TCB, Inc. to develop the desired future conditions for the aquifers in GMA 8.

Mr. Kroll made a motion to amend the contract to reflect the pledged amounts and then see if the other districts can contribute funds to compensate TCB, Inc. for the rest of their expenses, seconded by Mr. Priddy. The motion passed unanimously.

9. Discussion and possible action on renewal of interlocal agreement.

Mr. Hamilton advised the committee that his District will be voting against this. Mr. Kroll and Mr. Ament also advised that their Districts would not be supporting the interlocal agreement as well. (No other action was taken.)

10. Committee member comments.

There were no comments.

11. Discuss agenda items for next meeting

Discuss DFCs for the remaining aquifers.

12. Set date, time, and place of next meeting.

Next meeting to be determined.

Referring back to Agenda Item No. 7, Mr. Westbrook suggested the committee clarify that the administrator is to work with TCB, Inc. to submit the adopted DFCs to the Texas Water Development Board by the January 1, 2008.

Mr. Hamilton made a motion directing the GMA 8 administrator to submit the approved DFCs to the TWDB by January 1, 2008, seconded by Mr. Westbrook. The motion passed unanimously.

13. *Closing comments.*

No closing comments.

14. *Adjourn.*

Meeting was adjourned at 1:20pm.

(A digital recording of this meeting is available upon request.)

The GMA 8 Board unanimously approved the minutes on this _____ day of _____, 2008.