

THE STATE OF TEXAS * GROUNDWATER CONSERVATION DISTRICT
COUNTY OF KENEDY * OF KENEDY COUNTY, TEXAS

On the 20th day of April, 2011, at 8:00 o'clock a.m., a regular meeting of the Kenedy County Groundwater Conservation District was held in Sarita, Texas, at the Kenedy County Courthouse.

Directors present:

Chuck Burns, President
David Delaney, Secretary
Homero Vera

Also present:

Leo Villarreal, Administrative Assistant

Absent:

Mary Sahs
Jerry Miller
Daniel Y. Butler

1. **Call Meeting to Order**

Chuck Burns, President, called the meeting to order.

2. **Public Comments**

No public comments were made.

3. **Discuss & Act on Minutes of March 22, 2011 and March 28, 2011, Meetings**

Chuck Burns, President, presented to the Board of Directors the Minutes of the March 22, 2011, regular meeting and March 28, 2011, special meeting of the Kenedy County Groundwater Conservation District.

Homero Vera moved and David Delaney seconded the motion; the motion was unanimously passed that the March 22, 2011, regular meeting minutes and March 28, 2011, special meeting minutes be accepted as presented.

4. **Receive Report on Los Finados Project and Discuss & Act, If Necessary**

Leo Villarreal informed the Board of Directors that there was no report on Los Finados project. However, Mary Sahs would address issue during the next Board meeting.

This being a report only, no vote was needed and none was taken.

5. Discuss & Act on Expanding the District Monitoring Well Project to Include Baseline Water Quality Testing Related to Uranium Exploration Activities

Chuck Burns, President, recommended that this agenda item be tabled until information is obtained regarding baseline water quality testing related to uranium exploration.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that this item be tabled.

6. Discuss & Act on Contracting with Daniel B. Stephens and Associates Regarding Information on Baseline Water Quality Testing Related to Uranium Exploration, For a Fee Not to Exceed \$3,000.00

Chuck Burns, President, informed the Board of Directors that Mary Sahs should contact Daniel B. Stephens & Associates regarding water quality testing and training Andy Garza in an amount not to exceed \$3,000.00.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that the District contract with Daniel B. Stephens & Associates regarding water quality testing related to uranium exploration and Mary Sahs is authorized to contact Daniel B. Stephens & Associates regarding said water quality testing and training Andy Garza regarding water quality testing for a fee not to exceed \$3,000.00.

7. Receive Legislative Report and Discuss & Act, If Necessary

Leo Villarreal presented Mary Sahs' written legislation report to the Board of Directors relating to the following Senate/House bills: 1) vested groundwater rights; 2) waiver of governmental immunity; 3) confidential information under PIA; 4) groundwater conservation district notification regarding municipal and industrial wells; 5) notice to groundwater conservation districts regarding groundwater contamination; 6) TWDB regarding appeals of DFC; 7) civil penalties for PIA violations; 8) domestic and livestock exemptions; 9) exemptions tied to "use" not to "well"; 10) groundwater conservation district is required to contract with SOAH regarding contested cases; 11) management plans consistency; 12) attorney fees regarding plugs and capping wells; 13) managed available groundwater; 14) designation of priority groundwater management areas; 15) oversight of groundwater conservation districts; 16) groundwater conservation districts not exempt from private real property; 17) appeals procedures of DFC; 18) coordination on groundwater conservation district notice of uranium mining activities; 19) governmental liability for negligence; 20) notice to groundwater conservation district of oil and gas waste injections; and 21) confidential information under PIA.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that Mary Sahs continue to provide the District with legislative reports.

8. Discuss & Act on Sending Letters to Water Well Permit Holders Reminding Them of Their Water Quality Data Reporting Pursuant to District Rule 5.1.C

Chuck Burns, President, reported that there were some water well permit holders that had not complied with the water quality data reporting pursuant to Rule 5.1C.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that a letter be sent to water well permit holders reminding them of the need to comply with the District's Rule 5.1C.

9. Discuss & Act on Supplement (Renewal) to Interlocal Agreement – Texas Water Conservation Association Risk Management Fund Regarding General Manager's Worker's Compensation

Leo Villarreal informed the Board of Directors that it was necessary to renew the Interlocal Agreement – Texas Water Conservation Association Risk Management Fund regarding the General Manager's Workers Compensation insurance.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that the Interlocal Agreement – Texas Water Conservation Association Risk Management Fund regarding the General Manager's Workers Compensation insurance be renewed as presented.

10. Receive Report on TAGD March 30 & 31, 2011, Meeting

Leo Villarreal reported that he had attended the TAGD March 30-31, 2011, meeting in Austin, Texas; that the meeting was well attended and the thrust of the meeting was dedicated to a legislative update and covered the same Senate and House bills that were reported and discussed in Mary Sah's legislative report. Leo Villarreal further informed the Board of Directors that the next TAGD meeting will be in June 2011 in Austin, Texas, and that Andy Garza would greatly benefit by attending, meeting other general managers, and receiving a post-legislative report.

This being a report only, no vote was needed and none was taken.

11. Discuss & Act on Date of Next Board Meeting

Chuck Burns informed the Board of Directors that a date for the May 2011 meeting needed to be determined.

Homero Vera moved and David Delaney seconded the motion; the motion was unanimously passed that the next regular Board of Directors meeting be held on May 18, 2011, at 8:00 a.m.


12. **Discuss & Act on Payment of Bills**

Chuck Burns presented the bills to the Board of Directors and informed the Board of Directors that the bills should be considered for payment.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that the bills be paid as presented.


13. **Adjournment**

There being no other business to come before the Board of Directors, Homero Vera moved and David Delaney seconded the motion; the motion was unanimously passed that the meeting be adjourned at 9:15 o'clock a.m.



David Delaney, Secretary

ATTESTED TO:



Chuck Burns, President