

**MINUTES OF A REGULAR MEETING OF THE PINEYWOODS
GROUNDWATER CONSERVATION DISTRICT
HELD ON THE 13th DAY OF NOVEMBER 2008**

On the 13th day of November, 2008 at 3:00 p.m. in the Nacogdoches City Commission Chambers, Room 119, in the Nacogdoches City Hall at 202 E. Pilar Street, Nacogdoches, Texas, the Board of Directors of the Pineywoods Groundwater Conservation District convened in a regular meeting at which time the following items were discussed and action possibly taken with the following members there of, to wit:

Keith Wright	President
David Alders	Vice President
Keith Weathers	Treasurer/Finance Officer
Gloria Montes	Secretary
Jimmy Mize	Member
John Holloway	Member

being present, and

Tom Burr	Member
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being absent, and

David Alford	General Manager
Lynn Thomas	Administrative Assistant

also present.

1. Call to Order:

With a quorum of board members present, the meeting was called to order at 3:04 p.m. and the invocation was given by President Keith Wright.

2. Approval of the minutes of the meeting of August 14, 2008:

The Minutes were reviewed by Board members, and a correction was requested by David Alders on page 2, Item 8. A typographical error listing the Engineering firm LGB-Guyton, which should have read LBG-Guyton. Motion was made to approve the minutes by Keith Weathers and seconded by Jimmy Mize.

The motion passed unanimously.

3. Receive a report from the General Manager concerning the financial position of the District:

Current balance through November 12, 2008 is \$47,308.40. A quarterly report to date was reviewed along with a ledger printout, copies of bills, budget report, and A/R report. The board reviewed and discussed the financials of the District. The board requested the General Manager place an item on the next agenda authorizing him to wave penalties to entities that have mitigating circumstances. President Keith Wright appointed Keith Weathers, Gloria Montes, and Jimmy Mize to serve on the budget committee for the next fiscal year budget preparations.

4. Provide for the payment of any outstanding bills:

No bills requiring approval were presented.

5. General Manager's Report

1. **Pending Completion:** We have 11 exempt wells in progress, 6 non-exempt wells in progress and 24 new O&G rig supply wells registered. I have inspected 4 new exempt wells and 2 new non-exempt well since the last meeting.

Completed Wells:

- **Total Exempt wells in database: 412**[183- Nacogdoches Co., 229 - Angelina Co.]
 - **Total Non-Exempt Ag wells in database: 169** [126- Nacogdoches Co., 43 Angelina Co.]
 - **Total Oil & Gas supply wells in database: 581**[538- Nacogdoches Co., 43- Angelina Co.]
 - **Total Production fee based utilities in database: 178**
 - **Total District wells recorded in databases: 1403**[this includes 63plugged wells]
2. We received GAM run 08-49 that I requested from the TWDB for the in support of our Management Plan amendments development.
 3. We received 2007 State Water Plan data from the TWDB in support of our Management Plan amendments.
 4. I continue to work on Management Plan changes. We must readopt the Management Plan by February 2009 whether we have the amendments ready or not. I will have the Management Plan ready for to readopt at the December meeting. I will post the Public Hearing Notice 20 days ahead.
 5. We checked the golf course wells and recorded new meter readings. All of the golf courses are reporting accurately.
 6. I am working on a new map for the District that will not have duplicate wells from different shape files and generally cleaning up the map.

7. I attended the Valve and Hydrant Maintenance class in Lufkin at the new Public Works building August 26th to the 28th for continuing education hours on my licenses. I renewed my 'A' Water Certification.
8. Judge English is posting our agendas in the Nacogdoches County Court House for the District since the Nacogdoches County Clerk refuses to follow the law and time stamp and keep a copy of our agendas without us paying her \$13. I consulted with Tim and he concurred that this would satisfy our requirements. I am going to file a complaint with the Texas Attorney General's office.
9. I did some training for the new General Manager of Southeast Texas GCD on how to get his data files and other items in order.
10. I chaired the GMA-11 meeting on October 15, 2008. We reviewed GAM run 08-23 that I requested for GMA-11 in April. The draft report for the GAM run has been published on the TWDB website. We will decide at the next meeting if we can hire a consultant to determine the DFCs and request that the DFCs be established for each District that does not have DFCs yet.
11. I am requesting that we stop filling out the hourly time forms we have been filling out for two years since the grandfathered wells are completed. They use our time and resources and serve no purpose.
12. There was a meeting of the Sabine and Neches Rivers and Sabine Lake Bay Basin and Bay Area Stakeholders Committee November 3rd in the Nacogdoches Rec. Center. It had been rescheduled due to the hurricane. We put together a Basin and Bay Expert Science Team (BBEST) that consists of 11 people to develop a science based plan for the in-stream flows and coastal estuary areas (Environmental Flows) of the Sabine and Neches Rivers and Bay areas based on existing science. Environmental Flows are the flows necessary to maintain a healthy ecosystem in the freshwater rivers and estuaries. This report will be submitted to the Environmental Advisory Group. There is a fund of about \$175,000 to use by August 2009 for this. The team consists of Gary Graham (Gary Graham Inc.), Scott Hall (Lower Neches Valley Authority), Richard Harrel (Lamar University), Rex Hunt (Alan Plummer Assoc., Inc.), Roger Kelley (LBG, Inc.), Mathew McBroom (SFASU), Jack McCullough (SFASU, retired), David Parkhill (AECOM Water, formerly TCB), Jack Tatum (Sabine River Authority), Samuel Kent Vaughn (HDR Engineering) and Kirk Winemiller (Texas A&M University).
13. TAGD held its 4th quarterly meeting in Austin where we discussed upcoming legislative events with staff from the offices of the Lt. Governor, Sen. Hagar, Sen. Duncan, Rep. Callegari, and Rep Hilderbran. Dr. Robert Mace with the TWDB answered questions on the DFC processes going on with the GMAs.

6. Unfinished Business

No unfinished business.

7. New Business

- a. **Discuss and possibly take action on a contract for hydrology study for Management Plan amendments and/or contribution to the GMA-11 DFC study.**

After much discussion, the board instructed the General Manager to request a detailed expense summary and estimated project schedule from LBG-Guyton so that the fees could be negotiated. President Keith Wright said he and the General Manager would work with LBG-Guyton on the project.

A motion was made by David Alders for the General Manager to negotiate the fee not to exceed \$38,000 and to enter into a contract with LBG-Guyton. The motion was seconded by Keith Weathers.

The motion passed unanimously.

b. Discuss and possibly take action for contribution to Amicus Briefs for the Rolling Plains GCD vs. City of Aspermont and Edwards Aquifer Authority vs. Day & McDaniel.

A motion was made by Jimmy Mize and seconded by David Alders to contribute two-hundred and fifty dollars (\$250) in support of each brief for a total of five hundred dollars (\$500).

The motion passed unanimously.

c. Review and discuss the Management Plan updates.

The General Manager reviewed the Management Plan changes with the board of directors and explained the data that had been submitted to the TWDB and approved by the TWDB for the District's Management Plan. Copies of the rule changes made by H.B. 1763 to Chapter 36 of the Water Code were reviewed by the board of directors along with a copy of the new Management Plan.

d. Review and approval of the Management Plan Goals for 2006.

No action was taken; the item was moved to the next agenda.

e. Review and approval of District Audit for 2006.

A motion was made by Jimmy Mize and seconded by Keith Weathers to accept the District Audit for 2006.

The motion passed unanimously.

f. Discuss and possibly take action to approve a Resolution for Diana Haney.

A motion was made by David Alders and seconded by Gloria Montes to adopt the resolution in appreciation of the free gratis work done by Diana Haney to the District.

The motion passed unanimously.

8. Announcement of the date and location of the next meeting of the District Board of Directors:

President, Keith Wright, announced the next regular scheduled meeting will be on Thursday, December 11, 2008 at 3:00 p.m., Lufkin City Hall - Lufkin, Texas.

10. Adjourn:

The meeting was adjourned by the President, Keith Wright at 4:50 p.m.

Keith Wright, President

Gloria Montes, Secretary