

Bandera County River Authority and Groundwater District
Quarterly Meeting
October 11th, 2018
MINUTES

START TIME: 9:00 A.M.

PRESENT: D. Sloan, B. Williams, J. Sides, E. DeWinne, N. Boultinghouse, R. Mulherin, S. Gibson

General Manager: D. Mauk
BCRAGD Staff: P. Blair

ABSENT: S. McLeod, G. Wehmeyer

I. Call to Order, Roll Call, Pledge of Allegiance, Certification of Quorum, and Compliance with Texas Open Meetings Law.

D. Sloan called the Called Meeting to order at 9:00 a.m. The Board recited the Pledge of Allegiance. J. Sides, Secretary, announced that a quorum was present and the meeting complied with the Texas Open Meetings Act.

II. Public Comment.

No public comment.

III. Discuss and Consider for Action: Approval of September 6, 2018 Public Hearing Budget and Public Hearing Tax Rate Minutes and Approval of September 20, 2018 Called Meeting Minutes.

Motion to approve the September 6, 2018 Public Hearing Budget and Public Hearing Tax Rate Minutes as well as the September 20, 2018 Called Meeting Minutes made by B. Williams and seconded by S. Gibson. Motion passed 7-0.

IV. Discuss and Consider for Action: Approval of Groundwater Production Permit: Ray D' Spain; D' Spain Sales & Service Inc.- 6.3 acre-feet @ 40 GPM.

General Manager D. Mauk elaborated on the Groundwater Production Permit for Ray D' Spain; D' Spain Sales & Service Inc.- 6.3 acre-feet @ 40 GPM. D. Mauk explained that the permit is for a Public Water Supply and that the County Engineer requires a letter from the District attesting to the water availability.

In order to write a letter for the County, the applicant needs to provide the District with a completed TCEQ Water Availability for Platting Form. In order to fill that form out, the applicant needs to have a professional engineer or professional geoscientist conduct aquifer tests.

D. Mauk made a recommendation to D'Spain to drill a test well to Public Water Supply specifications, and to utilize the well to test the aquifer and have the professional engineer or geoscientist complete the Water Availability Platting Form. Once the form is completed, the applicant can continue with the permitting process.

Motion made by J. Sides and seconded by N. Boultinghouse to approve the test well. Motion passed 7-0.

V. Discuss and Consider for Action: Approval of Groundwater Production Permit; Louis Hernandez; Dos Hermanas Ranch LLC- 25 acre-feet @ 48 GPM.

General Manager D. Mauk provided further information for Groundwater Production Permit; Louis Hernandez; Dos Hermanas Ranch LLC- 25 acre-feet @ 48 GPM.

Motion made by S. Gibson and seconded by E. DeWinne to approve the permit. Motion passed 7-0.

VI. Discuss and Consider for Action: BCRA GD Fee/Penalty Schedule for FY 2019.

D. Mauk gave the Board an overview of the BCRA GD Fee/Penalty Schedule for FY 2019. He explained that all permits must be treated equal per the State, which would increase the current permit price to be equal to other groundwater district prices. Another change recommended is that of the Water Test Analysis Lab Fees which gives more options to the public and more inexpensive prices if the public only requires a simple test. The Water Test Analysis options have been broken up into Tiers for a more specific analysis choice. (SEE ATTACHED SCHEDULE)

Motion made to approve the BCRA GD Fee/Penalty Schedule for FY 2019 to go into effect by January 1, 2019 by S. Gibson and seconded by B. Williams. Motion passed 7-0.

VII. Discuss and Consider for Action: Appointing P. Blair as co-Public Funds Investment Officer.

D. Mauk recommended that the District office have an extra person to be the backup co-Public Funds Investment Officer in the event that he is out. P. Blair has taken the required Public Funds Investment Act training.

Motion made by E. DeWinne and seconded by S. Gibson to appoint P. Blair as co-Public Funds Investment Officer. Motion passed 7-0.

VIII. Discuss and Consider for Action: Review of Professional Services Policy and Approval of Professional Services Agreements for FY 2019.

General Manager D. Mauk explained that the District is required to review both the Professional Services Policy and the Professional Agreements every year, and that they usually review these policies every October at the Quarterly Meetings.

Motion made by J. Sides to approve the Professional Services Policy and Professional Services Agreement as presented for FY 2019 and seconded by B. Williams. Motion passed 7-0.

IX. Discuss and Consider for Action: Review of Financial Management Policy, Public Funds Investment Policy, Director Code of Ethics, Director Travel, Employee Manual/Travel.

D. Mauk informed the Board that the District is required to review these policies every year, usually done in the October Quarterly Meeting. D. Mauk recommended that every policy should be reviewed and all re-adopted. He stated that the only change he recommends to make is that of the Financial Management Policy, in which the portion concerning Purchase Orders should be removed due to the system not being necessary anymore since the system works well without adding this extra step.

Motion made by S. Gibson and seconded by E. DeWinne to approve the Financial Management Policy, Public Funds Investment Policy, Director Code of Ethics, Director Travel, and Employee Manual/Travel as presented. Motion passed 7-0.

X. Discuss and Consider for Action: BCRA GD Quarterly Budget Report / Public Funds Report.

General Manager D. Mauk elaborated on the Quarterly Budget Report and Public Funds Report concerning our CD and the profit and loss report that everything came in under 100%. He pointed out that there was still money in Attorneys fees and in Building & Maintenance fees, and that he would have recommendations for these items. Otherwise, he stated that everything else was end of fiscal year reports.

Motion made by E. DeWinne and seconded by J. Sides to accept the BCRA GD Quarterly Budget Report / Public Funds Report as presented. Motion passed 7-0.

XI. Discuss and Consider for Action: Designation of District Reserve Funds.

D. Mauk recommended to move \$35,000 from Attorneys fees into State Auditor fees and them change it to Designated Legal. He also recommends to take \$4,000 from Building & Maintenance and place into Designated Funds.

Motion by J. Sides and seconded by E. DeWinne to approve the recommendations made in Designation of District Reserve Funds. Motion passed 7-0.

XII. General Manager Report, Activities of the District - 4th Quarter FY 2018.

General Manager D. Mauk gave the Board an overview of the District's 4th Quarter FY 2018 Activities which included: Registered and Permitted Well Report Numbers, Nuisance Complaints, Variance Requests, Notice of Violations, Groundwater Tests, Water Well Plugging, Geophysical Logging, and Monitor Well Report.

The report also includes Surface Water Evaluation & Reports, In-House Surface Water Quality Monitoring Report, Medina Lake Update, E. coli Public Service Announcements, Staff Highlight, Nonpoint Source Initiative on Medina Lake, Invasive Species Update, and the Drought Monitor.

Also included in the GM Report are the Education & Outreach Highlights, Social Media Highlights, Flood Warning Tool Set Progress Report, Rainspotter Data, Flood Watch vs. Flood Warning, Staff Teams and Positions, Staff Members, and Activities of the District.

District updates were also discussed as well as flooding emergency management actions. Motion made to accept the General Manager Report, Activities of the District - 4th Quarter FY 2018 as presented by S. Gibson and seconded by B. Williams. Motion passed 7-0.

XIII. Discuss and Consider for Action: Amending Current Fiscal Budget to Reflect Actual Costs to Date and Projected Future Costs.

D. Mauk recommended no action to be taken at this time for this item. Motion made by J. Sides and seconded by S. Gibson to take no action for amending the current fiscal budget to reflect actual costs to date and projected future costs. Motion passed 7-0.

XIV. Executive Session: Consultation with Legal Counsel, Richard Mosty, Litigation and Potential Litigation.

BCRAGD Board went into executive session for a consultation with legal counsel, Richard Mosty, for litigation and potential litigation.

Board went into executive session at 9:35 a.m.

Board returned from executive session at 10:42 a.m.

XV. Discuss and Consider for Action: Items from Executive Session.

Motion made by S. Gibson and seconded by J. Sides to authorize General Manager D. Mauk on behalf of the District to provide TDLR with information reported. Motion passed 7-0.

XVI. Informational Item - Drought Stage, Water Conservation Handouts, Rainwater Harvesting Materials, Future Meeting Date.

General Manager D. Mauk informed the Board that the next meeting will be held in early-mid November to swear in all of the Directors from the Uncontested Election. D. Mauk stated that Bandera County is not in a drought at this time, and that there is Water Conservation Materials on the back table for the public to take.

D. Mauk made an announcement that the recent flooding washed vehicles into the river and people had to be rescued by helicopter. This is cause for concern for the people of Bandera County, so D. Mauk stated that he would be placing signage by the roadsides stating water level and warning the public of flooded areas. Also, BCRA GD has been hearing from TWDB concerning the application for the Flood Grant Project, which is a good sign that the application is being considered.

XVII. Adjournment.

Motion made by E. DeWinne and seconded by N. Boultinghouse to adjourn the Quarterly Meeting. Motion passed 7-0. Quarterly Meeting was adjourned at 10:44 a.m.

Approved by:

Don Sloan
Don Sloan (BCRAGD President)

11/15/2018

Date

Jerry Sides
Jerry Sides (BCRAGD Secretary/Treasurer)

11-15-18

Date