

*Bandera County River Authority and Groundwater District*

Called Meeting

June 22, 2018

MINUTES

**START TIME: 9:00 A.M.**

**PRESENT:** D. Sloan, B. Williams, J. Sides, N. Boultinghouse, S. McLeod, R. Mulherin

General Manager: D. Mauk

BCRAGD Staff: P. Blair

BCRAGD Attorney: Richard Mosty

Distinguished Guests: J Horry, City of Bandera Administrator

**ABSENT:** G. Wehmeyer, E. DeWinne, S. Gibson

**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. and 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.**

There were no public comments.

**III. Discuss and Consider for Action: Approval of Minutes: April 12th, 2018 Quarterly Meeting.**

Motion made by B. Williams to approve the minutes from the April 12th, 2018 Quarterly Meeting. Seconded by N. Boultinghouse. Motion passed 6-0.

**IV. Discuss and Consider for Action: Authorize the General Manager to Apply for a TWDB Grant for a USGS Flood Warning System for Western Bandera County.**

Motion made by J. Sides to authorize the General Manager to apply for a TWDB grant for a USGS Flood Warning System for Western Bandera County. Seconded by S. McLeod and N. Boultinghouse. Motion passed 6-0.

**V. Discuss and Consider for Action: Moving District Funds From Bandera Bank into a CD and Moving Funds into our Flood Warning System Bank Account.**

Motion made by J. Sides to move \$75,000 in district funds from Bandera Bank into a CD at Hondo Bank.. Seconded by N. Boultinghouse. Motion passed 6-0.

**VI. Discuss and Consider for Action: Enforcement Hearing, City of Bandera Public Water Supply Well.**

Background information was provided by General Manager, D. Mauk, over the City of Bandera's Public Water Supply Well before, during, and after drilling. He recommended issuing a Notice of Violation to the City of Bandera for breaking District rules and for breaking rules in Chapter 36 and 51 of the Water Code. BCRA GD told the City of Bandera to cease, but they did not stop. Samples were taken which revealed elements of concern including lead, which was deemed a discharge pollutant.

D. Mauk did point out that J. Horry, the new City Administrator, was present at the meeting. D. Mauk informed the Board that the City had been dumping in their sanitary easement for years, but that J. Horry had it cleaned up once D. Mauk informed him of the situation.

D. Mauk revealed that this cost the District at least \$2,000 in laboratory expenses, including soil samples, water quality samples. D. Mauk recommended a total fine of \$17,500. This money would cover District costs and would be earmarked for future watershed and aquifer protection programs such as plugging abandoned wells, cleaning dump sites, and any surface water quality issues. D. Mauk recommended giving the City of Bandera an opportunity to either request a hearing in front of the board to explain their situation, in which all evidence would be displayed, or to pay the fines as recommended. D. Mauk notes that this situation is also under investigation by TCEQ.

Motion made by J. Sides and seconded by B. Williams to issue the Notice of Violation and fine as recommended. Motion passed 6-0.

**VII. Discuss and Consider for Action: Executive Session, Consultation with Legal Counsel, Richard Mosty, Litigation and Potential Litigation.**

The Board went into Executive Session at 9:15 A.M.

The Board returned from Executive Session at 9:59 A.M.

**VIII. Discuss and Consider for Action: Items from Executive Session.**

The Board was recommended by Richard Mosty to take no action at this time.

**IX. Informational Item: Drought Stage, Water Conservation Handouts, Rainwater Harvesting Materials, Future Board Meeting Dates.**

D. Mauk informed the Board that the next meeting will be a Quarterly Meeting on July 12, 2018 at 9 A.M. He also informed the Board that we are currently in a stage of Moderate Drought, but it is moving into Severe.

**X. Adjournment.**

Motion to adjourn made by J. Sides, seconded by B. Williams, S. McLeod, and R. Mulherin. Motion passed 6-0. Called Meeting was adjourned at 10 A.M.

Approved by:

Don Sloan  
Don Sloan (BCRAGD President)

7/12/2018  
Date

Jerry Sides  
Jerry Sides (BCRAGD Secretary/Treasurer)

7-12-18  
Date