

Middle Pecos Groundwater Conservation District

Minutes of May 19, 2009

On this the 19th day of May, 2009, a Regular Session of the Middle Pecos Groundwater Conservation District, of Pecos County, Texas, met in the Courtroom of the Pecos County Courthouse, Fort Stockton, Texas located at 103 West Callaghan with the following members present, to-wit:

Glenn Honaker	President, Precinct 1
John Dorris	Vice President, Precinct 3
S. Evans Turpin	Acting Secretary/Treasurer, City of Iraan
M. R. Gonzalez	Appointed Secretary/Treasurer, Precinct 2
Jack McIntyre	Precinct 1
Merrell Daggett	Precinct 2
Lynn Holland	Precinct 3
Bart Reid	Precinct 4
Alvaro Mandujano, Jr.	Precinct 4
Gregg McKenzie	Appointed/City of Fort Stockton
Houston McKenzie	At Large

Others Present: Paul Weatherby/General Manager, Melissa Mills/Office Manager, Pam Bouray/Fort Stockton Pioneer, Jeff Williams, Dr. Jim Duke, Gregg McKenzie, Charles Neeb, Gary Bryant, Allison Weatherby, Autumn Sparks and Mike Gershon/MPGCD attorney.

Call to Order. The meeting was called to order at 1:09 pm by President Glenn Honaker. Quorum is present.

I Consider and/or act upon minutes April 21, 2009.

M. R. Gonzalez moved, Merrell Daggett seconded that the minutes of April 21, 2009, be approved, and the motion passed unanimously.

II Comments from Public and Media (limit 5 minutes per person).

President Honaker welcomed Allison Weatherby and Autumn Sparks to the meeting. They were on a school field trip for their I.S.P. school project regarding water conservation.

III Consider and/or act upon Accounts Payable, Treasurer's Report, Line Item Transfers for January 2009, March 2009 and April 2009

Merrell Daggett made a motion to approve the accounts payable, Treasurer's Report and the Line Item Transfers. Seconded by Lynn Holland. Motion passed unanimously.

IV Consider and/or act upon Appointment of New Director for City of Fort Stockton

The Board interviewed the candidates: Charles Neeb and Gregg McKenzie.

A break was taken from 1:53 to 1:56pm.

Executive Session called pursuant to Section 551.071 and Section 551.074 of the Texas Government Code at 1:56 pm.

Regular session reconvened at 3:03 pm. No action was taken in executive session. Ballots were handed out for a vote, then counted, with the result in Gregg McKenzie's favor. The Board sincerely thanked Charles Neeb for applying and urged him to apply again in the future.

Lynn Holland made a motion to appoint Gregg McKenzie. John Dorris seconded the motion. Motion passed unanimously.

The Statement of Appointed Officer and the Oath of Office was administered to Gregg McKenzie by President Glenn Honaker. Pam Harris performed the notary work.

V Consider and/or act upon Election of Board Secretary/Treasurer

John Dorris nominated Houston McKenzie, Houston declined. Houston McKenzie nominated Lynn Holland, Lynn declined. Houston McKenzie nominated M. R. Gonzalez, seconded by John Dorris. Nominations ceased.

Lynn Holland made a motion to appoint M. R. Gonzalez as Secretary/Treasurer by acclamation, seconded by Evans Turpin. Motion carried unanimously.

VI Consider and/or act upon Contract with Bar-W Groundwater Exploration, LLC

The hydrologist for MPGCD is Randy Williams. He had been working through Turner-Collie-Braden/AECOMB, but has now started his own company Bar-W Groundwater Exploration, LLC. Mr. Williams presented a contract for MPGCD to enter into with him. Attorney Mike Gershon said the contract is very similar to the one previously signed with Turner-Collie-Braden/AECOMB except the rate is lowered. Gershon suggested a few changes be made to the contract and be approved at the next meeting.

Lynn Holland made a motion to approve the contract that was currently presented which has a 30 day life, and began on April 28, 2009. At next months meeting the revised contract will be reviewed and considered. The motion was seconded by Merrell Daggett. Vote For: 9. Vote Against: 2. Motion carried.

VII Consider and/or act upon Investment Funds

Alvaro Mandujano, Jr. made a motion to transfer \$75,000 to the Money Market account. Seconded by John Dorris. Motion carried unanimously.

VIII Consider and/or act upon Legislative Bills: HB2063, HB1890, SB1714, SB2008, SB2296 and other bills related to District's purposes

The directors received information packets regarding the legislative bills prior to the meeting. Mr. Weatherby recommended that MPGCD send a resolution or action letter in support of all the mentioned bills.

John Dorris made a motion to send an action letter in support of all the mentioned bills. Seconded by Merrell Daggett. Motion carried unanimously.

IX Consider and/or act upon Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, Water Analysis

Registrations currently total 2,704 (Exempt 1,856 and NonExempt 848). We do not have any pending production permits. We do have some Notices of Intent to drill applications for exempt wells. Data Loggers with satellite capability are being installed around in the Sandridge area. The number of monitor wells are being increased. Water analysis are still being performed.

X General Manager's report on incoming Groundwater District Correspondence

- Brad Newton sent a Thank You letter to the Board.
- A water flooding report was reviewed by board members. The information will be considered in our Desired Future Conditions report.

XI Consider and/or act upon Agenda for next meeting

Randy Williams contract

Executive Session. At 4:17 pm President Glenn Honaker announced that the board would enter into Executive Session to confer with Legal Counsel under Section 551.071 of the Texas Open Meetings Act. (John Dorris stepped out from 5:10 – 5:35, Alvaro Mandujano, Jr. left at 5:42, and Bart Reid left at 6:05pm)

Upon returning from the executive session at 6:31 p.m., Mr. Honaker noted that no action was taken in Executive Session.

XII Adjourn

John Dorris made a motion to adjourn, seconded by Gregg McKenzie. The motion carried, and the meeting adjourned at 6:32 pm.

M. R. Gonzalez,
Secretary/Treasurer

John Dorris,
Vice President

Date Approved