

MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

P.O Box 1644 Fort Stockton, TX 79735 Phone (432)336-0698 Fax (432)336-3407

405 North Spring Drive Fort Stockton, Texas 79735

Email mpgcd@sbcglobal.net Website www.middlepecosgcd.org

Directors

Glenn Honaker, President John D. Dorris, Vice President M. R. Gonzalez, Secretary/Treasurer
Weldon Blackwelder Vanessa Cardwell Ronald Cooper Merrell Daggett
Janet Groth Alvaro Mandujano Jr. S. Evans Turpin Terry Whigham

Employees

Paul Weatherby, General Manager Melissa Mills, Office Manager

NOTICE OF MEETING AND PUBLIC HEARINGS¹

Tuesday, February 19, 2013 - 1:00 p.m.
405 North Spring Drive, Fort Stockton, Texas

REGULAR BOARD MEETING AGENDA

- I Call to order at 1:00 p.m.
- II Consider and act on letter of **resignation from Glenn Honaker**
- III Consider and act to **fill Board vacancy** in Precinct 1
- IV Consider and act on repealing and/or amending **District's bylaws**
- V Consider and act on **Board Officer positions** for 2013
- VI Consider and act upon **Randy Braden's Motion for Rehearing**
- VII Presentation of **District auditor's report on financials** for Fiscal Year 10-01-2011 through 09-30-2012 and act to approve auditor's report
- VIII Recess from Regular Board Meeting to conduct public hearings

POSSIBLE REHEARING ON PRODUCTION PERMIT APPLICATION FILED BY RANDY BRADEN

- I Call to Order no earlier than 1:30 p.m.
- II Public Hearing on **Randy Braden's Production Permit Application**
- III Adjourn

SHOW CAUSE HEARING ON ALLEGED VIOLATION OF DISTRICT'S RULES BY ACOSTA DRILLING

- I Call to Order no earlier than 1:00 p.m.
- II Show Cause Hearing on alleged violations of District's Rules by Acosta Drilling
- III Adjourn

FILED
Pecos County, Texas

9:00 AM

FEB 15 2013

HEARING ON PRODUCTION PERMIT APPLICATION FILED BY SCHUYLER WIGHT

- I Call to Order no earlier than 2:00 p.m.
- II Public Hearing on **Schuyler Wight's Production Permit Application**
- III Adjourn

**HEARING ON RESUBMITTED DRILLING PERMIT APPLICATION
FILED BY CITY OF FORT STOCKTON**

- I Call to Order no earlier than 2:00 p.m.
- II Public Hearing on **City of Fort Stockton's Resubmitted Drilling Permit Application**
- III Adjourn

RECONVENE REGULAR BOARD MEETING

- IX Reconvene meeting
- X Comments from **public and media** (limit 5 minutes per person)²
- XI Consider and act on **Minutes** of December 18, 2012, and January 15, 2013
- XII Consider and act upon **Randy Braden's Permit Application**
- XIII **Executive/Closed Session** to address personnel matters and to consult with legal counsel
- XIV Consider and take action on **personnel and staffing matters discussed during Executive Session**
- XV Consider and act on **alleged violations by Acosta Drilling**, and consider and act on appropriate penalty or other enforcement remedy to be imposed or pursued in court
- XVI Consider and act upon **Schuyler Wight's Production Permit Application**
- XVII Consider and act upon **City of Fort Stockton's Drilling Permit Application**
- XVIII Update on **developments with Groundwater Management Area 3** (recent meeting, future work and meetings)
- XIX Consider and act on Texas Commission on Environmental Quality's work and report on **Priority Groundwater Management Areas**
- XX Review developments regarding potential formation of groundwater conservation districts or expansion of boundaries of existing groundwater conservation districts within Groundwater Management Areas 3 and 7

- XXI Discuss and review **US Fish and Wildlife Service’s proposed rule regarding the listing of six west Texas aquatic invertebrate species as endangered species** and recent Federal Register notice and issuance of draft economic assessment
- XXII Consider and act upon **Accounts Payable and Treasurer’s Report and Line Item Transfers for the Months Ending 12-31-2012 and 01-31-2013**
- XXIII Consider and act upon **Depository Contract with Pecos County State Bank and approve Directors on Signature Card**
- XXIV Consider and act upon **Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, ongoing Water Quality Analysis and Legislative Update**
- XXV **Consider and act upon General Manager's 2012 Annual Report**
- XXVI **General Manager’s Correspondence and Report³**
- XXVII **Directors’ comments³**
- XXVIII Consider and/or act upon **agenda for next meeting**
- XXIX **Adjourn**

This facility is wheelchair and parking accessible. Requests for accommodations must be made 48 hours prior to this meeting by contacting Paul Weatherby at 432-336-0698.

¹ Please see the hearing notices required by statute and/or District rules, which were posted at the District office and with the County Clerk, and otherwise issued as appropriate, for additional information about these hearing matters. During the meeting and hearings, the Board reserves the right to go into executive session under the Texas Open Meetings Act Sections 551.071 (consultation with legal counsel) and 551.074 (review of personnel matters) and for any other purposes authorized under the Texas Open Meetings Act (Chapter 551 of the Texas Government Code), for any item on this agenda or as otherwise authorized by law. The Board may break for dinner and continue the Board meeting immediately after dinner.

² Members of the public may address the Board for a limited time concerning any subject whether or not it is on the agenda. The Board is not allowed to take action on any subject presented that is not on the agenda, nor is the Board required to provide a response.

³ No action will be taken on these agenda items. These items are on the agenda to provide the District’s General Manager and Directors an opportunity to bring to the public’s and each other’s attention important issues pertinent to groundwater management within the District. Substantive deliberation and formal action on any of these issues will be conducted pursuant to a specific item on a future agenda.