

# MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

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## Directors

Jerry McQuairt, President John D. Dorris, Vice President M. R. Gonzalez, Secretary/Treasurer  
Alvaro Mandujano, Jr. Vanessa Cardwell Ronald Cooper Janet Groth  
Weldon Blackwelder Terry Whigham Jeffery McMahon Merrell Daggett

## Employees

Paul Weatherby, General Manager Ty Edwards, Assistant Manager  
Melissa Mills, Office Manager Gail Reeves, Office Assistant

## NOTICE OF REGULAR BOARD MEETING, PUBLIC HEARINGS and WORKSHOP<sup>1</sup>

**FILED**  
AUG 14 2015

August 18, 2015  
Call to Order at 10:00 a.m.

405 North Spring Drive, Fort Stockton, Texas

LIZ CHAPMAN  
CLERK COUNTY COURT, PECOS CO., TEXAS

By: [Signature] Deputy

10:55 AM

During the meeting, the Board reserves the right to go into executive session for any of the purposes authorized under the Texas Open Meetings Act, V.T.C.A., Government Code, Chapter 551, for any item on this agenda or as otherwise authorized by law.

**This meeting may be recessed to allow the Board to conduct the workshops or hearings described on this agenda and the Board may change the order in which one or more of the workshop or hearing or meeting items are considered. The Board will not commence any of the hearings earlier than the time stated on this agenda.<sup>2</sup>**

## CONTINUATION of SHOW CAUSE HEARING ON ALLEGED VIOLATION OF DISTRICT'S RULES BY BUGINGTON ENERGY, LLC<sup>2</sup>

- I Call to Order at 10:00 a.m.
- II Show Cause Hearing on alleged violations of District's Rules 14.1(d), 14.2(a) and (c), and 14.3(a)-(c) pertaining to waste, pollution and degradation of quality of groundwater by **BUGINGTON ENERGY, LLC and Bugington Energy, LLC's compliance with District's July 21, 2015 enforcement order.**
- III Consider and act on **alleged violations by BUGINGTON ENERGY, LLC**, and consider and act on appropriate penalty or other enforcement remedy to be imposed and/or pursued in court.
- IV Adjourn.

## REGULAR BOARD MEETING

- I Call to order regular Board meeting.
- II Comments from **public and media** (limit 5 minutes per person) - 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.

- III Consider and/or act upon **Minutes of July 21, 2015.**
- IV Consider and/or act upon **Accounts Payable and Treasurer's Report and Line Item Transfers for the Month Ending July 31, 2015.**
- V Consider and/or act upon **General Managers' 2015 2<sup>nd</sup> Quarter Report**
- VI Consider and/or act upon **Proposal given by Gil Van Deventer, PG, indentifying and assessing the San Andres wells in northern Pecos County and to propose and advise a path forward in addressing the San Andres wells.**

**SHOW CAUSE HEARING ON ALLEGED VIOLATION OF DISTRICT'S  
RULES BY RANDAL HARTMAN<sup>2</sup>**

- I Call to Order at 10:20 a.m.
- II Show Cause Hearing on alleged violations of District's Rules 10.7 pertaining to Reporting groundwater by **RANDAL HARTMAN**
- III Consider and act on **alleged violations by RANDAL HARTMAN**, and consider and act on appropriate penalty or other enforcement remedy to be imposed and/or pursued in court.
- IV Adjourn.

**SHOW CAUSE HEARING ON ALLEGED VIOLATION OF DISTRICT'S  
RULES BY DAVID HESS<sup>2</sup>**

- I Call to Order at 10:25 a.m.
- II Show Cause Hearing on alleged violations of District's Rules 10.7 pertaining to Reporting groundwater by **DAVID HESS**
- III Consider and act on **alleged violations by DAVID HESS**, and consider and act on appropriate penalty or other enforcement remedy to be imposed and/or pursued in court.
- IV Adjourn.

**PRODUCTION PERMIT HEARING for EAST PECOS SOLAR, LLC.<sup>2</sup>**

- I Call to order at 10:30 a.m. on Public Hearing on **Production Permit for East Pecos Solar, LLC.**
- II Adjourn hearing and consider and/or act on **Production Permit for East Pecos Solar, LLC.**

**PUBLIC HEARING ON MANAGEMENT PLAN**

- I Call to Order at 11:00 a.m.
- II Public hearings to receive public input on proposed Management Plan.
- III Adjourn.

**Workshop on Proposed Budget and Proposed Tax Rate  
Call to Order following Public Hearings**

- I Call to Order
- II Workshop to review Proposed Budget for Fiscal Year ending 09/30/2016
- III Workshop to review Proposed Tax Rate for 2015
- IV **Adjourn**

**Regular Meeting continued**

- VII Consider and/or act upon **2015 Management Plan**
- VIII Consider and/or approve **Proposed Budget for Fiscal Year Ending 09/30/2016 and sign the Resolution to Adopt the Annual Budget**
- IX Consider and/or approve **PROPOSED Tax Rate of \$0.0249 per \$100 valuation for 2015**
- X Consider and/or act upon **Buckthorn Westex, LLC Application for Tax Abatement**
- XI Consider and/or act upon **Buckthorn Westex, LLC Tax Abatement Agreement**
- XII Executive Session pursuant to the Texas Open Meetings Act, Sections 551.071 and 551.074 of the Texas Government Code, to consult with our attorney and to deliberate evaluation and duties of District's employees.
- XIII Consider and/or take action on **Personnel Matters Discussed in Executive Session and Annual Review and Compensation of District's Employees.**
- XIV **Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, ongoing Water Quality Analysis, and Drought Monitor Map. Update on Pecos County Environmental Task Force issues.**
- XV Consider and/or act upon **General Manager's Correspondence.**

XVI **Directors' comments.**

XVII Consider and/or act upon **agenda for next** meeting.

XVIII **Adjourn.**

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<sup>1</sup>The Board will not commence any of the hearings earlier than the time stated on this agenda. The Board may break for lunch and/or dinner and commence or continue the Board hearings and/or meeting immediately after lunch and/or dinner. 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.

<sup>2</sup>Additional more detailed notice of the public hearings required by state law and the District's rules was separately issued by the District.