

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: mogcd@mogcd.org Website: www.mogcd.org

Directors

Jerry McGuairt, President John D. Dorris, Vice President M. R. Gonzalez, Secretary/Treasurer
Alvaro Mandujano, Jr. Vanessa Cardwell Ronald Cooper Janet Groth
Weldon Blackwelder Allan Childs Jeff Sims Puja Boinpally

Employees

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

NOTICE OF REGULAR BOARD MEETING and PUBLIC HEARINGS¹

August 15, 2017

Call to Order at 9:30 a.m.

405 North Spring Drive, Fort Stockton, Texas

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 hearing and/or workshop described on this agenda and the Board may change the order in which one or more of the hearing, workshop or meeting items are considered.

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.²
- III 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.
- IV Consider and/or take action on **Personnel Matters Discussed in Executive Session and Annual Review and Compensation of District's Employees.**
- V Consider and/or act upon approval of a **New Position for a District Field Technician.**

FILED
AUG 10 2017

LIZ CHAPMAN
CLERK COUNTY COURT, PECOS CO., TEXAS

By: MC Deputy
11:00 A

WORKSHOP ON PROPOSED BUDGET AND PROPOSED TAX RATE

- I Call to Order.
- II Workshop to review Proposed Budget for Fiscal Year ending 09/30/2018.
- III Workshop to review Proposed Tax Rate for 2017.
- IV Adjourn.

PUBLIC HEARING ON PROPOSED RULES³

- I Call to order at 10:00 a.m.
- II The Middle Pecos Groundwater Conservation District (District) will receive public input at a hearing on proposed amendments to the District's rules intended to (1) change Management Zone 1 boundaries and operating conditions to recognize hydrogeological differences between South Coyanosa and Belding areas; and (2) establish (A) acceptable aquifer level fluctuations and (B) thresholds for pro rata cutbacks when aquifer level declines in certain monitoring wells.
- III Adjourn Public Workshop.

REGULAR MEETING – CONTINUED

- VI Receive public comments on the District's budget and proposed tax rate for the fiscal year ending 9-30-2018, to comply with the requirements of the District's enabling act, rules, and bylaws; Texas Water Code Chapter 36; and the laws of the State of Texas.
- VII Consider and/or approve Budget for Fiscal Year Ending 09/30/2018 and sign the Resolution to Adopt the Annual Budget.
- VIII Consider and/or adopt a Proposed Tax Rate for 2017.
- IX Consider and/or act upon Setting Two Public Hearing Dates/Times/Place and set a Meeting Date/Time/Place to Adopt a Tax Rate for 2017.
- X Consider and/or act upon Minutes of Regular Meeting and Public Hearings on July 18, 2017.
- XI Consider and/or act upon Accounts Payable and Treasurer's Report and Line Item Transfers for the Month Ending July 31, 2017.
- XII Consider and act upon New Personnel Policy.

REGULAR MEETING – CONTINUED

- XIII Consider and /or act upon **“Request for Reconsideration”** of party status filed by **Cockrell Investment Partners, L.P.** in connection with hearing remanded by **Eighth District (El Paso) Court of Appeals** on **Fort Stockton Holding L.P.’s (FSH’s) application for a Production Permit and separate hearing on FSH’s application to amend/reduce authorized withdrawals under previously issued Historic & Existing Use Permits.**
- XIV Briefing and take action as necessary on matters involving **FSH, Republic Water Co. of Texas, LLC (Republic LLC) and Clayton Williams Farms, Inc.’s settlement and following, related lawsuits and contested hearing: Republic LLC’s state court lawsuit, Court of Appeals Case No. 08-17-00001-CV; FSHLP v. Pecos County, MPGCD, et al. (state court administrative appeal), District Court Cause No. P-7047-83-CV; FSHLP v. MPGCD (state court takings lawsuit), District Court Cause No. P-7047A-83-CV; In re the Application of Republic LLC, State Office of Administrative Hearings Docket No. 959-17-3195.**
- XV **Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, Drought Monitor Map and ongoing Water Quality Analysis.**
- XVI Consider and/or act upon **General Manager’s Correspondence.**⁴
- XVII **Directors’ comments.**⁴
- XVIII Consider and/or act upon **agenda for next meeting.**
- XIX **Adjourn Board meeting.**

¹ The Board may break for lunch and commence or continue the Board hearing and/or meeting immediately after lunch. This facility is wheelchair/parking accessible. Requests for accommodations must be made 48 hours prior to this meeting by contacting Ty Edwards at 432-336-0698.

² 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; any substantive consideration and action by the Board will be conducted under a specific item on a future agenda.

³ Additional more detailed notice of the public hearing required by state law and the District’s rules was separately issued by the District.

⁴ 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. Any substantive deliberation and formal action on any of these issues will be conducted under a specific item on a future agenda.

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FILED
AUG 11 2017

LIZ CHAPMAN
CLERK COUNTY COURT, PECOS CO., TEX
1:07 pm Dep

SUPPLEMENT TO NOTICE OF REGULAR BOARD MEETING

August 15, 2017
Call to Order at 9:30 a.m.
405 North Spring Drive, Fort Stockton, Texas

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This meeting may be recessed to allow the Board to conduct the hearing and/or workshop described on the previously posted August 15, 2017 agenda and the Board may change the order in which one or more of the hearing, workshop or meeting items are considered.

REGULAR BOARD MEETING AGENDA (SUPPLEMENT)

In the previously posted *Notice of Regular Board Meeting and Public Hearings* for August 15, 2017, the agenda states that the Middle Pecos Groundwater Conservation District (District) will receive public input at a hearing on proposed amendments to the District's rules intended to (1) change Management Zone 1 boundaries and operating conditions to recognize hydrogeological differences between South Cayanosa and Belding areas; and (2) establish (A) acceptable aquifer level fluctuations and (B) thresholds for pro rata cutbacks when aquifer level declines in certain monitoring wells. **After adjournment of this rulemaking hearing and during the regular Board meeting, the Board will also address the following agenda item:**

Consider and /or act upon proposed rules that were the subject of today's rulemaking hearing, including consideration of all public comment and action on Cockrell Investment Partners, L.P.'s Motion to Declare Contested Case and Refer to SOAH and any other motions or responses to motion(s).

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