

**MINUTES OF THE BOARD OF DIRECTORS' MEETING
RED RIVER GROUNDWATER CONSERVATION DISTRICT**

THURSDAY, NOVEMBER 5, 2009

**AT THE GRAYSON COUNTY COURTHOUSE
3RD FLOOD ASSEMBLY ROOM
100 W HOUSTON ST
SHERMAN TX 75090**

Members Present:	David Gattis, George "Butch" Henderson, Harold Latham, George Olson, Don Wortham, John Young
Members Absent:	Don Morrison
Staff:	Jerry Chapman and Carmen Catterson
Visitors:	Denny Brackeen, Director, Marilee SUD Ruth Ann Collins, Mayor, City of Van Alstyne Debbie Ellis, Office Manager, Luella SUD James Hale, Public Works Director, City of Tioga Sherry Howard, Mayor, City of Tom Bean David Howerton, Public Works Director, City of Denison Charles Ives, Secretary, Luella SUD Cheryl Reynolds, Manager, Pink Hill WSC Aaron Savage, Operator, Desert WSC Warren Williams, Operations Manager, Luella SUD

I. Call to Order

Jerry Chapman introduced the beginning of the meeting posted to begin at 4:00 PM at 4:04 PM. He introduced himself as the General Manager of the Greater Texoma Utility Authority (Authority) and explained the contents of the agenda. He then requested the Board members introduce themselves.

II. Each Board member will be asked to introduce himself and provide background information so the Board may become better acquainted.

Each Board member introduced themselves and what county they represented. David Gattis and George Olson represent the City of Sherman in Grayson County. Don Wortham represents the rural water suppliers in Grayson County and John Young represents the small cities in Grayson County. George "Butch" Henderson represents the small cities in Fannin County. Harold Latham represents the rural water suppliers in Fannin County. Carmen Catterson works for the Authority.

The visitors introduced themselves, including Aaron Savage with Desert WSC, Warren Williams, Debbie Ellis and Charles Ives with Luella SUD, Jim Hale with the City of Tioga, Denny Brackeen with Marilee SUD, Ruth Ann Collins with the City of Van Alstyne, Sherry Howard with the City of Tom Bean, Cheryl Reynolds with Pink Hill WSC, and David Howerton with the City of Denison.

III. Discussion of the Texas Open Meetings Act and Texas Open Records Act

Mr. Chapman explained the Board must comply with the Texas Open Government Acts. The Board members must each complete training and receive a certificate verifying they understand the process and requirements of the Acts. Mrs. Catterson explained the Attorney General website that can be used to complete the requirement. The staff is attempting to compile comprehensive records for the District and needs proof of the training for the District files. The Open Meetings and Open Records laws make sure that all government activity is public. All meetings must be posted publicly 72 hours in advance at both Fannin and Grayson courthouses and at the administrative office. All records must be considered open and public. The law provides all actions taken by the Board must be in open session. The only topics that can be discussed privately with the public excluded are lawsuits, personnel matters and real estate acquisition. However, action on these items must still be made during open session. Items posted for discussion only cannot have action taken.

IV. Review Enabling Legislation

Mr. Chapman presented a power point presentation to the Board with background history on the creation of groundwater conservation districts and water law in Texas. The Red River Groundwater Conservation District (District) was created by legislation and is governed by the Texas Water Code and the governing legislation (SB 2529). The Board will establish the guidelines of the District and determine which wells must be monitored and the fee per 1,000 gallons of groundwater pumped by the monitored wells.

Groundwater will be a large issue during the next legislative session. Currently, only 2% of the population in North Texas use groundwater. However, San Antonio is the largest city in the United States without a surface water supply. The City depends entirely on the Edwards aquifer. The next legislative session will try to identify how groundwater and surface water sources will interact and the concern of private enterprises selling groundwater for profit.

A Groundwater Availability Model (GAM) for each aquifer was developed by the TWDB. The report shows how much groundwater is available to everyone in the Groundwater Management Areas (GMAs). The GMAs must use the GAM to determine what the Desired Future Conditions (DFC) of the aquifer will be in the future 50 to 100 years. Once the DFC is determined, the GMAs must then determine how to manage the available water of the aquifer and make sure that the goals are reached. The DFCs must be revisited every five years, but can be revisited more often if there is a need and desire.

V. Discuss and elect officers for the District

The legislation specifies that the District must elect officers at the first meeting. Each officer's term will be re-elected every year. The statute specifies a President, Vice

President and Secretary-Treasurer must be elected. Board Member Olson nominated Board Member Henderson for President. Board Member Gattis seconded this motion and it passed unanimously with Henderson abstaining.

Board Member Gattis nominated Board Member Olson for Vice President. Board Member Latham seconded the motion and it passed unanimously with Olson abstaining.

President Henderson nominated Board Member Latham for Secretary-Treasurer. The motion died for a lack of second. Board Member Gattis nominated Board Member Young who respectfully declined the position. Board member Gattis then nominated Board Member Wortham for Secretary-Treasurer. Board Member Young seconded the motion and it passed unanimously.

Vice President Olson offered his thanks to Mr. Chapman and Mrs. Catterson for their assistance and questioned if the Authority could be formally requested to assist the District. Mr. Chapman recommended the Board take formal action to appoint Mrs. Catterson as Assistant Secretary so she would be able to assist the District with taking minutes of the meeting and handling correspondence for the Board. Board Member Gattis motioned to elect Mrs. Catterson as Assistant Secretary. The motion was seconded by Vice President Olson and passed unanimously.

VI. Consider the frequency, date and time of regular meetings in the future

President Henderson recommended to the Board that the Board not set a regular meeting time and date and instead only discussing the next meeting. He stated that it was too soon in the process to set the date for future meetings. Board Member Gattis recommended not rushing into the process and taking time to learn. The legislation only requires four meetings per year. Since the District has no funding and no need to put fees into place at this time, he recommends researching and learning about the duties and responsibilities first. The District will eventually need legal counsel, but not for a while. Therefore, Board Member Gattis felt there was no reason to have Mr. Brian Sledge with the Lloyd Gosselink firm attend the next meeting.

President Henderson reminded the Board that Mr. Sledge will not charge for the first visit and the Board needs to have visitors for the purpose of education. Mr. Bill Hutchison with the Texas Water Development Board (TWDB) has also stated he can attend a meeting to discuss the District with the Board. Vice President Olson recommended the Board have Mr. Hutchison visit first. However, he feels that Mr. Sledge provided a great deal of help in developing the legislation for the District and would be a valuable visitor. Board Member Young recommended the Board have managers from other Districts visit to learn how they have proceeded and what recommendations they can present. He also stated that meeting only four times a year is not enough. Too much planning must take place before any actions or decisions can take place. If only four meetings are held a year, it would be this time next year before all the requested visitors have attended.

Vice President Olson requested Mr. Chapman to discuss with Mr. Hutchison and Mr. Sledge to determine when they could visit. He also requested Mr. Chapman contact managers from other groundwater conservation districts inside and outside GMA 8. Board Member Gattis motioned to allow Mr. Chapman set up a meeting with Mr. Hutchison and Mr.

Sledge in January or February. The motion was seconded by Vice President Olson and passed unanimously.

VII. Consider locations of future meetings

Board Member Gattis asked Mr. Chapman if the Authority's offices would be available for use by the District and Mr. Chapman agreed. Mr. Young questioned if the Authority had a room that would be appropriate for large meetings and Mr. Chapman responded that the Authority has a designated Board room for meetings.

Board Member Gattis motioned to use the Authority's administrative office for Board meetings. The motion was seconded by Vice President Olson and passed unanimously.

VIII. Establish temporary administrative office for the District, including official posting location for agenda, mailing address and e-mail for District correspondence and notices

Board Member Gattis motioned to designate the Authority's office as a temporary administrative office. The motion was seconded by Vice President Olson and passed unanimously.

IX. Discuss the development of policies and procedures for the Board of Directors

The Board tabled this item until a future meeting.

X. Consider seeking assistance in the future from:

Texas Water Development Board staff – Bill Hutchison, Director of Groundwater
Legal – Brian Sledge with the Lloyd Gosselink Rochelle & Townsend, PC firm
Other groundwater conservation district managers inside and outside GMA 8

This item was discussed previously under Item VI.

XI. Discuss Desired Future Conditions adopted by Groundwater Management Area 8

Mr. Chapman did not bring the information regarding the current DFC for GMA 8. The Board decided to table this item until a future meeting.

XII. Set next meeting date and agenda

This item was discussed previously under Item VI. The Board authorized Mr. Chapman to set up a meeting with Mr. Hutchison of the TWDB and Mr. Sledge of the Lloyd Gosselink firm. The Board also determined that 4:00 PM would be the most desirable time to meet.

XIII. Citizens to be Heard

President Henderson explained what the use of the public comment session. The Board will hear comments from the public and add them to future agendas. The Board does not discuss the items with the public during the public comment session. It is only for the public to

comment and the Board to listen. However, at this meeting, the Board will attempt to answer questions from the citizens.

Mr. Brackeen of the Marilee SUD recommended the Board visit with Eddy Daniel, the elected president of the North Texas GCD.

Mr. Charles Ives with the Luella SUD expressed concern that he does not understand the purpose of the Board. Mr. Chapman explained that the State of Texas acting through the TCEQ had determined that one or more groundwater districts were needed in a 13 county area of North Central Texas governs the District through the legislation. However, the Board of Directors determines the District's guidelines and policies and procedures. He then explained that the Board will be required to determine which wells will be monitored and be required to pay fees. Most groundwater conservation districts exempt wells that pump less than 25,000 gallons per day. The creation of the District allows Grayson and Fannin Counties to voice an opinion at GMA 8 meetings.

A member of the audience expressed thanks to the Board for their hard work and dedication to the water providers.

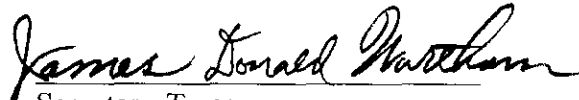
Board Member Gattis recommended the Board review Chapter 36, Sub-Chapter D of the Water Code. He said that chapter is very pertinent to the Red River GCD and is also very interesting.

XIV. Adjourn

Upon motion by Vice President Olson seconded by Board Member Gattis and passed unanimously, the Board adjourned at approximately 5:30 p.m.

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Recording Secretary


Secretary-Treasurer