

Date of Meeting: 10/19/2018
Time of Meeting: 8:00 AM
Location: 303 S. Main, Memphis, Texas 79245



Regular Meeting Agenda

Call Meeting to Order and Establish a Quorum

- Opening Comments
 - Conduct Public hearing regarding the Proposed Groundwater Management Plan. (Public Notice Posted on September 21, 2018)
 - Public Comments-Please limit to 3 minutes
1. Consent Agenda
 - a. Consider and act on Minutes of August 20, 2018
 - b. Consider and act Approval of August & September Bills
 - c. Consider and act on Well Registrations, and Test Hole Permits
 - i. Well Registration: #638-Fred Westfall, #639-Fred Westfall, #642-Leon Griffin, #643-Denny Fuston, #644-Jeff Camp, #645-Mack Shields
 - ii. Test Hole Permit: #467-Tony Cox, #468-J&B Ranch Company, #469-J&B Ranch Company, #470-Elmer Keller, #471- Stavenhagen Family Trust, #472-Stavenhagen Family Trust, #473-Steve Smith, #474-Richard Aguero
 2. Consider and act on Well Permits: #640-Daren Jones, #641-Tony Cox
 3. 4th Quarter Investment Report
 4. Manager's Report –Lynn Smith
 5. Hydrogeologist Report –Ray Brady/Amy Bush
 6. Legal Comments -Keith Good
 7. Ratify the actions taken by Board and Staff on September 23, 2018 as described below:

Board Members Present: Vice President Johnny Lindley, Curtis Scrivner, Gene Pena, and Danny Wischkaemper with Mat Montgomery calling in on speaker phone and being able to hear everyone and everyone being able to hear him.

Board Members Absent: Jerry Lewis, Terry Canada, and Rex Fuston

Staff Present: General Manager Lynn Smith, Whitney Wiebe

Professionals Present: none



Guest Present: none

Call Meeting to Order and Establish a Quorum: Johnny Lindley called the meeting to order at 3:25 PM at the Memphis Public Library in Memphis, TX.

Opening Comments: Lynn explained that there were a few critical items to address and that the other agenda items could wait. He explained that the tax rate adoption and Management Plan Hearing items were the most critical due to the timelines involved.

Review, consider, and act on compliance matters: After some discussion, Mat Montgomery made the motion to re-schedule the Show Cause hearing for Don Allred (Doneghy North GPU) for December 13th with the District Staff having authority to determine the time. Gene Pena seconded the motion and it passed with unanimous ayes. After further discussion, Curtis Scrivner made the motion to cancel the Show Cause hearing for Terry Canada (Marilla GPU) since that compliance matter had been addressed by Mr. Canada. Gene seconded the motion and it passed with unanimous ayes.

Consider and act on cancelling the 2018 Director's Election that was to be held on November 8, 2018: After some discussion, Johnny Lindley moved to cancel the 2018 Director's election and to certify the unopposed candidates. The motion was seconded by Gene Pena. The motion passed unanimously.

Consider and act on approving the proposed ad valorem tax rate of 0.04955 per \$100 valuation: Gene Pena moved that the proposed ad valorem tax rate of 0.04955 per \$100 valuation be adopted by the District. Curtis Scrivner seconded the motion. The motion passed unanimously.

Consider and act on balancing categories within the 2017 District Budget with no change to the total: Lynn explained that District Policy now requires each budget category to be balanced. He explained that the 2017 overall budget was ok as compared to total expenditures and income but that there were some categories that were under-budgeted and others that were over-budgeted within the budget. He asked that the Board act to move funds out of certain categories and into the appropriate categories to

obtain a balanced budget. After some discussion, Gene Pena made the motion to authorize staff to adjust the 2017-2018 budget categories so that they are balanced. Danny Wischkaemper seconded the motion. The motion passed unanimously.



Consider and action on approving the Proposed Groundwater Management Plan: Lynn explained that the Public Hearing on the District's Proposed Groundwater Management Plan could not be held on September 20th due to lack of a Board quorum and that a Hearing must occur prior to adopting the plan. He also explained that the District's Rules required the Hearing to have twenty-day notice. After some discussion, Danny Wischkaemper made the motion to reschedule the Hearing for the Proposed Groundwater Management Plan to October 19th at 9 AM at the Memphis Library. Curtis Scrivner seconded the motion. The motion passed unanimously.

Set date and time for next Board meeting: After some discussion, Danny Wischkaemper moved to set the date for the next Board meeting for October 19th at 8 AM. Curtis Scrivner seconded the motion. The motion passed unanimously.

There being no further business to come before the meeting, Gene Pena moved to adjourn the meeting. Danny Wischkaemper seconded the motion and it was unanimously approved by the Board. Johnny Lindley declared the meeting adjourned at 3:53 PM.

8. Review, consider, and act on compliance matters.
9. Consider and act on 2018 Auditor's Contract. (\$3,750 per year, 2 year contract)
10. Consider and act on balancing the 2017-2018 District Budget by adding \$454.96 to the total which allows the Appraisal District Fee line item to balance.
11. 4th Quarter 2017-2018 Budget Analysis
12. Increase 2018-2019 Budget Line Item "Insurance (Employee Dishonesty, Errors & Omissions, General Liability, Physical Contents, Vehicle, and Workers Comp)" by \$4.10 to cover actual cost.
13. Consider and act on approving the Proposed Groundwater Management Plan.
14. Consider and discuss possible updates to District Rules.

15. District Security Measures – Executive Session to be held pursuant to Texas Open Meetings Act, §551.076 deliberation regarding security devices, personnel, or audits. Subjects discussed may be subject to action during an open meeting.



- Other Business
- Executive Session: Consultation with Attorney Regarding Attorney Client Matters exempt from open meetings pursuant to Texas Government Code §551.071
- Set Date & Time for next Board Meeting
- Adjourn

At any time during the meeting and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Mesquite Groundwater Conservation District Board may meet in executive session for any of the following purposes: Consultations with Attorney (§551.071). Any subject discussed in executive session may be subject to action during an open meeting.