



**MINUTES OF THE**  
**Hemphill County Underground Water Conservation District**  
Board Meeting  
December 7, 2020, @ 5:30 P.M  
*Hemphill County UWCD District Board Room*  
VIA GO to MEETING

The Hemphill County Underground Water Conservation District Board met with the following in attendance: Marty Carr, Elizabeth Light, Spencer Hanes, and Tom Isaacs

Others Present: Janet Guthrie-General Manager, Ray Brady Hydrologist and Accountant, John Merriss-Doshier, Pickens & Francis

Members Absent: Jim Haley

**1) ESTABLISHMENT OF A QUORUM**

Following roll call Vice President Marty Carr established a quorum of the Board was present and called the meeting to order at 5:43 p.m. on 12-07-2020

**2)Public Comment**

None

**3) Consent Agenda**

(a) Review and Approval of Minutes of Board Meeting held as follows  
September 8, 2020

(b) Review Employee Paid Time Off Report FY 2019-2020

Action: Motioned by Spencer Hanes and seconded by Tom Isaacs to approve Consent Agenda Item

3 (a-b)

Vote:4-0 In Favor

**4)Action Agenda-These items may not have been addressed in the order in which they are listed:**

(a) Approve Management Report from General Manager, discussing recent meetings attended, well Registrations and permits acted on by the General Manager, status of any administratively Incomplete applications, field and water quality lab activity report, activities related to District's Education program, status of unresolved protests to Salt-Water Disposal Wells filed with the RRC, rainfall information, voluntary metering program, RRC Voluntary Remediation Project and quarterly drought report

Action: General Manager Janet Guthrie reported the next GMA 1 Meeting will be virtual on January 21, 2021 At 10:00 am to review all factors. Motioned by Spencer Hanes and seconded by Elizabeth Light to approve the management report for September 2020 and quarterly drought report.

Vote: 4-0 In Favor

**(b) Meet with Ray Brady to discuss and possible action on Status Report**

STATUS REPORT: September-November 2020

**FY 2020 WORK COMPLETED**

1. Task 1.b.-Annual Water Quality Report completed

**ARSENIC REPORT**

**FY 2020 WORK COMPLETED**

Arsenic Contract-Arsenic 2020 update report submitted

**NEXT PERIOD-N/A Contract Completed**

**PAYMENT REQUESTED FY 2020**

Task 1.c.1

Action: Hydrologist Ray Brady gave a brief update on the 2020 Water Quality Report. The District collected & tested samples from 134 (99%) of the Program's designated Point Source monitoring sites in 2020. The District also collected & tested samples from 87 (99%) wells of the Program's designated Area monitoring sites in 2020. Hydrocarbon based derivatives (xylene) was detected in five Point Source monitoring wells in 2020. Verification sampling was not completed. Cross contamination in the lab or during sample collection is suspected.

Hydrocarbon based derivatives (toluene) was detected in 4 Point Source monitoring wells in 2020. The 4 wells are associated with a single point source (Highway 1268 SWD site). Verification sampling was not completed. Laboratory cross contamination during analysis is suspected.

One area monitoring well tested had chloride concentrations that exceeded the Safe Drinking Water Act (SDWA) Standards.

TDS Concentrations in 1 area well exceeded all Drinking Water Standards. This TDS value was driven by the high chloride concentrations reported above.

Three Area monitoring wells had nitrate concentrations above the SDWA standard

Special testing for Arsenic was conducted in 2019 and 2018 a report of potential origin was submitted in 2019 and a final report in 2020

Motioned by Spencer Hanes and seconded by Tom Isaacs for the board to accept Ray's status report and authorize payment of \$9,000.00

Vote: 4-0 In Favor

Ray Brady exited meeting @ 6:30 pm.

**(c) Possible Option for Tract in James Calk #90, (Canadian Apartments), 203 Birch**

Action :General Manager Janet Guthrie reported the back taxes on this property for years 2018,2019 and 2020 were \$433.55.

Motioned by Elizabeth Light and seconded by Spencer Hanes for the board to authorize the GM to negotiate options with the other taxing entities to ensure there is no financial obligation to the Water District other than what we are required to share proportionally to execute the sale of the property.

Vote: 4-0 In Favor

**(d) Adoption of Water Quality Fee Schedule**

Action: Motioned by Spencer Hanes and seconded by Elizabeth Light for the board to adopt the Outside District Boundary Fee Schedule the same with the updated mileage rate increased to \$1.44/mile and keep all other rates the same as previously adopted on August 20, 2018.

Vote: 4-0 In Favor

**(e) Approve Financial Reports and Ratify Bills paid for September 2020 and quarterly Investment Report**

Action: Motioned by Elizabeth Light and seconded by Spencer Hanes to accept the financial reports and ratify the bills paid in September 2020 and quarterly financial report.

Vote: 4-0 In Favor

**(f) Proposal from Halff Associates, Inc.**

Action: Motioned by Elizabeth Light and seconded by Tom Isaacs for the board to authorize Task Order Authorization No. 4 and No. 5 with Halff and Associates for a total combined cost of \$1,000.00.

Vote: 4-0 In Favor

**(g) Proposal from Westbrook Enterprises**

Action: Motioned by Spencer Hanes and seconded by Tom Isaacs for the board to approve the proposal from Westbrook Enterprises for the construction of an interior metal logo.

Vote: 4-0 In Favor

**(h) Proposals for Exterior Signage**

Action: No Action

**(i) Authorize the pursuit of a TWDB Ag Conservation Grant**

Action: No Action

Vote:

**(j) Legislative Update**

Action: General Manager Janet Guthrie reported to the board that Pre-filing had already begun, and Senator Perry had already filed SB 152. Billy Howe with Texas Farm Bureau requested the Bill be filed and included his 3 issues of interest: (1) attorney fees-changes "shall" to "may"; (2) Petition to change rules-creates a process for someone to petition the District to consider a new rule or rule change (3) Notice to affected party-amends requirements for administrative completeness and creates a process for providing a written notice to each person with a real property interest in the groundwater beneath the land within the spacing requirement boundaries for the proposed well and gives them standing to protest the permit application.

The TWCA Groundwater Committee met and here are the proposed issues that passed and are part of SB 152. To pass you must have 75% consensus.

Unreasonable DFC's: Issue what DFC do you use in your management plan if your GMA adopted DFC is determined to be unreasonable?

Option 1 (with the 1-year deadline) failed to pass (58.3%).

Option 2 ( very similar language with no deadline) passed with 81.8% support.- full GW Committee

Notice to Affected Landowners

This proposal narrowly failed to meet the threshold, receiving 73.3% support

Petition A GCD for Rulemaking

This Proposal received unanimous support 97.8%- full GW Committee.

Legal Fees

Did not pass 42.2 %- full GW Committee.

TWCA could present 2 consensus issues.

Action: No Action Required. Information Item Only

**(k) Fiscal Year Ending September 30, 2020 Financial Audit report from Doshier Pickens & Francis, LLC**

Action: Motioned by Elizabeth Light and seconded by Spencer Hanes for the board to approve the Annual Audit for Fiscal Year ending 9/30/20.

Vote: 4-0 In Favor

John Merriss exited meeting @ 6:10 pm

**(l).Discussion and Possible Action on Participating in TAGD Amicus Brief Process**

Action: Motioned by Spencer Hanes and seconded by Elizabeth Light for the board to authorize the participation in the TAGD Amicus Brief regarding Mountain Pure and Neches and Trinity Valley GCD and make a maximum pledge of \$500.00.

Vote: 4-0 In Favor

**(m) Discussion Agenda**

**(n) Discuss Items for Future Board Meeting Agenda and Set Next Meeting Date and Time**

Action: No board meeting date was set. General Manager Janet Guthrie will pole the directors after the next GMA 1 meeting.

**5.) Adjournment**

Action: Motioned by Elizabeth Light and seconded by Spencer Hanes to adjourn @ 8:00 pm. on December 7, 2020

Vote: 4-0 In Favor

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Marty Carr, Vice President

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Elizabeth Light, Secretary