

PANHANDLE WATER PLANNING GROUP

Minutes

February 15, 2011

A meeting of the Panhandle Water Planning Group (PWPG) was held on Tuesday, February 15, 2011, at 1:30 p.m. in the PRPC Board Room, 415 West Eighth Avenue, Amarillo, Potter County, Texas.

Mr. C.E. Williams, Chairman, presided.

MEMBERS PRESENT:

Dr. Nolan Clark, Environmental; Janet Guthrie, Public; Dr. John Sweeten, Higher Education; Joe Baumgardner, Agriculture; Janet Tregellas, Agriculture; Steve Walthour, Water Districts; Vernon Cook, Counties; Rusty Gilmore, Small Business; Bill Hallerburg, Industries; Jim Derington, River Districts; Ben Weinheimer, Agriculture; C.E. Williams, Water Districts; John Williams, Water Districts; David Landis, Municipalities; Grady Skaggs, Environmental; Emmett Autrey, Municipalities; Rick Gibson representing Gale Henslee; Charles Cooke, Water Utilities.

MEMBERS ABSENT:

Kendal Harris, Agriculture; Water Utilities; Tom Baliff, Water Districts; Johnny Schmucker, Agriculture; Denise Jett, Industries; Kent Satterwhite, Charles Munger, Steve Jones.

OTHERS PRESENT:

Simone Kiel, FNI; Virginia Sabia, TWDB; Steve Stevens, Mesa Water; Marty Jones, Sprouse Law Firm; Van Kelley, Intera; Ann Ardis, USGS; Greg Stanton, USGS; Cleon Namkon, USDA; Clayton Scales, KSA Engineers; Mick Boldys, USGS; Jennifer Foster, Senator Duncan's Office; Natalie Houston, USGS; Jeff Stovall, Espry Consultants; David Harkins, Espry Consultants; Mina Johnson, LWV; Joyce Hinsley, LWV, Tonya Kleuskens, LWV

STAFF PRESENT:

Kyle Ingham, Local Government Services Director; Jamie Allen, Local Government Services Coordinator, Kyler Estes, Local Government Services Program Specialist.

1. CALL TO ORDER

Mr. C. E. Williams called the meeting to order at 1:34 p.m. and noted that a quorum was present.

2. **ESTABLISH ATTENDANCE & RECOGNIZE DESIGNATED ALTERNATES**

Designated Alternates were recognized:

3. **MINUTES**

Members reviewed the minutes from the August 12, 2010 meeting of the Committee. A correction to the spelling of Emmett Autrey's name was pointed out as well as changing the name of the Texas Agriculture Extension Station to Texas AgriLife Research Extension – Amarillo. It was also pointed out that Hallerberg is spelled with an "e" instead of a "U". Finally, it was discussed that there is only one "r" in Derington. Mr. Hallerberg made the motion to accept the minutes with noted corrections and Mr. Walthour seconded the motion. Motion carried by unanimous vote.

4. **PWPG MEMBER REAPPOINTMENT OF MEMBERS WISHING TO CONTINUE SERVICE UPON EXPIRED TERMS**

Mr. Ingham noted that he contacted all members up for reappointment and that all individuals were willing to continue to serve. He also noted that John Williams was listed incorrectly as being in a water authority and corrected that to state he represents a water district. Mr. Walthour asked if C.E. Williams is a part of a Water District and he responded in the affirmative. It was also pointed out that Jim Derington is a member of a water authority. Mr. Walthour made a motion to reappoint the list as it was presented and Judge Cook seconded that motion. Motion carried by unanimous vote.

5. **CONSIDERATION OF NOMINEES TO FILL VACATED ENVIRONMENTAL SEAT**

Judge Cook gave a report on the Executive Committee meeting which took place at 11:00a.m. prior to the 1:30 PWPG meeting. He reported that the Executive Committee felt honored to have two great candidates and that the Committee recommended Tonya Kleuskens to fulfill the unexpired Environmental term vacated by Cole Camp, to expire on August 31, 2012. Judge Cook made a motion to approve Ms. Kleuskens by acclimation and Ms. Guthrie seconded that motion. Motion carried by unanimous vote.

6. **PANHANDLE WATER PLANNING GROUP (PWPG) OFFICER SELECTION**

Chairman Williams opened nominations for Chairman first. David Landis made a motion to appoint C.E. Williams as Chairman and Emmett Autrey seconded the motion. John Williams moved that nominations be closed and that C.E. Williams be approved by acclimation. Motion carried by a unanimous vote. Chairman Williams opened nominations for Vice-Chairman. Mr. Hallerberg made a motion to approve all remaining officers as they are currently seated. Nolan Clark seconded the motion. Steve Walthour commented that John Williams should be listed as representing a Water District, not the public. Motion carried by unanimous vote.

7. **FINANCIAL REPORT**

Dr. Nolan Clark presented the financials. He noted that the balance sheet showed a negative balance, but that only 95% of funding was received from the Texas Water Development Board until paperwork is completed and that a bill had been sent for that final 5%. This will rectify the negative balance and should equal to a \$0.00 balance by the first part of March 2011. He also pointed out that all expenses over the next 8

months will be funded out of the local account, not state funding. He also pointed out that the local contributions were the most received by PWPG in one single year. Mr. Sweeten had a question as to some of the expenses and the percentages represented. Dr. Clark pointed out that changes in percentages were just overages and under runs on budgeted amounts. Mr. Sweeten also asked if all contractors and subcontractors had been paid and Dr. Clark answered in the negative and continued that the 5% that the group is waiting on from TWDB will be distributed equally to all that are waiting on final payment. Virginia Sabia noted that most budgeted expenditures were quite close, with the exception of only one or two adjustments. Dr. Clark made a motion to approve the financials and Janet Tregellas seconded the motion. Motion carried by unanimous vote.

8. TWDB APPROVAL OF THE 2011 REGIONAL WATER PLAN

Virginia Sabia noted that the Regional Water Plan had been approved by TWDB, but that the next planning timeline had been initiated. TWDB has approximately \$3.4 million to distribute amongst 16 regions, with hopes that additional appropriation will become available. She added that TWDB has tried to simplify the water planning process focusing on projections to be developed as well as availability numbers. She noted that guidance on applications has been provided and that a specific scope of work has already been developed for all regions in efforts to minimize administrative work for each region. Ms. Sabia outlined the timeline for this planning process. She noted the application is due in April 2011 and that the TWDB board will be reviewing those applications in June with executed contracts no later than August 31, 2011. She also reviewed the required notifications, which are all outlined in the grant application. Ms. Guthrie asked for a copy of the procurement list and Ms. Sabia said she'd be happy to get that list to PRPC staff for distribution. John Williams asked for a rundown on how allocations were made. Ms. Sabia answered that population indirectly figures into the formula, but that basically those allocations are determined by the number of water user groups, utilizing a formula. John Williams asked if the funding shown was currently available and Ms. Sabia answered in the affirmative. Dr. Clark inquired as to whether or not agriculture counts as one water user group per county. Ms. Sabia answered in the affirmative with the additional comment that it may be divided by river basin. She noted that there will be a reconsideration of rules in 2011 and comments will be taken. Chairman Williams asked if formula funding would be open for comment and Ms. Sabia said that formula funding itself wouldn't be up for discussion, but some of the definitions that contribute to that funding would. John Williams asked if population estimates would be re-used and Ms. Sabia answered that special studies on population estimates may be eligible for future funding. Chairman Williams then confirmed that the role of PWPG is to review and confirm TWDB population estimates. No action was necessary on this item.

9. USGS GROUNDWATER AVAILABILITY IN THE HIGH PLAINS STUDY PRESENTATION BY NATALIE HOUSTON, USGS

Ms. Houston presented the National Groundwater Resources Program and the High Plains Groundwater Availability Study results and then discussed Northern High Plains Groundwater Modeling. The presentation is available on panhandlewater.org.

10. PROCUREMENT PROCESS FOR SECURING AN ENGINEERING FIRM FOR THE 2016 REGIONAL WATER PLANNING CYCLE

Mr. Ingham asked Ms. Sabia what the deadline was for securing an engineering firm and Ms. Sabia stated that there is no clear deadline. She suggested that procurement be made by September 1. Mr. Ingham stated that there were two actions to be taken under this agenda item. The first was posting notice of the RFQ and the second was possibly creating a committee to review the RFQ and then present responses and recommendations to the full group. Mr. Walthour asked how quickly the group needed to act on publishing the RFQ. Chairman Williams stated that his opinion is the sooner the group gets the RFQ out, the sooner the procurement can take place. It was discussed that RFQs could possibly go out in April meaning that notice of the RFQ would go out in mid-March. Mr. Walthour asked if the Executive Committee had any recommendations and Chairman Williams stated they did not yet. However, he suggested that the full group empower the Executive Committee to come up with a proposal. Mr. Walthour made a motion that the Executive Committee and anyone else who would like to participate be authorized to develop the RFQ, issue the RFQ, and review the Statements of Qualification to provide the full PWPG a recommendation. David Landis made a second. Chairman Williams asked the consultants in the room if they were comfortable with that and Ms. Kiel asked how long the consultants would have to submit a proposal. Chairman Williams stated that perhaps a 30 day turnaround would be appropriate. Motion carried by unanimous vote. Dr. Sweeten, Mr. Walthour and Mr. Autrey volunteered to be in on the process to develop and review the RFQ with the Executive Committee. That group decided to meet at a date to be determined in the near future to review the RFQ.

11. REQUEST FOR REGIONAL WATER PLANNING GRANT APPLICATIONS

Mr. Ingham noted that all applications have to be submitted by April 8, 2011. He asked for authorization for PRPC to submit the application, authorizing the posting of application and authorization to post notice of public hearing in conjunction with the next full PWPG meeting. Mr. Walthour made a motion to give those requested authorizations and Mr. Hallerberg seconded the motion. Motion carried by unanimous vote.

12. WATER RELATED ISSUES GOING INTO THE LEGISLATIVE SESSION

Chairman Williams noted that there was one bill already filed by Flynn stating that it would be up to each County Commissioner's Court to add a person from each County to the planning group. Mr. Walthour asked if this was filed last session also and Chairman Williams said he thought that a similar bill may have been filed and that this is one bill that the group may actively oppose. Mr. Ingham asked if the group needed to send a letter of opposition to the bill and Judge Cook stated that he would check into that bill through his contacts at the Texas Association of Counties and would get back to the full group. Chairman Williams also noted several bills which deal with other water issues. Senator Duncan has also filed a private property rights bill. There was also a general discussion among the group regarding how many people were going to Panhandle Days in Austin. Mr. Walthour asked Ms. Foster if Senator Duncan's bill was a replacement for Frasier's bill and she answered in the negative.

13. REGIONAL REPORTS – REGION B AND REGION O

Chairman Williams asked if there were reports from Regions B and O. Mr. Ingham noted that Region O has a new staff member, Mike McGregor, former City Manager of Midland.

14. **REPORT OR COMMENTS FROM TWDB PERSONNEL**

None

15. **OTHER BUSINESS, CLOSING COMMENTS**

Chairman Williams noted that Gale Henslee has resigned by letter from the Group, but that per his letter, he would like Rick Gibson to take his place. Mr. Ingham noted that the bylaws require 15 days notice, so the decision would have to be made at the next meeting. The March meeting was set for March 21, 2011 at 1:30p.m.

16. **PUBLIC COMMENT – RELATING TO PWPG ACTIVITIES**

All public at the meeting was asked to introduce themselves.

17. **ADJOURN**

There being no further business to come before the Group, the meeting adjourned at 3:05 p.m.