

PANHANDLE WATER PLANNING GROUP

Minutes

September 22, 2011

A meeting of the Panhandle Water Planning Group (PWPG) was held on Thursday, September 22, 2011, at 10:30 a.m. in the PRPC Board Room, 415 West Eighth Avenue, Amarillo, Potter County, Texas.

C.E. Williams, Chairman, presided.

MEMBERS PRESENT:

C.E. Williams, Water Districts, Dr. Nolan Clark, Environmental; Janet Guthrie, Public; Steve Walthour, Water Districts; Bill Hallerberg, Industries; Jim Derington, River Districts; Ben Weinheimer, Agriculture; John Williams, Water Districts; Grady Skaggs, Environmental; Emmett Autrey, Municipalities; Rick Gibson; Elec. Gen. Utility; Paul Baumgardner, Virginia Sabia, TWDB, Tonya Kleuskens, Environmental, Charles Munger, TPWD, Cleon Namken, NRCS, Cole Camp, Water Districts, Charles Cooke, Thomas Marek for Dr. John Sweeten, Higher Education; Rusty Gilmore, Small Business; David Landis, Municipalities, Lynn Daniel, Water Districts, Sandy Keys, Industries; Janet Tregellas, Agriculture, Simone Kiel.

MEMBERS ABSENT:

Joe Baumgardner, Vernon Cook, Tom Bailiff, Bill Hallerberg

OTHERS PRESENT:

Stefan Schuster, James Beach, Steve Amasson, Mina Fields, Dale Hallmark, Cole Camp, Kevin Welch, Cindy Cockerham

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

Chairman Williams called the meeting to order at approximately 10:30 a.m.

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

Designated Alternates were recognized:

3. **MINUTES**

Charles Cooke made a motion to approve the minutes. It was noted by members that the acronym for TWDB was listed as TDWB on the minutes, Charles Munger pointed out that he is not an environmental representative, CE Williams added his name to the members absent, Tonya Kleuskens noted her name was misspelled. Ms. Sabia noted a change that under #8, contracts were not executed, but had been authorized for execution. Amendment was accepted and seconded by Jim Derington. Minutes were approved as amended.

4. **DISCUSS AND ACTION AS NEEDED – APPOINTMENT OF SANDY KEYS TO THE VACATED INDUSTRIES SEAT UPON RECOMMENDATION OF OUTGOING MEMBER, DENISE JETT**

Mr. Keys gave a brief explanation of his background and professional experience. David Landis made a motion to approve Sandy Keys to the place vacated by Denise Jett and Charles Cooke seconded the motion. Motion carried unanimously.

5. **DISCUSS AND ACTION AS NEEDED – PWPG MEMBER REAPPOINTMENT OF MEMBERS WISHING TO CONTINUE SERVICE UPON EXPIRED TERMS AND APPOINTMENT OF REPLACEMENT MEMBERS FOR THOSE NOT CHOOSING TO ENTER ANOTHER TERM**

Mr. Ingham outlined the staggered terms and indicated those members whose terms were up for reappointment. He noted that all members whose terms are up for reappointment are willing to serve another term. Steve Walthour made a motion to approve their reappointment for another 3 year term and Emmett Autrey seconded the motion. Motion carried unanimously.

6. **DISCUSS AND ACTION AS NEEDED – PWPG OFFICER SELECTION**

Mr. Ingham noted the roster of current officers including C.E. Williams as Chairman, Vernon Cook as Vice Chairman, David Landis as Secretary, Dr. Nolan Clark as Treasurer and John Williams as Executive Committee member. He noted there is no limit on consecutive terms. Chairman Williams indicated that if anyone else would like to be Chairman that he would gladly pass the opportunity on. Janet Tregellas made a motion to approve the current slate of officers and Charles Cooke seconded the motion. Motion carried unanimously.

7. **DISCUSS AND ACTION AS NEEDED – CONSIDERATION OF BYLAW REVISIONS PERTAINING TO SENATE BILL 660 OF THE 82ND TEXAS LEGISLATURE, REQUIRING GMA MEMBERSHIP REVISIONS TO THE PWPG**

Mr. Ingham outlined Senate Bill 660 noting that all Water Planning Groups are required to appoint members from the GMAs located within the planning region. He noted that GMA #1 and GMA #6 both have responsibility within PWPG and noted that members from both represented GMAs must be appointed. He outlined the specifics from the bill, as adopted. He noted that a draft of the bylaws as they would be amended was included in the agenda packet. Membership make-up was discussed. Mr. Williams noted that he felt that reassigning a seat would be most appropriate. The different options of how to reassign and/or add seats were

discussed at length. Mr. Ingham was questioned as to his feelings on how to include the GMA representatives as required. He noted that changing one of the agriculture seats may be appropriate since a vacant seat exists in the GMA#6 portion of the region and has been vacated multiple times in the last five years. He also noted that water district representatives could decide to change one of their seats to the GMA seat now or at any time in the future. Chairman Williams noted that GMA could re-nominate one of those water district seats as a GMA seat and that current members could retain their seats, with one changing their representation. There was concern noted that individual Groundwater Districts need not have two votes on the PWPG in representing a GCD and a GMA. Charles Cooke made a motion to accept the amendments to the bylaws as drafted which would reassign seats. Mr. Ingham noted that accepting these bylaws would essentially vacate a filled seat. It was discussed that the PWPG should not act until GMA #1 acted on their appointment. It was noted that one Ag seat could change to a GMA seat, leave the water district seats as they are and wait to appoint the other GMA seat until after GMA meets next. It was noted that GMA will appoint for the position, but that PWPG has to create a position to accept that appointment. Ben Weinheimer indicated that the current bylaws basically outline that the region will follow statute as to the members that are included, and since SB 660 added the two GMAs to the PWPG that there is really only need for minimal revisions. Mrs. Kleuskens moved that one agriculture seat be converted to a seat for GMA #6. Mr. Walthour pointed out that a motion was on the table from Mr. Cooke. No second was made for Mr. Cooke's motion. After Chairman Williams re-read the motion, the motion died for lack of second. Mr. Walthour moved that the agriculture position discussed be converted to a GMA#6 position and that a second GMA position be added. He also noted in his motion that members be accepted based upon the recommendation of the GMA. Ms. Guthrie seconded the motion. Chairman Williams outlined the motion again. Mr. Williams asked if it was necessary to note all positions in the bylaws. It was noted that Mr. Walthour's motion was to essentially create two additional required GMA positions with no bylaw change. Mr. Weinheimer noted that Section 16.053(c) stipulates the requirements and that the bylaws already accept that section. Chairman Williams then withdrew all motions and seconds currently on the table. Mr. Weinheimer then reaffirmed the bylaws as they are with no amendments and Emmett Autrey seconded the motion. Motion carried unanimously.

8. **DISCUSS AND ACTION AS APPROPRIATE – APPOINTMENT OF REPRESENTATIVES FROM GMA#6**

Mr. Williams made a motion to accept the appointment of Lynn Daniel, GMA#6 representative, to PWPG. Mr. Walthour seconded the motion. Ms. Daniel thanked the group for the opportunity. Motion carried unanimously.

9. **FINANCIALS**

Dr. Clark went over the financial reports. Dr. Clark noted that all funds expended during the interim period between contracts came out of the local fund. He updated the group that approximately \$127,000 had been received from the state and those funds can be used as of the 1st of October. Mr. John Williams asked if any funding expended during the interim period would be reimbursed and it was noted that those funds are eligible for reimbursement. It was discussed that the group would set up a receivable

for that reimbursed amount. Dr. Clark moved to accept the report and Mr. John Williams seconded. Motion carried unanimously.

10. **DISCUSS AND ACTION AS APPROPRIATE – TWDB CONTRACT FOR 2016 PANHANDLE REGIONAL WATER PLANNING PROCESS**

Mr. Ingham noted that the PRPC Board of Directors had approved the contract, as recommended previously by PWPG. Chairman Williams, upon review of the contract, made request to TWDB that amendments to the budget be made. Mr. Ingham noted that some requested shifts were approved and some were not. He then read from the TWDB explanation. No action necessary.

11. **DISCUSS AND ACTION AS APPROPRIATE – POPULATION DEMAND REVISIONS AND NON-POPULATION BASED REVISIONS**

Ms. Kiel noted that population demands would not be developed until the late Spring 2012 for municipal demands. However, she did note that non-municipal demands would be out in the late fall. There was brief discussion of population changes from the 2000-2010 Census and Ms. Kiel noted she does not anticipate a large change in municipal changes do to the low growth rate in the Panhandle area. However, she did note an expected change in agriculture demands. Well field statistics were also discussed at this time.

12. **DISCUSS AND ACTION AS APPROPRIATE – SCOPE OF WORK DEVELOPMENT FOR SUPPLEMENTAL FUNDS APPLICATION**

Chairman Williams noted his desire to allow the committees to make recommendations on changes to scope of work. Dr. Clark asked Mr. Ingham to send out solicitation to PWPG members to see if any members desire to serve on committees. Ms. Kiel explained how the modeling and allocations were developed in the last planning cycle to determine strategies for planning purposes. No action was necessary.

13. **DISCUSS AND ACTION AS APPROPRIATE – DROUGHT CONTINGENCY PLANS, AVAILABILITY AND USAGE IN THE PWPG AREA**

Mr. Ingham outlined the status of drought contingency plans in municipalities in the Texas Panhandle. He also noted that there are 18 cities/special districts which have filed drought contingency plans which are statutorily required as of 5/1/2009. There was discussion as to the different portions of the plan, as well as how to find copies of each city's plan. Ms. Kiel asked Mr. Ingham if there was a need for assistance in drought contingency planning. He answered that no, there was no need for formal assistance in that area and that most cities, so far, have been able to take care of that planning on their own. No action was Necessary

14. **REGIONAL REPORTS – REGION B AND REGION O**

Ms. Sabia gave brief reports for the regions. However, representatives with neither region were in attendance at the meeting.

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

Ms. Sabia noted that the draft of the 2012 State Water Plan had probably been adopted as of meeting time. She also stated that public comment would be solicited on the plan.

16. **OTHER BUSINESS**

Ms. Kleuskens asked about the letter which came from a resident at Timbercreek as requested in May 2011. Mr. Ingham noted that contact had been made and that the requestor, Mr. Kyle Black, had been contacted and had his questions met.

17. **ADJOURN**

There being no further business to come before the Group, the meeting adjourned at approximately 12:15pm.