

MINUTES – JANUARY 13, 2009
BIG BEND GROUNDWATER MANAGEMENT DISTRICT #5
MEETING OF THE BOARD OF DIRECTORS

The monthly board meeting of the Big Bend Groundwater Management District #5 was held at the District office in Stafford on Tuesday, January 13, 2009. Board members present were Kent Lamb, John Janssen, Vernon Hirt, Kraig Froetschner, Darrell Wood and Phillip Martin. Curtis Tobias, Ed Shultz and Kevin Schultz were absent. District staff present was Sharon Falk. Guest present was Lisa Allen.

President Kent Lamb called the meeting to order at 1:35 p.m.

John Janssen moved Darrell Wood seconded to approve the December minutes as mailed. Motion carried 6-0.

Darrell Wood moved and Vernon Hirt seconded to accept the treasurer's report. Motion carried 6-0.

The board discussed the district's election policy. John Janssen moved Vernon Hirt seconded to revise the current policy to include language that prearranged voting status is required in specific situations. Motion carried 6-0. The amended policy is as follows:

Q. District Election Policy

Adopted February 15, 2001

Amended September, 11, 2001

Amended January 13, 2009

In order to facilitate a more formal process in the annual District elections, the Board of Directors, Big Bend Groundwater Management District No. 5 adopts the following policy:

a. The District shall prepare from its records annually an eligible voter list, for use during all voting events, of all known eligible voters based on land ownership and permitted water use.

b. Unless known to or approved by the election officer, any person requesting a ballot(s) on behalf of any estate, trust, municipality, or public or private corporation will be required to furnish written proof of voter status as follows: 1) for an estate, the person must be an Executor or Administrator; b) for a trust, the person must be a Trustee; c) for a Municipality, the person must be a duly authorized representative appointed by the elected governing body, or d) for a Public or private corporation, the person must be a Corporate Officer. In each case such approved voter authority shall be construed to be effective for that election only, and pre-arranging such voting status in advance of the voting event shall be required.

c. Unless known to or approved by the election officer, any person requesting a ballot for land which is leased, held under an estate for years or held under contract shall furnish written confirmation from the deed holder that a voting agreement has been reached which authorizes the tenant or contract holder to vote, specifying at least one tract of land on which the agreement has been reached. A tenant or contract holder cannot collect more than one such

agreement. In each case such written authority shall be construed to be effective for that election only. Pre-arranging such voting status in advance of the voting event shall be required.

d. Any person requesting a ballot based on water use in excess of 325,851 gallons of non-permitted water use, shall furnish written confirmation of such use consisting of either; a) water utility receipt(s) showing total calendar year annual use from the previous year; b) energy and pumping records from the previous calendar year substantiating such use; or c) other documentation sufficient to support such use within the previous calendar year. In each case such written authority shall be construed to be effective for that election only. Pre-arranging such voting status in advance of the voting event shall be required.

The board reviewed the draft conflict of interest policy as prepared by the manager. Darrell Wood moved Phillip Martin seconded to make the necessary changes as recommended by the board for consideration at the annual meeting. They will be included in the District by-laws if approved at the annual meeting. Motion carried 6-0.

Kraig Froetschner left the meeting at 3:00 p.m.

With no further business to discuss, the meeting adjourned at 5:00 p.m.