Board Minutes of The

Permian Basin Underground Water Conservation District

February 25, 2021

**Agenda 1** - The President will call the regular meeting to order via video/teleconference.

* Board President Richie Tubb called the regular meeting to order at 7:28 p.m. Also in attendance: Vice President Raymond Straub Jr., Board Members Brandon Borgstedt, Brad Tunnell, and Ed Miller, General Manager Dallen Skinner, and consultants for the District Ray Brady and Amy Bush.

Permian Basin UWCD, in order to maintain governmental transparency and continued government operation while reducing face-to-face contact for government open meetings, implemented measures according to guidelines set forth by the Office of the Texas Governor, Greg Abbott. In accordance with section 418.016 of the Texas Government Code, Governor Abbott has suspended various open-meetings provisions that require government officials and members of the public to be physically present at a specified meeting location. PBUWCD’s adherence to the Governor’s guidance temporary suspension procedure ensures public accessibility and opportunity to participate in PBUWCD’s Public Hearing.
**Members of the public wishing to make public comment during the hearing were directed to register by emailing** permianbasin@pbuwcd.com **prior to 2:00 p.m. on February 25, 2021. A copy of the agenda packet was available on the PBUWCD’s website at the time of the hearing.**

In accordance with Chapter 36.408 of the Texas Water Code, the details and record of this hearing were recorded and will be on file at the District Office.

**Agenda 2** – Public Comment (Limited to 5 minutes and may speak on any agenda item)

* There were no public comment registrations emailed to the District nor were there public comments made at the time of meeting.

**Agenda 3** – The Board will consider approval of the minutes of the board meeting of January 21, 2021.

* Raymond Straub then made motion to approve the amended minutes. It was seconded by Brad Tunnell and passed unanimously.

**Agenda 4** - The Board will consider approval of a report from the manager on the financial status of the PBUWCD and of the bills incurred by the District since the last Board meeting.

* The financial statements and bills for January 2021 were reviewed. Amy reported that Donna Springer had looked at the financials just to make sure it was ready for hand off to the new manager, and found a small discrepancy where an employee’s vision and dental plan rates had gone up and the amount coming out of the payroll check needed to be adjusted, but otherwise everything was standard business. The Board instructed staff to make the adjustment but not retroact it.
* Motion to approve January 2021 financial statements and bills – Raymond Straub Jr., Second – Ed Miller. All approved.

**Agenda 5** -The Board will consider approval of applications, extensions, and amended permits received since the last Board meeting.

* Motion to approve – Brad Tunnell, Second – Ed Miller. Richie Tubb refrained from voting since he has a permit on the agenda. He has already signed a disclosure of conflict of interest. All approved.

**Agenda 6** – The Board will consider approval of opening a sweep account at First National Bank of Stanton.

* Amy reported that in the course of finding out the particulars of what account First National Bank recommended, Connie at the bank said since this was a once a year issue she recommended the bank just pledge another $150,000 of securities to insure the current account up to $550,000. Ed Miller made the motion to have the bank pledge those securities. Brad Tunnell seconded the motion and it passed unanimously.

**Agenda 7 –** Manager’s Report

* Amy let the board know that since the manager transition was ongoing, the manager’s report was going to be somewhat longer than usual so the board could be sure to know everything that was going on. First she reported that some money needed to be transferred to allow deposits to be made in the Big Spring State National Bank. The Board suggested $50,000 would be appropriate. She also reported that a double charge had been run through on a credit card and the company wanted a copy of our bank statement proving that. The Board was amenable to providing that bank statement with the account numbers redacted. She reported Shain was almost done measuring wells, and he and Charlotte finalized the average fracking use report for 2020, which was down quite a bit from 2019. Dallen and Shain are going to go out and measure the last few wells tomorrow. She reported Misty had gotten the scholarship information out, written articles for the paper, and was asking for guidance regarding whether to hold an in-person rainwater harvesting workshop. The Board was supportive of her looking into doing that in a safe manner. Michelle has asked about getting a phone reimbursement, but the Board wanted to see her job description and consider that further at the next meeting. There was also a question about part-time employees receiving pay for time off for covid, but not for inclement weather, and the Board thought that was the appropriate way to handle that. The District has not historically participated in the TAGD GCD index, and the Board said that was a good way to continue handling it until Dallen got familiar with everything. Dallen and Amy reported that the 2019 pickup was in the shop for the 4th time. It only has 3,000 miles and it has 2 cylinders fouled. The new pickup should arrive in a few weeks and the staff would rather trade off this problematic pickup than the old one. That trade deal was done via a bid process so that may not work, but Dallen was instructed to research the lemon laws regarding the 2019 vehicle. Amy stated that there were several meetings coming up, including an opportunity to meet the lobbyist the District had hired through WTRGA on March 6th, and a GMA 2 meeting March 25th. She asked Ed Miller to get his social security card to the bank, Ed Miller and Brandon Borgstedt to complete their Open Meetings Act Training, and all of the Board to complete their Cyber Security Training by June. She reported that she and Ray were very pleased with the success of the Manager Hiring Program.

**Agenda 8** - The Board will consider adjourning into Executive Session in accordance with the Open Meeting Act, Texas Government Code 551.074 (A) (1) 1.

* + Adjourn to Executive Session to discuss personnel matters.
	+ The President in accordance with the Open Meeting Act, Texas Government Code 551.074 (A) (1) 1 adjourned into Executive Session at 8:26 p.m. Motion was made by Raymond Straub Jr. and seconded by Ed Miller. It passed unanimously.

**Agenda 9** - The Board will reconvene in Open Session.

* The President reconvened into Open Session at 8:45 p.m. by motion from Ed Miller and second from Raymond Straub, Jr. with all approving.

**Agenda 10** – The Board will consider approval of amendment to RMBJ Geo’s contract.

* The Board discussed and decided not to make a motion on this item. There is a contract in place that has a goods and services line item. The Board instructed Dallen Skinner to use RMBJ Geo as needed for training under the existing contract

**Agenda 11** – The Board will consider approval of an employee contract with the new General Manager John Dallen Skinner.

* Amy reported she had been in touch with the employment lawyer Sheila Gladstone at Lloyd Gosselink. Her opinion was that there did not need to be an employment contract since Mr. Skinner had signed the offer letter and this was an at-will employment state. After discussion, the Board decided they did want a contract drawn up just to formalize the employment agreement. Mr. Skinner will work with Ms. Gladstone to get that ready to present to the Board at the next meeting. Raymond Straub, Jr made the motion to proceed with a contract. It was seconded by Brad Tunnell and approved unanimously.

**Agenda 12** – The Board will discuss and may take action on items discussed in Executive Session.

* Motion to remove Donna Springer and add John Dallen Skinner to all of the bank accounts was made by Ed Miller. Second – Brad Tunnell. All approved.

**Agenda 13** – Adjourn

* Motion to adjourn at 8:50 p.m. – Raymond Straub Jr., Ed Miller, Second –All approved.

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 President, Richie Tubb

Attest:

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Board Member, Brad Tunnell

Date Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_