

THE STATE OF TEXAS * GROUNDWATER CONSERVATION DISTRICT
COUNTY OF KENEDY * OF KENEDY COUNTY, TEXAS

On the 18th day of January, 2012, at 8:00 o'clock a.m., a regular meeting of the Kenedy County Groundwater Conservation District was held in Sarita, Texas, at the Kenedy County Courthouse.

Directors present:

Chuck Burns, President
Homero Vera, Vice-President
David Delaney, Secretary
Craig Weiland

Also present:

Leo Villarreal, Administrative Assistant
Andy Garza, General Manager

Absent:

Daniel Y. Butler
Mary Sahs

1. Call Meeting to Order

Chuck Burns, President, called the meeting to order at 8:00 a.m.

2. Public Comments

No public comments were made.

3. Discuss & Act on Administering Oath of Office and Bond to Craig Weiland

Chuck Burns, President, informed the Board of Directors that the Oath of Office needed to be administered to Craig Weiland as a Director for the remainder of Jerry Miller's term, which expires on December 31, 2014.

Mr. Weiland proceeded to take the oath of office and signed the Statement of Officers and Bond, which are filed with the District records.

No vote being needed, none was taken.

4. Discuss & Act on Minutes of December 14, 2011, Regular Meeting

Chuck Burns, President, presented to the Board of Directors the Minutes of the December 22, 2011, regular meeting of the Kenedy County Groundwater Conservation District.

Homero Vera moved and David Delaney seconded the motion; the motion was unanimously passed that the December 22, 2011 regular meeting minutes be accepted as presented.

5. Receive General Manager's Activity Report and Act, If Necessary, Regarding:

- a. **TWDB Water Level Measurements Schedule for Kenedy County**
- b. **Brush Country GCD Meeting of January 5, 2012**
- c. **Letter from Ed McCarthy**
- d. **Water Usage Reports**
- e. **Other**

Andy Garza, General Manager, reported to the Board of Directors regarding the following matters:

TWDB Water Level Measurements Schedule for Kenedy County: Andy Garza informed the Board of Directors that David Garcia, TWDB Field Technician, will be measuring hydrostatic levels in Kenedy County on January 26, 2012 and that he will accompany Mr. Garcia during the measuring.

Brush Country GCD Meeting of January 5, 2012: Andy Garza informed the Board of Directors that he had attended the Brush Country GCD meeting in Falfurrias on January 5, 2012. He commented on Steve Young's presentation which basically re-evaluated the impacts of pumping in the Kenedy County GCD on the Brush Country GCD. Young's sensitivity analysis showed that increases in pumping in the Brush Country GCD would have a greater impact on Jim Wells County than on Jim Hogg County. Interestingly, Young's presentation did not mention the 70% of the wells going dry in Jim Hogg County.

Letter From Ed McCarthy: Ed McCarthy, an Austin attorney, has requested that he receive all meeting notices that pertain to rulemaking and permits. His name has been added to the list of recipients of the District's agendas.

Water Usage Reports: Andy Garza informed the Board of Directors that 2011 water use and temporary rig supply production reports are beginning to be received by the District. Andy Garza distributed handouts showing entity names, permit amounts, and actual usage and production.

Other: Andy Garza informed the Board of Directors that that he had provided assistance to Headington Oil Co., EOG Resources, Dr. Lee Clapp, Bobby Castillo and Fausto Yturria.

This being a report only, no vote was needed and none was taken.

6. Receive DBSA Report on Water Chemistry Results for Second Sampling Event as Per Uranium Project

Andy Garza, General Manager, presented to the Board of Directors Daniel B. Stephens & Associates' report on water chemistry results regarding the second sampling event of the uranium project. He reported that the results are very similar to the first water chemistry results.

This being a report only, no vote was needed and none was taken.

7. Discuss & Act, if Necessary, to Determine Need to Contract with DBSA for Third Sampling Event for Uranium Project

Andy Garza, General Manager, presented to the Board of Directors a letter from Stefan Schuster seeking to justify a third sampling event. After some discussion, the board came to the consensus that it would consider a third sampling event before the start of the mining phase.

David Delaney moved and Craig Weiland seconded the motion; the motion was unanimously passed that the third sampling be tabled at the time.

8. Receive Update on State Audit of District

Andy Garza, General Manager, and Leo Villarreal updated the Board of Directors on the State Audit of the District.

This being a report only, no vote was needed and none was taken.

9. Receive Report on Action Taken by Kenedy County Commissioners' Court on Relocating GCD Office to Courthouse

Andy Garza, General Manager, and Leo Villarreal informed the Board of Directors that the Kenedy County Commissioners' Court authorized the use of the Courthouse first floor office by the District and the continued use of the District's present office in the Courthouse annex for storage. The preparation of a Memorandum is being considered by the Commissioners' Court.

This being a report only, no vote was needed and none was taken.

10. Receive Report on GMA-16 Meeting Held on January 17, 2012

Andy Garza, General Manager, presented to the Board of Directors a report on the GMA-16 meeting held on January 17, 2012. He reported that there are still some GCDs that have not approved the Interlocal Participation Agreement or the willingness to provide financial assistance for model runs needed to revise the DFC.

This being a report only, no vote was needed and none was taken.

11. Discuss & Act on 2011 Budget Amendments

Leo Villarreal informed the Board of Directors that the following amendments needed to be made to the 2011 Budget:

Manager Within Budget - \$4,013.23:

Transfer \$3,500.00 from Technical Services to Manager
Transfer \$173.25 from Audit to Manager
Transfer \$100.00 from Tax Office Commission to Manager
Transfer \$239.98 from Appraiser Fees to Manager

Manager From General Fund (outside Budget) - \$10,986.77

Transfer \$10,986.77 from General Fund to Manager

Legal Within Budget (\$43,272.86):

Transfer \$104.02 from Bank Charges to Legal
Transfer \$11,733.75 from Computer/Software to Legal
Transfer \$10,000.00 from Contingency to Legal
Transfer \$1,500.00 from Continuing Education to Legal
Transfer \$412.00 from Liability Insurance to Legal
Transfer \$3,810.00 from Manager's Health Insurance to Legal
Transfer \$200.00 from Manager's Cell Phone to Legal
Transfer \$6,539.78 from Manager's Travel & Education to Legal
Transfer \$3,216.50 from Manager's Mileage to Legal
Transfer \$350.65 from Office Long Distance to Legal
Transfer \$1,930.56 from Public Education Brochure to Legal
Transfer \$879.00 from Water Quality Projects to Legal
Transfer \$460.60 from Taxes – Payroll to Legal
Transfer \$500.00 from Water Quality Projects to Legal
Transfer \$1,500.00 from Water Test Supplies to Legal
Transfer \$136.00 from Worker's Compensation to Legal

Legal From General Fund (outside budget) - \$19,278.07

Transfer \$19,278.07 from General Fund to Legal

From General Fund to Other Line Items (outside budget) - \$34,520.49

Transfer \$297.50 from General Fund to Accounting
Transfer \$332.75 from General Fund to Dues & Subscriptions
Transfer \$19,657.19 from General Fund to Elections
Transfer \$8.62 from General Fund to Equipment
Transfer \$615.00 from General Fund to Maps & Records
Transfer \$609.59 from General Fund to Office Supplies
Transfer \$46.83 from General Fund to Postage
Transfer \$1,182.46 from General Fund to Public Notices
Transfer \$11,770.55 from General Fund to Well Monitoring

Homero Vera moved and David Delaney seconded the motion; the motion was unanimously passed that the following amendments be made to the 2011 Budget:

Manager Within Budget - \$4,013.23:

Transfer \$3,500.00 from Technical Services to Manager
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Transfer \$1,182.46 from General Fund to Public Notices
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12. Discuss & Act on Date of Next Board Meeting

Chuck Burns informed the Board of Directors that a date for the February 2012 meeting needed to be determined.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that the next regular Board of Directors meeting be held on Tuesday February 21, 2012, at 8:00 a.m.

13. Discuss & Act on Payment of Bills

Chuck Burns presented the bills to the Board of Directors and informed the Board of Directors that the bills should be considered for payment.

Homero Vera moved and Craig Weiland seconded the motion; the motion was unanimously passed that the bills be paid as presented.


14. Adjournment

There being no other business to come before the Board of Directors, Homero Vera moved and David Delaney seconded the motion; the motion was unanimously passed that the meeting be adjourned at 9:00 o'clock a.m.



David Delaney, Secretary

ATTESTED TO:



Chuck Burns, President