

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

On the 23rd day of May, 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, Board Member

**Also present:**

Leo Villarreal, Administrative Assistant  
Andy Garza, General Manager  
Mary Sahs  
Kathryn Miles  
Felix Saenz, Brush Country GCD  
Shana Horton, La Paloma Ranch  
Bob Renbarger, Laborcitas Ranch

**Absent:**

Daniel Y. Butler, Board Member

**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 Minutes of April 25, 2012, Regular Meeting**

Chuck Burns, President, presented to the Board of Directors the Minutes of the April 25, 2012, 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 April 25, 2012 regular meeting minutes be accepted as presented.

**4. Executive Session Under Texas Open Meetings Act, Section 551.071, Consultation To Provide the Directors With Legal Advice on District Rules**

Chuck Burns informed the Board of Directors that the Board was now adjourned to Executive Session at 8:15 o'clock a.m. pursuant to Texas Open Meetings Act, Tex. Gov't Code, Section 551.071 to consult with the District's attorney.

The Board of Directors returned to Open Session at 8:25 o'clock a.m.

**5. Conduct District Rules Amendment Work Session**

The Board of Directors, Andy Garza and Mary Sahs reviewed Rule 2: Definitions, and Rule 3: Registration and Permitting, in their entirety. Staff will work on definitions for active and inactive wells and on the definition of domestic use and how it relates to hunting lodges. Mary Sahs and staff will work on the domestic use definition to include hunting lodges. Mary Sahs asked the Board if there was any other rule that needed to be brought before the Board for review. Dave Delaney proceeded to suggest changes to Rules 7.3 and 7.5.A which pertain to penalties and civil enforcement. The Board agreed with the changes that will be on the proposed rules.

Mary Sahs informed the board that a complete red-lined draft copy of the rules would be available for the June 20, 2012 meeting.

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

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

Andy Garza, General Manager, reported to the Board of Directors as follows:

- a. Assistance was given to:  
Region N on revised irrigated acreage for Kleberg County; to Brush Country GCD to verify measurements taken with laser meter; and the District provided information to LNV Engineering on recharge features of the district.
- b. Distribution of the following was made:  
A copy of TAGD's statement, as per Day vs. EAA, on groundwater ownership, regulation, etc., and an article on the water reuse project being implemented in La Villa, Texas.
- c. Attendance of meetings:  
The monthly meeting of the Kleberg-Kenedy SWCD board of directors on 5/14/12.
- d. Further, that a Personnel Policy manual will be developed by Andy Garza and Leo Villarreal by the June 20, 2012 board meeting.

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

**7. Discuss and Act, If Necessary, to purchase pens with District Name, Address & Phone Number**

Andy Garza informed the Board of the opportunity to order 50 ballpoint pens with the District's name for \$1.29 each plus an additional 100 free pens.

Homero Vera moved and Craig Weiland seconded the motion; the motion was unanimously passed that Andy Garza is authorized to order the 150 pens.

**8. Discuss and Act, If Necessary, to approve travel request for General Manager to Attend TAGD Meeting on June 26-27, 2012 in Austin, TX**

Andy Garza informed the Board of the need for him to attend the TAGD quarterly meeting on June 26-27, 2012, in Austin, Texas.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that Andy Garza is authorized to attend TAGD meeting on June 26-27, 2012, in Austin, Texas.

**9. Discuss and Act, If Necessary, to Approve General Manager's Leave Request For June 7&8, 2012**

Andy Garza reminded the Board that he had been with the District since May 2012 and would appreciate taking June 7 and 8, 2012, as leave.

David Delaney moved and Homero Vera seconded the motion; the motion was unanimously passed that Andy Garza's leave request be approved as presented.

**10. Receive Report On Status Of Revised Management Plan**

Andy Garza informed the Board that the management plan had been submitted to the TWDB on May 7, 2012 and that it would take 3 to 4 weeks to receive a response from the TWDB.

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

**11. Receive Report and Act, If Necessary, On Joint Planning in GMA-16, Including Report on Meeting Held on May 22, 2012**

Andy Garza and Mary Sahs reported to the Board regarding the GMA-16 meeting held on May 22, 2012, in Falfurrias, Texas. They reviewed the reasons for the amended Interlocal Agreement for Cost Sharing that had been approved at that meeting. The amendment provides that only 2/3 of membership need to approve amended agreement and the amount contributed may be less than \$41,500.00. Andy Garza and Mary Sahs recommended the amended agreement to the Board. Mary Sahs stated that

Andy Garza and Dr. V. Uddameri would serve on the Contract Negotiations Committee to finalize the contract with Bar W.

Craig Weiland moved and David Delaney seconded the motion; the motion was unanimously passed that the amended Interlocal Agreement for Cost Sharing be approved as presented.

**12. Discuss and Act, If Necessary, on Registration and Permitting Report**

Mary Sahs informed the Board of Directors that the only part of her report that needed action was whether to send reminder letters to ExxonMobil and Tecpetrol for being late with water quality and water use reports, respectively.

David Delaney moved and Craig Weiland seconded the motion; the motion was unanimously passed that the reminder letters be sent to ExxonMobil and Tecpetrol and that Chuck Burns is authorized to sign the letters.

**13. Discuss and Act on Date of Next Board Meeting**

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

Homero Vera moved and Craig Weiland seconded the motion; the motion was unanimously passed that the next regular Board of Directors meeting be held on Wednesday, June 20, 2012, at 8:00 a.m.

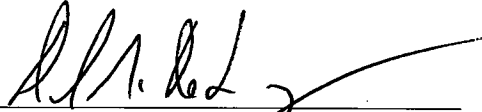
**14. Discuss and Act on Payment of Bills**

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


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

**15. Adjournment**

There being no other business to come before the Board of Directors, Homero Vera moved and Craig Weiland seconded the motion; the motion was unanimously passed that the meeting be adjourned at 10:41 o'clock a.m.

  
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David Delaney, Secretary

ATTESTED TO:

  
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Chuck Burns, President