

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

On the 17th day of October, 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 Memorial Foundation Carriage House.

Directors present:

Chuck Burns, President
Homero Vera, Vice-President
Craig Weiland, Board Member
Danny Butler, Board Member

Also present:

Leo Villarreal, Administrative Assistant
Andy Garza, General Manager
Felix Saenz, Brush Country GCD
J.D. Head, Laboritas Ranch
Shana Horton, El Coyote Ranch

Absent:

David Delaney, Secretary

1. Call Meeting to Order

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

2. Receive Public Comments

No comments were received.

3. Discuss and Act on Approval of September 7, 2012, Regular Meeting Minutes and September 21, 2012, Special Meeting Minutes

Chuck Burns presented to the Board the minutes of the September 7, 2012, regular meeting and the September 21, 2012, Special meeting of the Kenedy County Groundwater Conservation District.

Danny Butler moved and Homero Vera seconded the motion; the motion was passed unanimously that the September 7, 2012, regular meeting minutes and the September 21, 2012, special meeting minutes be approved as presented.

4. **Receive General Manager's Activity Report and Act, If Necessary, Regarding:**
 - a. **Approval of District Management Plan by TWDB**
 - b. **Annual letter to water well drillers**
 - c. **Well registrations**
 - d. **TWDB irrigation survey**
 - e. **Brush Country GCD meeting**
 - f. **Kleberg-Kenedy SWCD local workgroup meeting**
 - g. **CIAP committee activities**
 - h. **Outreach and education activities**
 - i. **TAMUK water sampling survey in Kenedy County**
 - j. **Quarterly drought assessment**
 - k. **News articles**
 - l. **Other**

Andy Garza reported on the following: (a) The District's Management Plan was approved by the TWDB on September 4, 2012. The Plan will need to be approved in 2017; (b) annual informational letters have been mailed to water well drillers doing business in the District; (c) Vern Crocker and the H. Yturria Land and Cattle Co. have registered their water wells with the District; (d) the annual irrigation survey conducted by the TWDB was completed and submitted as requested; (e) the Brush Country GCD has submitted its Management Plan for approval to the TWDB and are in the process of commencing work on their rules; (f) Garza attended the local workgroup meeting, sponsored by the Kleberg-Kenedy SWCD, where best management practices were prioritized for fiscal year 2013; (g) Chuck Burns and Andy Garza are on the CIAP Committee which will oversee the implementation of Rangeland Stormwater Management project in Kenedy County; (h) Andy Garza will be working with the schools in Sarita, Riviera and Santa Gertrudis and the county agents in Kleberg and Willacy counties to promote groundwater conservation education; (i) TAMUK will resume sampling water wells in Kenedy on October 19, 2012; (j) drought assessment report for the third quarter was given to the Directors; (k) the annual news article on water conservation done jointly with the USDA-NRCS has been published in the Kingsville Record; news article pertinent to the drought was distributed to the Directors; and (l) Andy Garza shared email message from Dr. Uddameri who has accepted a position with Texas Tech University and also reported that 13 dozens of tamales had been distributed at the annual National Night Out block party in Sarita on October 2, 2012.

5. **Discuss and Act on Proposed Chapter for the Kenedy County GCD for Inclusion In The Special District Local Laws Code as Per Letter from The Texas Legislative Council**

Andy Garza, General Manager, presented the Board of Directors with the proposed chapter for the Kenedy County Groundwater Conservation District for inclusion in the Special District Local Laws Code as per letter from the Texas Legislative Council.

Danny Butler moved and Craig Weiland seconded the motion; the motion was passed unanimously that authorized Andy Garza and Leo Villarreal to review the aforementioned chapter and provide comments to the Texas Legislative Council if needed.

6. **Discuss and Act on Approving Petition for Annexation Filed by Leonard May of Jim Wells County Property**

Chuck Burns presented Leonard May's Annexation Application. Chuck Burns informed the Board of Directors that Leonard May's Annexation Petition consists of a tract of land in Jim Wells, Kleberg and Nueces Counties that is adjacent to and is contiguous to the Kenedy County Groundwater Conservation District, and is more particularly described in the aforementioned petition, and which is incorporated herein for all purposes.

Chuck Burns further informed the Board of Directors that Leonard May is a landowner; that the land, being contiguous to the District, the annexation is permitted by the Texas Water Code Chapter 36, Subchapter J; and that adding Leonard May's tracts of land to the District will be to the advantage of Leonard May, the landowner, and to the District because it will permit a more consistent and wide-spread conservation, preservation, protection, recharging and prevention of waste of groundwater and of groundwater reservoirs.

After considerable discussion and deliberation, Danny Butler moved and Craig Weiland seconded the motion; the motion was unanimously passed, that Leonard May's Annexation Application be granted and it is hereby

RESOLVED that Leonard May's Petition to Add Land to the Kenedy County Groundwater Conservation District be granted; and

BE IT FURTHER RESOLVED that the effective annexation date of Leonard May's tracts of land in Jim Wells County is October 17, 2012, the date of this Resolution.

RESOLVED AND PASSED IN SESSION ON THE 17th DAY OF OCTOBER, 2012.

7. **Discuss and Act, If Necessary, on Directors and General Manager Attending the 9th Annual Holt Cat Symposium on Excellence in Ranch Management on October 25-26, 2012, in Kingsville, TX and Payment Thereof**

Chuck Burns informed the Board of Directors that it would be appropriate for Andy Garza and several of the Directors to attend the 9th Annual Holt Cat Symposium on Excellence in Ranch Management on October 25-26, 2012, in Kingsville, Texas and that the registration fees be paid by the District.

Homero Vera moved and Craig Weiland seconded the motion; the motion was passed unanimously that Andy Garza and Directors attend the 9th Annual Holt Cat Symposium on Excellence in Ranch Management on October 25-26, 2012, in Kingsville, Texas, that the registration fees be paid by the District and proper posting be made in case a quorum of Directors attend the meeting.

8. Discuss and Act, If Necessary, on Letter from Mary Sahs Regarding Legal Representation Billing Rates

Chuck Burns informed the Board of Directors that Mary Sahs had submitted a letter regarding legal representation billing rates. Billing rates will be \$200 per hour for work done by Mary Sahs and \$100 per hour for paralegal assistance.

Danny Butler moved and Homero Vera seconded the motion; the motion was passed unanimously that the billing rates set forth by Mary Sahs be accepted.

9. Discuss and Act, If Necessary, to Contract With Williams Web Solutions to Redesign/Update District Website

Chuck Burns presented the Board of Directors with a contract from Williams Web Solutions to redesign/update the District's website. Andy Garza reported that the District's website had not been updated in 5 years.

Homero Vera moved and Craig Weiland seconded the motion; the motion was passed unanimously that Williams Web Solutions be contracted to redesign/update the District's website at a cost of \$625.00.

10. Discuss and Act, If Necessary, to Renew District Membership in TAGD and Approve Payment Thereof

Chuck Burns informed the Board of Directors that it was necessary to renew the District's membership in TAGD and to pay its dues fiscal year 2013.

Craig Weiland moved and Homero Vera seconded the motion; the motion was passed unanimously that Kenedy County Groundwater Conservation District's membership in TAGD be renewed and the dues paid.

11. Discuss and Act, If Necessary, on Subscribing to TWCA's Legislative News of the 83rd Legislative Session

Chuck Burns recommended to the Board of Directors that the Kenedy County Groundwater Conservation District subscribe to TWCA's legislative news of the 83rd Texas Legislative Session; that the cost would be \$795.00 per regular session for members. Andy Garza informed the board that he had asked Stacey Steinbach, Executive Director of TAGD, if TAGD would be providing similar services to its member districts. Mrs. Steinbach indicated that it would provide such services during the Legislative Session. Andy Garza recommended that the District not pay for services from TWCA and go with the TAGD services. Board agreed.

Danny Butler moved and Craig Weiland seconded the motion; the motion was passed unanimously that the Kenedy County Groundwater Conservation District not subscribe to TWCA's legislative news of the 83rd Texas Legislative Session.

12. Discuss and Act, If Necessary, on GMA-16 Joint Planning Activities

Andy Garza, General Manager, informed the Board of Records regarding GMA-16 Joint Planning Activities. The agenda for the meeting was given to Directors.

No vote was needed and none was taken.

13. Receive Report on Cancellation of Elections

Leo Villarreal informed the Board of Directors that the November 6, 2012, elections for the Board of Director positions in Precincts 3 and 4 had been cancelled due to there not being any opponents.

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

14. Discuss and Act on Enrolling Card Services Center for Automatic Deduction Payment to Avoid Late Payment Fees

Leo Villarreal informed the Board of Directors that it was in the best interest of the District to enroll for automatic deduction payment from the checking account regarding payment of the District's credit card in order to avoid paying late fees. Danny Butler recommended that it not be done because it would be better for the District to review the bill prior to paying and that if an incorrect amount was paid, it could be a tedious process to correct it. Other Directors agreed.

No action was taken on this item.

15. Discuss and Act on Ordering Hylson Minute Book for 2013 from Excelsior Blumberg

Leo Villarreal informed the Board of Directors that it was necessary to order the 2013 Minutes Book from Excelsior Blumberg at a cost not to exceed \$300.00.

Danny Butler moved and Craig Weiland seconded the motion; the motion was passed unanimously that the 2013 Minutes Books be ordered from Excelsior Blumberg; that the cost be paid with the credit card; and that the cost not exceed \$300.00.

16. Discuss and Act on Ordering Computer Checks for Checking Account

Leo Villarreal informed the Board of Directors that it was necessary to order checks for the checking account; that computer checks would facilitate the printing of the checks and would automatically register each check into the computer; therefore, saving time and efficiency in the bookkeeping. Regular checks would cost \$67.65 and computer checks would cost \$131.65.

Homero Vera moved and Danny Butler seconded the motion; the motion was passed unanimously that computer checks for checking account be purchased as recommended by Leo Villarreal.

17. Discuss and Act on Date of Next Board Meeting

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

Craig Weiland moved and Danny Butler seconded the motion; the motion was unanimously passed that the next regular Board of Directors meeting be held on Thursday, November 29, 2012, at 8:00 a.m.

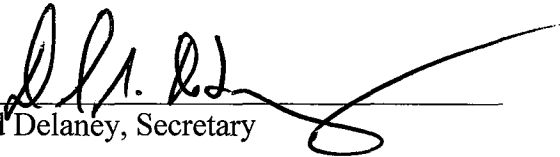
18. Discuss and Act on Payment of Bills

Chuck Burns presented the bills to the Board of Directors for consideration and payment.

Danny Butler moved and Craig Weiland seconded the motion; the motion passed unanimously that the bills be paid as presented.

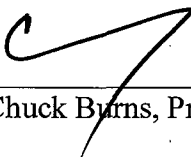
19. Adjournment

There being no other business to come before the Board of Directors, Homero Vera moved Craig Weiland seconded the motion; the motion passed unanimously that the meeting be adjourned at 8:45 a.m.



David Delaney, Secretary

ATTESTED TO:



Chuck Burns, President