

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

On the 12th day of April, 2017, at 9:00AM o'clock a.m., a regular meeting of the Kenedy County Groundwater Conservation District was held at the Carriage House of the Kenedy Memorial Foundation in Sarita, Texas.

Directors present:

Chuck Burns, President
Homero Vera, Vice-President
Dave Delaney, Secretary
Craig Weiland, Member
Danny Butler, Member

Also present:

Andy Garza, General Manager
Leo Villarreal, Administrative Assistant
Felix Saenz, Brush Country GCD
Monica Jacobs, La Paloma Ranch

Absent:

None

1. Call Meeting to Order

Chuck Burns, President, called the meeting to order at 9:05 a.m.

2. Public Comments

No public comments were offered.

3. Discuss & Act on Minutes of March 17, 2017 Regular Meeting

Chuck Burns presented to the Board the minutes of the March 17, 2017 regular meeting.

Danny Butler moved and Dave Delaney seconded the motion; the motion passed unanimously that the March 17, 2017 regular meeting minutes be approved as presented.

4. Receive General Manager's Activity Report & Act, If Necessary, Regarding:

a. Communications

b. Well registrations

c. Brush Country GCD meeting

d. Duval County GCD meeting

e. News articles

f. Other

Andy Garza, General Manager, reported on the following:

a. Communications: Garza reported that since the District's meeting in March, 2017, he had communicated with the following individuals and/or entities: Ernesto Davila, new landowner in Kenedy County, regarding registration of proposed new water well; Dr. Kim Jones, environmental science professor, regarding a meeting to discuss a new estuary program in the Rio Grande Valley and Louie Pena, Duval County GCD manager, regarding the hiring of Mary Sahs to prepare a letter pertinent to groundwater legislation on behalf of the Kenedy County and Duval County GCDs.

b. Well registrations: Garza reported that the Kenedy Memorial Foundation had submitted registration paperwork on a P-13 well.

c. Brush Country GCD meeting: Garza reported that he had attended a meeting of the Brush Country GCD on March 28, 2017 in Falfurrias, TX. Garza reported that the Brush Country GCD is looking at different properties that could be purchased to build an office.

d. Duval County GCD meeting: Garza reported that he attended a meeting of the Duval County GCD on March 28, 2017 in Benavides, TX. Garza reported that the Duval County GCD took action to purchase a new vehicle and pay for a sponsorship for the Texas Groundwater Summit that will be held in San Marcos, TX in August, 2017.

e. News articles: Garza provided the directors with various news articles pertinent to groundwater issues.

f. Other: Monica Jacobs updated the directors on the Lower Rio Grande Valley transport model. A major concern that is not being addressed in the model is the potential for subsidence that could occur as a result of the heavy pumping associated with desalination. Ms. Jacobs suggested that she be allowed to write a letter to TWDB outlining those concerns and possibly have the Brush Country, Duval County and Red Sands GCDs also sign off on the letter.

Dave Delaney moved and Danny Butler seconded the motion; the motion passed unanimously to authorize Monica Jacobs to compile letter that would outline the concerns that the GCDs have with the transport model that is currently being developed.

5. Discuss & Act on Proposed Amendments to Kenedy County GCD Management Plan

Andy Garza presented the proposed amended District management plan. Garza stated that a majority of the amendments were necessary because of revised data that the TWDB provides to the District.

Dave Delaney moved and Danny Butler seconded the motion; the motion passed unanimously to approve the amendments to the District management plan as presented.

6. Discuss & Act on Setting a Public Hearing on the Proposed 2017 District Management Plan with Notice of Hearing and Comment Period

Andy Garza informed the directors that a public hearing needed to be scheduled to give the public the opportunity to comment on the proposed amendments to the District management plan which was last adopted in July, 2012.

Homero Vera moved and Craig Weiland seconded the motion; the motion passed unanimously to hold a public hearing to receive comments on the proposed amendments to the District management plan at 10:30 AM on May 24, 2017.

7. Discuss & Act, If Necessary, on Legislative Report from General Manager

Andy Garza presented an update on legislation that has been filed pertinent to groundwater districts and the management of groundwater.

Monica Jacobs, attorney representing La Paloma Ranch, assisted with a review of the committee substitute for HB 2377 which is the brackish groundwater bill filed by Lyle Larson, chairman of the House Committee on Natural Resources.

Andy Garza reviewed the committee substitute for SB 1392 which is a wide-ranging bill that would affect at least 33 sections of Chapter 36 of the Texas Water Code. Garza recommended that the Duval County GCD and the Kenedy County GCD jointly hire Mary Sahs to compile a letter outlining the concerns that the GCDs have with SB 1392. Garza recommended that the letter also include concerns with SB 862 which addresses attorneys' fee in lawsuits involving GCDs. Letter will distributed to state senators Lucio, Hinojosa and Zaffirini.

Dave Delaney moved and Craig Weiland seconded the motion; the motion passed unanimously to have the Kenedy County GCD and the Duval County GCD jointly hire Mary Sahs to compile concerns that the GCDs have with both SB 862 and SB 1392.

8. Discuss & Act on Interlocal Agreement with Kenedy County Tax Assessor-Collector for Collection of Ad valorem Taxes

Leo Villarreal informed the directors that the Interlocal Agreement with the Kenedy County Tax Assessor-Collector needed to be renewed because a new Tax Assessor- Collector, Sandy Burns, had been elected to that office. Villarreal stated that a new interlocal agreement would be considered at the next meeting.

No vote was needed and none was taken.

9. Receive Investment Report for 1st Quarter, 2017

Leo Villarreal presented the investment report for the 1st quarter, 2017, to the directors. No investments have been made since the last quarterly report.

No vote was needed and none was taken.

10. Discuss & Act on Approving Engagement Letter with John Womack & Co., P.C. for 2016 Audit

Leo Villarreal informed the directors that an engagement letter to perform the audit for 2016 needed to be executed with John Womack & Co., P.C. The cost of the audit will be approximately \$6900.00.

Dave Delaney moved and Craig Weiland seconded the motion; the motion passed unanimously to approve engagement letter to allow John Womack & Co., P.C. to perform District audit for 2016.

11. Discuss & Act on Date for Next Board Meeting

Chuck Burns informed the directors that a date needed to be selected for the May, 2017 regular monthly meeting.

Danny Butler moved and Craig Weiland seconded the motion; the motion passed unanimously to hold the next meeting on May 24, 2017 to coincide with the public hearing needed for the amended District management plan.

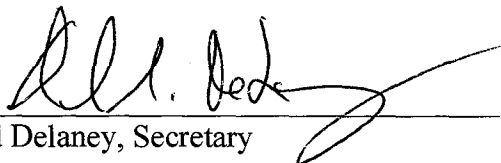
12. Discuss & Act on Payment of Bills

Chuck Burns presented the bills to the directors for consideration and payment.


Danny Butler moved and Homero Vera seconded the motion; the motion passed unanimously to pay the bills as presented.

13. Adjournment

There being no other business to come before the Board of Directors, Danny Butler moved and Homero Vera seconded the motion; the motion passed unanimously that the meeting be adjourned at 10:50 AM.



David Delaney, Secretary

ATTESTED TO:


Chuck Burns, President