

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

On the 18th day of October, 2023, at 9:00 AM, a regular meeting of the Kenedy County Groundwater Conservation District was held at the Kenedy County Courthouse Courtroom in Sarita, TX.

Directors present:

Edward Bordovsky, President
Verl Cash, Vice-President
Sonny Burns, Member
Danny Butler, Member

Also present:

Andy Garza, General Manager
Leo Villarreal, Administrative Assistant
Louie Pena, Brush Country GCD general manager
Margaret Kelly, CPA, John Womack & Co.
Louie Longoria, Accountant, John Womack & Co.

Absent:

Esteban Lopez, Secretary

1. Call Meeting to Order

Edward Bordovsky, President, called the meeting to order at 9:00 AM and announced that a quorum was present.

2. Public Comments

None were offered.

3. Discuss & Act on Minutes of September 13, 2023 Regular Meeting and September 28, 2023 Special Meeting

Edward Bordovsky presented the Directors with the September 13, 2023 regular meeting and September 28, 2023 special meeting minutes.

Verl Cash moved and Danny Butler seconded the motion; the motion passed unanimously to approve the minutes of the September 13, 2023 regular meeting and September 28, 2023 special meeting 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. Region N meeting**
- f. State Comptroller correspondence**
- g. Community briefing on South Texas DAC facility**
- h. Notary Public commission**
- i. Sarita block party**
- j. Sarita School trick or treat event**
- k. News articles**
- l. Other**

Andy Garza, General Manager, reported on the following:

a. Communications: Garza reported that since the District's September, 2023 meeting, he had communicated with San Perlita ISD regarding distribution of educational booklets on water; Stephanie Garza, Kenedy County elections administrator, regarding assistance with power point presentation; Kristen Fancher, Kenedy County GCD legal counsel, regarding amendment/addition to District rules; Wynne Casteel, hydrologist with GSI, regarding groundwater production from deeper zones in the Gulf Coast aquifer system; Ed Hughes, Intera hydrologist, regarding well depths on property owned by the Kenedy Charitable Trust; George Gandara, Hidalgo County appraisal district clerk, regarding tax rates considered by the Kenedy County GCD; Ernesto Naveja, Kenedy County landowner, regarding water chemistry testing performed by the Kenedy County GCD; Justin Cantu, Hacienda Campo Alegre manager, regarding a water sample from a new well and Dr. Uddameri, hydrology consultant, regarding his participation in the upcoming GCD meeting.

b. Well registrations: Garza informed the Directors that Shaun Grell had registered a new water well on behalf of Oxy, USA.

c. Brush Country GCD meeting: Garza reported that the Brush Country GCD had met on September 26, 2023 in Falfurrias, TX and reviewed the highlights of the meeting.

d. Duval County GCD meeting: Garza stated that the Duval County GCD had met on September 28, 2023 in Benavides, TX and reviewed the highlights of the meeting.

e. Region N meeting: Garza informed the Directors that he attended the Region N meeting in Robstown, TX on October 12, 2023 and reviewed the highlights of the meeting.

f. State Comptroller correspondence: Garza shared with the Directors a list of companies that boycott Israel and should be avoided doing business with in Texas.

g. Community briefing on South Texas DAC facility: Garza and Bordovsky reported on what was discussed at this meeting that was hosted by the U.S. Department of Energy's Office of Clean Energy Demonstrations.

h. Notary Public commission: Garza informed the Directors that he had renewed his Notary Public commission for another 4 years.

i. Sarita block party: Garza reported that the GCD had provided bottled water and soft drinks at this event that took place on October 3, 2023.

j. Sarita School trick or treat event: Garza informed the Directors that the GCD will be giving out chips at this event.

k. News articles: Garza handed out news articles pertinent to groundwater issues.

l. Other: Leo Villarreal reported on the following: 1) Brian Birdwell will be assisted the Kenedy County GCD with ADA compliance as it pertains to the District's website; 2) the redistricting plan pertaining to the Kenedy County GCD has been completed and all polling places have been established and 3) a revised Investment Policy will be presented to the Directors at the November, 2023 meeting.

Danny Butler moved and Sonny Burns seconded the motion; the motion passed unanimously to accept the General Manager's report as presented by Garza and Villarreal.

5. Discuss & Act on Approving 2022 Audit

Margaret Kelly, CPA with John Womack and Co., reviewed the 2022 GCD audit with the Directors and concluded that the Kenedy County GCD is financially sound.

Verl Cash moved and Danny Butler seconded the motion; the motion passed unanimously to approve the 2022 GCD audit as presented by Margaret Kelly.

6. Discuss & Act on Authorizing Edward Bordovsky to Sign Engagement Letters With John Womack & Co., PC and Patrick Moore Regarding the 2022 Audit

Leo Villarreal advised the Directors to authorize Edward Bordovsky to sign letters of engagement with John Womack & Co., PC and Patrick Moore regarding the 2022 audit.

Danny Butler moved and Verl Cash seconded the motion; the motion passed unanimously to authorize Edward Bordovsky to sign letters of engagement with John Womack & Co., PC and Patrick Moore regarding the 2022 audit.

7. Discuss & Act on Paying TAGD Membership Dues for 2024

Garza recommended to the Directors that the 2024 TAGD dues be paid in the amount of \$1,190.00

Sonny Burns moved and Verl Cash seconded the motion; the motion passed unanimously to pay the 2024 TAGD dues in the amount of \$1,190.00.

8. Review Proposed Rule Amendment/Addition as Per Kristen Fancher

Garza explained that as a result of HB 2443 being passed by the 88th Texas Legislature, the board of directors need to amend District rule #1 to comply with the legislative change brought about by HB 2443. Kristen Fancher, GCD legal counsel, provided the language needed to implement the legislative change.

No vote was needed and none was taken.

9. Discuss & Act on Publication of Notice of Public Hearing Regarding Proposed Rule Amendment/Addition

Garza stated that a Notice of Public Hearing regarding proposed rule amendment needs to be published to comply with District rules.

Verl Cash moved and Danny Butler seconded the motion; the motion passed unanimously for the District to publish a Notice of Public Hearing and to hold the public hearing regarding proposed rule amendment on November 15, 2023 at the Kenedy County Courthouse Courtroom in Sarita, TX.

10. Receive Update on Proposed GCD Building

Leo Villarreal reported that he, Guero Dieterle and Esteban Lopez will be meeting with Mr. Meyer to determine which lot Mr. Meyer prefers for the land swap.

No vote was needed and none was taken.

11. Discuss & Act on Date for Next Regular Board Meeting

Edward Bordovsky informed the Directors that a date needed to be set for the next regular meeting.

Verl Cash moved and Danny Butler seconded the motion; the motion passed unanimously to hold the next regular meeting at 9:00 AM on November 15, 2023 in Sarita, TX.

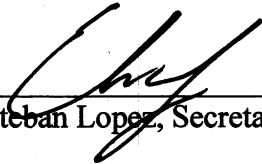
12. Discuss & Act on Payment of Bills for October, 2023

Edward Bordovsky presented to the Directors the bills for September, 2023 for consideration and payment.

Danny Butler moved and Sonny Burns seconded the motion; the motion passed unanimously to pay the bills for October, 2023 as presented.

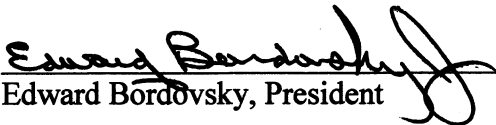
13. Adjournment

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



Esteban Lopez, Secretary

ATTESTED TO:



Edward Bördovsky, President