

**MINUTES OF MEETING
OF
BOARD OF DIRECTORS**

THE STATE OF TEXAS §
 §
BRUSH COUNTRY GROUNDWATER §
CONSERVATION DISTRICT §

The Board of Directors of Brush County Groundwater Conservation District (the “District”) met at a regular meeting, open to the public, November 29, 2023 at the Brush Country Groundwater Building 732 W. Rice Falfurrias, Texas, in accordance with the duly posted notice of said meeting.

1. The meeting was called to order at 9:30 a.m. and the roll was called. Board members’ presence at the meeting or absence is as follows:
 - i. David Kelly present
 - ii. Bill Botard present
 - iii. Mario Martinez present
 - iv. Robert Scott absent
 - v. A.C. Jones IV present
 - vi. Humberto Martinez present
 - vii. Paul Goranson present
 - viii. Jesse Howell present
 - ix. Mauro Garcia present

Also in attendance were General Manager Luis Pena, Felix Saenz Consultant, Bill Dugat Legal Counsel, Royce Carrera administrative assistant Brush Country GCD, Robert Howard Legislative consultant. Mr. Andy Garza Kenedy County GCD general manager and Mrs. Irma Menchaca citizen of Brooks County.

2. Pledge of Allegiance. Pledge of Allegiance was recited.
3. Public Comment. Mrs. Menchaca mentioned that she wanted to thank our board for extending our fingers out and working with other districts. She mentioned (“Water is life”) she mentioned that she “appreciates the legislative reports” and that water should take world-wide involvement and we should extend globally”.
4. Discuss, consider, and possibly act on Minutes of the Regular Meeting on October 24, 2023. Motion was made by Mario Martinez to approve the minutes, seconded by Bill Botard, motion carries unanimously.

5. Discuss, consider, and possibly act on General Manager's Report: General Manager Louie Pena mentioned that it had been a busy month with meetings, well plugging, mentioned that he had submitted the new GAM to the TWDB mentioned that he had spoken with Stephen Allen from the TWDB. Mentioned that he had attended Kenedy County meeting and that they were finishing off with their public hearing on their rules to make sure that they were in compliance. Mr. Pena mentioned that we had done this at our prior meetings with the help and guidance of Mr. Bill Dugat. Mr. Andy Garza mentioned that they were working with Mr. John Mayer from Florida who had agreed to swap land for the new building. Mr. Garza also mentioned that they had a new J.P. building and this was going to serve for 4 polling places each corner representing a different polling place, the only other location was at Norias. Mr. Pena also mentioned that he had sent a letter to the TAGD executive director (Leah Martinsson), who has recently resigned, thanking her for the years she worked with TAGD. Mr. Pena also mentioned the wells that were plugged. Mr. Pena mentioned that the Duval County GCD had hired Dr. Udamarri to do a report on the area where the Sweden Ranch is proposing a 10,000 animal units feed lot. The District's main concern is that it is located on area where the recharge zone is located. On his report Dr. Udamarri claims that weather events, such as a hurricane or heavy rainfall could have the potential of possible contamination. Another concern is that with heavy drought, they could impact the drawdown. The Duval GCD is just wanting to make sure that the feedlot will do everything in a safe manner. The Sweden Ranch has applied with TCEQ and is renewing the application with them. Mr. Pena mentioned that in his opinion, the feedlot will generate more jobs, more opportunities for the nearby ranchers to sell their calves without having to pay shipping costs for hauling. The Sweden Ranch owns and operates approximately 55,000 acres. Informational purposes only.

6. Discuss, consider, and possibly act on Brush Country GCD employees job descriptions and evaluations. General Manager Louie Pena mentioned that they had a telephone conference with legal counsel Bill Dugat, David Kelly, Bill Botard, Jesse Howell, Mauro Garcia, and administrative assistant Royce Carrera. Mr. Dugat gave us direction and some ideas to include on the evaluations. Mr. Dugat mentioned that we should have different categories such as administration, planning, in the field, truck maintenance, well plugging, and from these categories to include meets standards, exceeds standards and expectations, also satisfactory or needs improvement. The telephone conference helped us tweak and brainstorm all together for a better outcome. We will then discuss on an agenda item in the future. Information purposes only.

7. Discuss, consider, and possibly act on resolution authorizing directors to sign checks on behalf of the District. General Manager Louie Pena mentioned that upon looking at the First National Bank Statements we needed to delete and add some members. Mr. Dugat provided the board with a resolution updating these records. Motion to adopt resolution

regarding authorized signatories on the District Bank account was made by Mauro Garcia, seconded by Paul Goranson, motion carries unanimously.

8. Public Hearing on revision and re-adoption of Brush Country GCD Management Plan. Time for public hearing at 10:02. When we submitted our plan back in September of 2022, we didn't have the new MAG, we added our new MAG now and we printed the notice of public hearing, we sent out letters to the landowners in Hidalgo County and we placed the Notice on the website and on the newspapers. Closed public hearing at 10:05 we have the resolution on agenda item #9. Information purposes only.
9. Discuss, consider, and possibly act on resolution approving revision and re-adoption of Brush Country GCD Management Plan including, among other things, new GAM Run 21-021 MAG as requested by the TWDB. Mr. Bill Dugat drew up the resolution and a motion was made by Paul Goranson for approval of resolution for the re-adoption of the Brush Country GCD Management Plan, seconded by Bill Botard, motion carries unanimously.
10. Discuss, consider, and possibly act on monthly financial statement and pledge report. Mr. Felix Saenz presented the financial report, mentioned that Burkhart Peterson sends us a financial statement that has the month expenditures and income, and also from the beginning of the fiscal year to the present month. Mr. Saenz mentioned that on all three accounts (operating, tax, and reserve) at the end of September we have 2.4 million. On interest we have \$90,000 when you subtract our revenue from our expenses we were \$4,882 from what we had originally budgeted. On our pledge report we were over pledged. Motion was made by Jesse Howell to approve the financial statement and pledge report, seconded by Bill Botard, motion carries unanimously.
11. Discuss, consider, and possibly act on US Drought Index report. General manager Louie Pena mentioned that it was rare to see our district at the current time without drought or severe drought, we are thankful for the recent rains, but we are always preparing for the next drought in the state of Texas. A motion was made by Mauro Garcia to approve the drought report as presented, seconded by Bill Botard, motion carries unanimously.
12. Discuss, consider, and possibly act on payment of bills. General manager Louie Pena mentioned that the only bill out of the ordinary bills was the TAGD membership dues. A motion was made by Humberto Martinez to pay the bills as presented, seconded by Paul Goranson, motion carries unanimously.
13. Discuss, consider, and possibly act on legislative report from Robert Howard. Mr. Robert Howard mentioned that unfortunately Tracy King decided to resign. Mentioned that the right to farm passed, that the homestead exemption from \$40,000 to \$100,000 also passed. Broadband bill also passed. School funding was a hot topic, effluent from urban areas was also being discussed. Mr. Robert Howard mentioned that he had spoken to Adam Foster with the TDLR and that he had mentioned that he would support us with the well plugging for state funding. Informational purposes only.

14. Discuss, consider, and possibly act on GMA 16 issues. General manager Louie Pena mentioned that we will hold or meeting on January 23rd,2024. Information purposes only.
15. Discuss, consider, and possibly act on new business and select date for next meeting. Next meeting scheduled for January 23,2024 at 9:30 a.m.
16. Adjourn. Motion to adjourn was made by A.C. Jones, seconded by Mario Martinez, motion carries unanimously.

Passed and approved this 23rd, day of January 2024.

President, Board of Directors

Attest by:

Secretary, Board of Directors