

**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, on March 28, 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 present
 - v. A.C. Jones IV present
 - vi. Robert Fulbright resigned
 - vii. Paul Goranson absent
 - viii. Jesse Howell absent
 - ix. Mauro Garcia present
- b. Also in attendance were General Manager Luis Pena, Felix Saenz Consultant, Administrative Assistant Royce Carrera, Bill Dugat Legal Counsel via telephone, Irma Menchaca from Brooks County, Kenedy County GCD General Manager Andy Garza, Duval County GCD General Manager Jorge Gonzalez.
2. Pledge of Allegiance
 - a. The Pledge of Allegiance was recited.
3. Public Comment. Mrs. Irma Menchaca citizen of Brooks County mentioned “in regards to the windmills lasting only 10 years lifespan, please be wise with our water resources, make sure we get the biggest bang for our buck, also because of her Native American background , we don’t want to be left high and dry”.

4. Discuss, consider, and possibly act on Minutes of the Regular Meeting on March 28, 2023. Motion was made by Bill Botard to approve the minutes and seconded by Mauro Garcia, motion carries unanimous with 6 board members present. Motion carries unanimously

5. Discuss, consider, and possibly act on General Manager's Report: Discuss, consider, and possibly act on General Manager's Report:
 - a. Report on Region M Meeting in Weslaco March 1, 2023 @9:30 a.m. General Manager Louie Pena mentioned that he attended the region M meeting, spoke about major points, by order of acclimation the region M members kept their roles, mentioned that there was concerns on the 2020 census that may affect the estimated projections on water demands, TWDB mentioned that there was an amendment process to ensure that the figures reflected the population.
 - b. Report on Kenedy County GCD meeting March 15, 2023 @ 10:30 a.m. Mr. Andy Garza mentioned that he had visited with John Marez from the South Texas Water Authority which provides surface water which is purchased from the City of Corpus Christi to Banquete, Bishop, Agua Dulce, Ricardo and Kingsville. He mentioned that the TWDB had asked about this on his management plan. Report Starr County GCD March 23, 2023 @10:00 a.m. General manager Louie Pena mentioned that he had gone to the Starr County meeting and mentioned that Aeisha Cruz with the Texas Mexico Border Coalition has suggested that if we would give them a 10 minute slot on our agendas for outreach, they would pay us \$400 with the signing of a Memorandum of Understanding (MOU). Duval County GCD March 29, 2023 @ 6:00 p.m. General Manager George Gonzalez mentioned that his meeting would be on March 29th, 2023 at 6:00 P.M. That they were nearly complete with their management plan.
 - c. Report on TAGD meeting in Pflugerville March 9-10, 2023. General Manager Louie Pena mentioned that he had attended the business meeting, mentioned that Adam Foster from the TDLR had given a power point presentation via gotomeeting since he had caught covid.
 - d. Report on SB 2291 Well Plugging bill introduced by Honorable Senator Judith Zaffirini and thank you letter. General Manager Louie Pena mentioned that Mr. Robert Howard had written up a thank you letter to the honorable Judith Zaffirini, we then added our logo and had Mr. David Kelly sign.

These items were presented for information purposes only and no action was taken.

6. Discuss, consider, and possibly act on resignation of Director Robert Fulbright and appointment of a director to fill the vacancy created by his resignation. Mr. David Kelly read the resignation letter from Mr. Robert Fulbright, with great reluctance Mr. Robert Scott made the motion to accept Mr. Fulbright's resignation, Mr. A.C. Jones seconded the motion, motion carries unanimously. General manager mentioned that he would pursue

purchasing a plaque to be presented at a later date. Mr. David Kelly mentioned that we have a committee consisting of A.C. Jones, Mario Martinez, Mauro Garcia and Jesse Howell to discuss the new appointee to replace Mr. Fulbright. Information purpose only, no action

7. Discuss, consider, and possibly act on sponsorship for Texas 4H Water Ambassadors Program. Mr. A.C. Jones made the motion to sponsor the Texas 4H Water Ambassadors Program with a \$500 stewardship, Bill Botard seconded the motion. Motion carries unanimously.
8. Discuss consider, and possibly act on sponsorship for TAGD Groundwater Summit. Motion was made by A.C. Jones to sponsor the TAGD Groundwater Summit for \$1,000. Mauro Garcia seconded the motion, motion carries.
9. Discuss, consider, and possibly act on US Drought Monitor. General Manager Louie Pena showed the Drought Map and mentioned that we need these reports for our management plan, motion was made by Mario Martinez, seconded by Robert Scott, motion carries unanimously.
10. Discuss, consider, and possibly act on water level reports. Consultant Mr. Felix Saenz mentioned that general manager Louie Pena and Royce Carrera had collected water levels and gave a comparison to last years levels, Mr. Saenz mentioned that if you took last years and this years we are in compliance with our DFC. Motion was made by Bill Botard to accept the water level report, Mr. Robert Scott seconded the motion, motion carries unanimously.
11. Discuss, consider, and possibly act on approving by resolution an interlocal agreement (ILA) with the other groundwater conservation districts of Groundwater Management Area 16 (GMA-16 GCDs) and authorizing payment of \$5,000 for cost-sharing with the GMA-16 GCDs under the ILA for a professional consultant to assist in joint planning. Motion was made by A.C. Jones to approve the resolution and to pay the GMA-16 planning group for the next 5 years of planning for \$5,000. Mr. Mario Martinez seconded the motion, motion carries unanimously.
12. Discuss, consider, and possibly act on Brush Country Groundwater Conservation District's financial statement. Consultant Mr. Felix Saenz gave a report for the month and for the 5 months that are prepared by Burkhardt Peterson, Mr. Saenz showed how much has been deposited from the tax collections and he also showed our expenses. We review to see if these match at the bank and they do. Motion to accept the financial statement was made by Mario Martinez, seconded by Bill Botard, motion carries unanimously.
13. Discuss, consider, and possibly act on payment of bills. General Manager Louie Pena mentioned that the bills totaled approximately \$32,000 mainly because of the taxing entities

being paid on a quarterly basis. Motion was made by Robert Scott, seconded by Mauro Garcia, motion carries unanimously.

14. Discuss, consider, and possibly act on legislative report from Robert Howard. General manager Louie Pena mentioned that our legislative consultant Robert Howard was at the Texas Legislature and asked to read his report, Mr. Pena mentioned the actionable bills and how TAGD was either in support or neutral on these. Information purpose only, no action needed.
15. Discuss, consider, and possibly act on GMA 16 issues. General Manager Louie Pena mentioned that the meeting was this afternoon, main issue was the \$5,000 fee for the interlocal agreement to hire a consultant for the next 5 years for the desired future conditions. Information purpose only, no action.
16. Discuss, consider, and possibly act on new business and select date for next meeting. Motion was made by Bill Botard to have the next meeting on April 25th, 2023 @ 9:30 a.m. seconded by A.C. Jones, motion carries unanimously.
17. Adjourn. Motion to adjourn was made by A.C. Jones at 11:08 a.m., seconded by Mario Martinez, motion carries unanimously.

Passed and approved this 25th day of April 2023.

President, Board of Directors

Attest by:

Secretary, Board of Directors