

# MINUTES OF MEETING OF BOARD OF DIRECTORS

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

The Board of Directors of Brush Country Groundwater Conservation District (the “District”) met at a regular meeting, open to the public, April 22<sup>nd</sup>, 2024 at the Brush Country Groundwater Building 732 W. Rice Falfurrias, Texas, in accordance with the duly posted notice of said meeting.

- I. 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 absent
  - iv. Robert Scott present
  - v. Whit Jones III 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, Emily Rogers Legal Counsel, Marco Ramirez administrative assistant Brush Country GCD, Robert Howard Legislative consultant. Andy Garza General Manager Kenedy County GCD. Ericelda De Leon Vice President First National Bank of Falfurrias. Also, in attendance Mrs. Irma Menchaca Brooks County Resident.

2. Pledge of Allegiance. Pledge of Allegiance was recited.
3. Public Comment. Mrs. Irma Menchaca wished sympathy to the Jones family, she commended the board on being proactive and being good stewards of water and soil.
4. Review, discuss, and possibly act on the appointment of Whitt W. Jones to the Board of Directors for Brush Country Groundwater Conservation District, for the unexpired term vacated by the passing of A.C. (Dick) Jones IV for the agricultural interests of Jim Hogg County, including the sworn statement, oath of office and approval of bonds for persons appointed for new terms of office. Jesse Howell made the motion to accept the appointment of Whit W. Jones III to the Board of Directors for Brush Country, seconded by Paul Goranson, motion carries unanimously.

5. Discuss, consider, and possibly act on Minutes of the Regular Meeting on March 25<sup>th</sup>, 2025. A motion to accept the minutes as presented was made by Bill Botard, seconded by Humberto Martinez, motion carries unanimously.
6. Discuss, consider, and possibly act on General Manager's Report:
  - A. Report on Kenedy County GCD meeting April 17th, 2025 @ 9:00 a.m.
  - B. Report on Duval County GCD April 23rd, 2025 @ 6:00 p.m.
  - C. Report on Spring water level reports. General Manager Louie Pena mentioned that they hadn't completed all the water levels, but had not had any drastic changes in the levels that they had recorded. Informational purposes only.
7. Discuss, consider, and possibly act on approving financial statement and investment/pledge report 2025. A motion to accept the financial statement and investment/pledge report was made by Paul Goranson, seconded by Jesse Howell motion carries unanimously.
8. Discuss, consider, and possibly act on hiring Dr. Venki Uddameri to send public comment to the TWDB on their recent groundwater availability model (GAM) for the central and southern portions of the Gulf Coast Aquifer System. General manager Louie Pena mentioned that Kenedy County and Brush Country GCDs would share the costs of having Dr. Venki Uddameri send a letter of public comment on behalf of the districts. Motion was made by Paul Goranson, seconded by Bill Botard, motion carries unanimously.
9. Discuss, consider, and possibly act on audit report FY 2023-2024 financial audit by Byron Blair. Byron Blair presented his financial audit, gave the yearly expenditures and spoke about the financial standing, gave the opportunity for any questions. General Manager Louie Pena mentioned that we had never received an invoice for the pre-audit that was done when we had the unauthorized bank reports, Mr. Blair thanked Mr. Pena and added it to his audit. Paul Goranson made the motion to accept the financial audit for FY 2023-2024 as presented, seconded by Bill Botard, motion carries unanimously.
10. Discuss, consider, and possibly act on unauthorized transactions from District's bank account. General manager Louie Pena showed the email that was sent to Texas Ranger William Ed Groves, he mentioned that he had presented his evidence to the District Attorney's office, but unfortunately, they were not able to identify a person (s) who received a benefit from the losses and had culpability. Informational purposes only.
11. Discuss, consider, and possibly act on Texas Drought Monitor. Mr. Pena showed the current Texas Map and showed where the recent rains had changed the colors of the severity of the drought. A motion was made by Paul Goranson to accept the drought monitor as presented, seconded by Humberto Martinez, motion carries unanimously.

12. Discuss, consider, and possibly act on supporting sponsorship for the TAGD Groundwater Summit August 19-21 2025. Mr. Pena presented the different sponsorships for the TAGD Groundwater Summit and suggested that we sponsor for the same amount as last year for \$1,000.00. A motion was made by Humberto Martinez to sponsor the TAGD Groundwater Summit for \$1,000.00 seconded by Bob Scott, motion carries unanimously.
13. Discuss, consider, and possibly act on approving the following tax sale resolution:
  - A. Offer by Cristina Rosales Soliz and Paula Jo Salinas \$65,000.00 for the purchase of a tax sale property Suit No. 04-02-13178-B; Jim Wells County and Alice Independent School District vs. Otilia Salinas Jones, Estate Acct. No. 1124022500000; 20.00 acres, more or less, known as Lot 27, Theodore Plumber Subdivision of the Camada Ranch, Section 19, a subdivision in Jim Wells County, Texas, as described in Volume 117, Page 29, Deed Records of Jim Wells County, Texas; SAVE & EXCEPT however, the following: a. that certain 2.00 acres tract described in Volume 122, Page 29, Deed Records of Jim Wells County, Texas; and b. that certain 4.00 acres tract described in Volume 459, Page 37, Deed Records of Jim Wells County, Texas; leaving herein a residue of 14.00 acres, more or less. Motion was made by Bill Botard to approve the tax sale, seconded by Jesse Howell, motion passes unanimously.
14. Discuss, consider, and possibly act on payment of bills for April 2025. A motion to pay the bills for April 2025 was made by Bill Botard, seconded by Paul Goranson, motion carries unanimously.
15. Discuss, consider, and possibly act on legislative report from Robert Howard. Mr. Robert Howard presented his legislative report by adding that TAGD legislative committee has taken votes on 41 “actionable” bills that GCDs should either support, oppose, or monitor. Most of the session’s attention to water issues has been consumed by a proposal to create a dedicated funding mechanism that will provide \$1 billion per year in new revenue to the Texas Water Development Board. Mr. Howard also mentioned that one of the bills introduced could require GCDs to pay attorneys fees if we do not prevail in a court case such as pursuing enforcement of a permit. Another bill that was introduced would allow export fees to be used to mitigate wells that are impacted outside of the district, another bill would require commissioner courts to be notified of export applications, a bill also that would require GCDs to explain tracking methods and success in achieving DFCs and reasons if DFCs are changed from the previous management plan. Allow county commissioners to designate a participant for GMAs if a county has no GCD. Exempt producers from obtaining a permit in brackish production zones if the aquifer has TDSs greater than 3K parts per million. Require GCDs to consider impacts on exempt wells

before issuing permits. Increase acreage from 10 acres to 100 acres for exempt well eligibility. Require applications for platting of subdivisions to demonstrate the availability of groundwater. Require the reporting of abandoned wells to TDLR that are found during septic tank inspections. Allow courts to increase daily penalties for permit violations from \$10 K/day to \$25K a day or more if entity is gaining economic benefit. Informational purposes only.

16. Discuss, consider, and possibly act on GMA 16 issues. General Manager Louie Pena mentioned that the GMA 16 meeting would be held at 1:00 on Tuesday April 22<sup>nd</sup>, 2025. Informational purposes only.
17. Discuss, consider, and possibly act on new business and select date for next meeting. On new business the board asked the general manager to place an agenda item for the next month to form a 4 person committee to discuss new projects/ideas for future issues. Also, it was decided to hold the May meeting on Tuesday May 27<sup>th</sup>, 2025. Motion was made by Paul Goranson, seconded by Mauro Garcia, motion passes unanimously.
18. Adjourn. A motion to adjourn was made by Paul Goranson, seconded by Whit Jones III, motion carries unanimously.

Passed and approved this 22nd, day of April, 2025.

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President, Board of Directors

Attest by:

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Secretary, Board of Directors