

**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 September 26, 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 9:33 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 absent
  - v. A.C. Jones IV absent
  - vi. Humberto Martinez present
  - vii. Paul Goranson present
  - viii. Jesse Howell present
  - ix. Mauro Garcia present arrived at 9:40

Also in attendance were General Manager Luis Pena, Felix Saenz Consultant, Bill Dugat Legal Counsel, Royce Carrera administrative assistant Brush Country GCD, Irma Menchaca from Brooks County, General Manager Andy Garza Kenedy County Groundwater Conservation District, Daniel Garcia Brooks County Chief appraiser.

2. Pledge of Allegiance. Pledge of Allegiance was recited.
3. Public Comment. None
4. Discuss, consider, and possibly act on Minutes of the Regular Meeting on August 22, 2023. Motion was made by Bill Botard to approve the minutes, seconded by Jessie Howell, motion carries unanimously.
5. Discuss, consider, and possibly act on General Manager’s Report:
  - a. Report on Kenedy County GCD meeting September 13, 2023 @ 9:00 a.m. Duval County GCD September 28, 2023 @ 6:00 p.m.

b. Report on TAGD Summit 2023.

c. Report on TWDB meeting in Harlingen, Tx. September 14, 2023.

Mr. Pena reported that he had attended Kenedy County's meeting on September 13, 2023, mentioned that had gone over their budget and tax rate, mentioned that they were planning on building a new office and requested the information on Rigney Construction. Mr. Pena also mentioned that he had attended the TAGD groundwater summit which had the most attended at approximately 450 attendees. Mr. Pena mentioned that he had taken several pages of notes and was interested in the geothermal power point presentation by Ken Wisian from the Bureau of Economic Geology where you could use the heat with brackish water to create steam to be converted into electricity, this is a continual renewable energy unlike solar and wind which is not constant. Mr. Pena reported that he had attended the TWDB meeting in Harlingen which had large attendance, local representatives, mayors and city managers thanked the TWDB for the grants that were awarded for water infrastructure projects. Mr. Pena also mentioned that he had been invited to attend the Red Sands Groundwater Conservation District in Edinburg, they hired consultants Intera (Steve Young) to do their management plan. The board from Red Sands adopted their tax rate and their budget for 2024. Information purposes only.

6. Discuss, consider, and possibly act on adoption of 2024 budget. Mr. Felix Saenz reported that we had already reviewed the budget at our August 22<sup>nd</sup>, 2023 monthly meeting and we have made the corrections that were discussed. Motion to adopt the 2024 budget was made by Paul Goranson, seconded by Mauro Garcia, motion carries unanimously.
7. Discuss, consider, and possibly act on adoption of 2023 Tax Rate by resolution. Mr. Felix Saenz reported that we had already reviewed the tax rate at our August 22, 2023 monthly meeting and added that Mr. Daniel Garcia the chief appraiser for Brooks County had certified the No New Tax Rate Worksheet. Motion was made by Mauro Garcia to adopt \$0.01100/\$100 valuation tax rate pursuant to resolution, seconded by Bill Botard, motion carries unanimously.
8. Discuss, consider, and possibly act on developing job descriptions and an evaluation process for District employees. The board decided to select a committee to develop a protocol and process to evaluate with job descriptions for the general manager, general manager trainee, administrative assistant and any other employees of the district. The board selected Bob Scott, Bill Botard, Mauro Garcia, Felix Saenz, and Louie Pena to serve on this committee and bring back a process for November's meeting. Motion was made by Paul Goranson, seconded by Jessie Howell to appoint a committee of . Bob Scott, Bill Botard, Mauro Garcia, Felix Saenz, and Louie Pena to develop a protocol and process to evaluate with job descriptions for the general manager, general manager trainee, administrative assistant and any other employees of the district. Motion carries unanimously.
9. Discuss, consider, and possibly act on approving the following tax sale resolution.
  - a. Hindsight L.L. C's \$4,300.00 offer to purchase tax sale property Acct.No.12350-696-000-00; Lots 3,4,5 and 6, Block 113, City of Premont, Jim Wells County, Texas, as described in Volume 110, Page 276, Deed Records of Jim Wells County, Texas.

- b. Javier Gonzalez's \$4,500.00 offer to purchase tax sale property Acct.No.1220000100400; 100.00 feet by 150.00 feet, containing 0.03444 acre, more or less, out of Lot 1, Owl Ranch Subdivision, Unit 1, a subdivision in Jim Wells County, Texas, as described in deed dated October 21,2002, from Hipolito Gonzalez, Sr. etux to Eloy Gonzalez etal, in Volume 811, Page 512, Official Records of Jim Wells County, Texas.
- c. Jose T. Lopez and Delmy A. Mux Reyes's \$3,440.00 offer to purchase tax sale property Acct.No.1235014100000; Lots 47 and 48, Block 41, City of Premont, Jim Wells County, Texas, as Described in volume 168, Page 383, Deed Records of Jim Wells County, Texas

The board approved the 3 tax sale properties from a motion by Paul Goranson, seconded by Bill Botard, motion carries unanimously.

- 10. Discuss, consider, and possibly act on approving financial statement and investment/pledge report for fourth quarter 2023. Louie Pena reported the balances on the three accounts, mentioning the balance for the operating account was \$ 85,883.85, the reserve account \$1,913,520.68, and the tax collection account with \$458,402.60 the total for all three accounts \$2,457,807.13 Mr. Pena also mentioned that we are securely pledged. Motion to accept the financials was made by Paul Goranson, seconded by Bill Botard, motion carries unanimously.
- 11. Discuss, consider, and possibly act on US Drought Monitor. Mr. Pena showed the Texas drought report and mentioned that even at the TAGD meeting, the map looks deceiving with our area showing only moderate drought. Motion was made by Bill Botard to accept the drought report as presented, seconded by Jessie Howell, motion carries unanimously.
- 12. Discuss, consider, and possibly act on water level reports. Mr. Saenz reported that we monitor 50 wells twice per year, we also have a yearly report where we can use this information as a comparison. This report is for information purposes only.
- 13. Discuss, consider, and possibly act on payment of bills. Mr. Pena reported that we had an increase compared to last months because of TAGD expenses, the hosting fee from Halff for the Database, and the tax appraisals and the taxing entities were being paid, also 4 wells that were plugged by Rene Molina, total bills for the month \$38,928.01. Motion to pay the bills was made by Paul Goranson, seconded by Humberto Martinez, motion carries unanimously.
- 14. Discuss, consider, and possibly act on legislative report from Robert Howard. Mr. Pena reported that Mr. Robert Howard was unable to attend, however; he presented Mr. Howard's report. He mentioned that there was increased animosity between the House and Senate over Paxton's impeachment, Mr. Howards report also mentioned that Mr. Pena, Mr. Howard had met and had lunch with Ty Embry, and had visited with Bobby Bazan and Greg Ellis on the issue of a state funded well plugging program. Mr. Howard mentioned that he had sent out a letter to stakeholders to get their reactions. Information purposes only.
- 15. Discuss, consider, and possibly act on GMA 16 issues. Mr. Pena mentioned that the next GMA 16 meeting will possibly be in January 2024. Information purposes only.

16. Discuss, consider, and possibly act on new business and select date for next meeting. The board decided on October 24, 2023, Mr. Bill Dugat requested that he would call in. Information only.

17. Adjourn. Motion was made at approximately 11:00 a.m. by Paul Goranson to adjourn, seconded by Mauro Garcia, motion carries unanimously.

Passed and approved this 24<sup>th</sup>, day of October 2023.

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President, Board of Directors

Attest by:

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Secretary, Board of Directors