

MINUTES
EVERGREEN UNDERGROUND WATER CONSERVATION DISTRICT
SEPTEMBER 23, 2022- REGULAR SCHEDULED BOARD MEETING

The public meeting of the Board of Directors of the Evergreen Underground Water Conservation District, pursuant to notice, was at the District Office, 110 Wyoming Blvd., Pleasanton, Atascosa County, Texas.

Directors Present: Blaine Schorp, President
Frank Kruciak, Vice President
Diane Savage, Secretary/Treasurer
Larry Bartek
Jay Troell
Sherman Posey
Clayton Neal
Weldon Riggs
Thomas Moy III

Employees Present: Russell Labus, General Manager
Christopher McFarlane, Assistant Manager
Melissa Gonzalez, District Secretary/Bookkeeper
Landon Yosko, Technical Specialist

Guests Present: Attached.

Agenda: Attached.

Declaration of Quorum and Call to Order:

President Schorp declared a quorum present by roll call and called the meeting to order at 9:05 a.m. The meeting was posted and filed as required by law.

Pledge of Allegiance.

Recess to Public Hearing

Public Hearing-Proposed 2022-2023 District Budget

a. Call to Order:

President Schorp called the Public Hearing to order at 9:05 a.m.

b. Receive Public Comments on Proposed 2022-2023 District Budget:

None.

c. Adjourn:

President Schorp called the Public Hearing adjourned at 9:07 a.m.

Public Hearing- Water Well Drilling and Production Permit Applications

a. Call to Order:

President Schorp called the Public Hearing to order at 9:07 a.m.

b. Public Comments:

None.

c. Drilling/Production Permit Applications:

The Board was presented with one drilling and production permit application for Denbow Properties (Drilling/Production Permit#3034) for new well to be located in Frio County for Irrigation use. Director Bartek moved to approve the drilling and production permit. Director Posey seconded the motion, and there being no further discussion the motion carried unanimously.

The Board was presented with one drilling and production permit application for Clint Hindes (Drilling/Production Permit#3035) for new well to be located in Atascosa County for Irrigation use. Director Troell moved to approve the drilling and production permit. Director Bartek seconded the motion, Director Moy abstained, and there being no further discussion the motion carried unanimously.

The Board was presented with two drilling and production permit applications for Warwick Partners (Drilling/Production Permits#3038 & 3039) for new wells to be located in Karnes County for Industrial use. Director Savage moved to approve the two drilling and production permits. Director Posey seconded the motion, and there being no further discussion the motion carried unanimously.

The Board was presented with one drilling and production permit application for City of Floresville (Drilling/Production Permit#2399) for new well to be located in Wilson County for Public Supply use. Director Posey moved to approve the drilling and production permit. Director Neal seconded the motion, Director Moy abstained, and there being no further discussion the motion carried unanimously.

d. Permits on Existing Wells:

The Board was presented with a permit for Clint Hindes (Production Permit #3035) on an existing well located in Atascosa County for Irrigation use. Director Bartek moved to approve the permit. Director Troell seconded the motion, Director Moy abstained, and there being no further discussion the motion carried unanimously.

The Board was presented with a permit for The TexUs Company (Production Permit #1330) on an existing well located in Wilson County for Industrial use. Director Troell moved to approve the permit. Director Posey seconded the motion, and there being no further discussion the motion carried unanimously.

The Board was presented with a permit for Yvonna Bentz (Production Permit #3040) on an existing well located in Atascosa County for Irrigation use. Director Bartek moved to approve the permit. Director Troell seconded the motion, and there being no further discussion the motion carried unanimously.

The Board was presented with a permit for 3039 RNC Holdings (Production Permit #3037) on an existing well located in Karnes County for Industrial use. Director Kruciak moved to approve the permit. Director Savage seconded the motion, and there being no further discussion the motion carried unanimously

e. Permit Amendments:

The Board was presented with a permit amendment for Nieschwietz Family Partners (Production Permit #1763) for a well located in Karnes County for Irrigation use. Total acreage of the property was 247 acres. The new acreage is 494.078 acres. The total maximum annual production from the well will be 988.1560 acre feet.

f. Adjourn:

President Schorp called the Public Hearing adjourned at 9:38 a.m.

Reconvene to Regular Meeting

Public Comments on Agenda Items, Limited to 5 minutes each:

None.

Amend Fiscal Year 2021-2022 Budget:

Director Riggs moved to approve the amended fiscal year budget 2021-2022. Director Moy seconded the motion, and there being no further discussion the motion carried unanimously.

Items Amended:

3050- Atascosa County- 276,335.19 to 292,307.29
3100- Frio County- 120,171.41 to 129,732.24
3125- Karnes County- 325,986.51 to 344,140.63
3150- Wilson County- 253,956.09 to 259,415.09
3200- Schwab Interest- 7,000 to 2,500
3230- Weather Mod. (EAA)- 175,000 to 217,592
3300- Water Well Permits- 7,500 to 14,020
5365- Computers/Software- 20,000 to 13,000
5310- Electricity- 2,500 to 3,000
5015- Directors' Comp.- 26,000 to 24,000
5340- Mobile Phones- 7,000 to 5,000
5370- Published Notices, Fees- 5,000 to 3,000
5380- Fuel & Lubricant- 15,000 to 17,500
5440- Travel Exp. Directors- 3,000 to 3,500
5450- Educational Materials- 36,000 to 26,000
5460- Legal/Professional- 100,000 to 92,920.50
5490- Insurance Property & Liability- 8,000 to 7,000
5520- Groundwater Monitoring/Testing- 85,329.59 to 220,200
5530- Water Well Permit Reim.- 1,000 to 0
5800- Projects & Studies- 44,124.85 to 3,500
5820- GMA 13 Expense- 18,000 to 7,000

5830- GMA 15 Expense- 3,500 to 0
5705- EAA- 175,000 to 217,592

Resolution #2022-23-02 to Adopt the District Budget for Fiscal Year 2022-2023:

Director Savage moved to adopt the 2022-2023 District Budget. Director Neal seconded the motion, and there being no further discussion the motion carried unanimously.

Resolution #2022-23-03 to Adopt the District Tax Rate for Fiscal Year 2022-2023:

Director Riggs moved to adopt the District Tax Rate at \$.005040 per \$100 valuation for Fiscal Year 2022-2023. Director Posey seconded the motion, and there being no further discussion the motion carried unanimously.

Resolution #2022-23-04 to Adopt the District Public Funds Investment Policy for Fiscal Year 2022-2023:

Director Moy moved to adopt the Public Funds Investment Policy for Fiscal Year 2022-2023. Director Riggs seconded the motion, and there being no further discussion the motion carried unanimously.

Approval of Minutes from the August 26, 2022 Board of Directors Meetings:

The minutes of the August 26, 2022 meeting were presented to the board. Director Savage moved to approve the minutes as presented. Director Riggs seconded the motion, and there being no further discussion the motion carried unanimously.

Approval of Report of Bills Paid, Deposits, and Financial Statements for August 2022:

The report of bills paid, deposits, and financial statements for August were presented to the Board. Director Posey moved to receive and file the reports. Director Moy seconded the motion, and there being no further discussion the motion carried unanimously.

Discuss/Approve 2022-2023 District Holidays:

Director Posey moved to approve the 2022-2023 District Holidays. Director Savage seconded the motion, and there being no further discussion the motion carried unanimously.

Approve the Interlocal Participation Agreement for GMA 13:

Director Moy moved to approve the Interlocal Participation Agreement for GMA 13. Director Posey seconded the motion, and there being no further discussion the motion carried unanimously.

Approval of the Nueces River Authority Invoice for Education Services:

Director Posey moved to approve the invoice for Education Services for the amount of \$20,000.00. Director Savage seconded the motion and there being no further discussion the motion carried with one nay.

Staff Report on District Activities:

General Manager, Russell Labus gave a list of meetings attended this month and upcoming meetings:

September 21, 2022- STWMA Meeting

September 28, 2022- TAGD Record Retention Seminar

October 13, 2022- GMA 15 Meeting

October 14, 2022- GMA 13 Meeting

Mr. Labus mentioned that the final MAG for GMA 15 have been received and at the next meeting he will provide a spreadsheet with both the GMA 13 and GMA 15 MAGS. Mr. Labus stated that Melissa Gonzalez processed 7 exempt wells and reviewed the Drought Monitor Map.

Landon Yosko said that all five monitor wells in Atascosa County have been completed and just have one more pump test left to do which will be done around the first of October. Mr. Yosko said after this has been done, he will start looking at the monitor wells for Wilson County.

Chris McFarlane said he has been working with Adam Foster with TDLR for the past three months in regard to an unlicensed driller drilling in the district. Mr. McFarlane said at this time we have a case number, and he will continue moving forward with this issue.

Legislative Updates:

Attorney, Monique Norman said the session will start on January 10, 2023.

Consider and Take Appropriate Action on Items to be Placed on the Next Agenda:

- Education Committee
- MAG Spreadsheet

Set Date and Time for Next Board of Directors Meeting:

The Board agreed to set the next meeting date for Wednesday, October 26, 2022, at 9 a.m. at the District Office in Pleasanton, TX 78064.

Adjourn:

There being no further business to come before the Board, President Schorp declared the meeting adjourned at 10:39 a.m.

Blaine Schorp, President

ATTEST:

Diane Savage, Secretary/Treasurer