

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

The meeting of the Texana Groundwater Conservation District Board of Directors convened at 411 N. Wells, Edna, Texas 77957 on Thursday, October 20, 2022, at 8:30 AM.

The following representatives of Texana Groundwater Conservation District attended the meeting:

Precinct 1:	Kenneth Koop	Present
Precinct 2:	Michael Skalicky	Present
Precinct 3:	Clifford Born	Present
Precinct 4:	Robert Gendke Jr.	Absent
At Large:	Jim Revel	Present
At Large:	Johnny Dugger	Present
At Large:	Fredrick Woodland	Present
General Manager:	Tim Andruss	Present
Legal Counsel:	Jim Allison of Allison, Bass & Magee, LLP	Present

## Agenda Item 1: Call the meeting to order and welcome guests.

**Meeting Discussion:** Mr. Skalicky called the meeting to order at approximately 8:35.

**Board Action:** No action taken.

## Agenda Item 2: Receive public comments.

**Meeting Discussion:** None.

**Board Action:** None.

**Agenda Item 3: Consideration of and possible action on matters related to groundwater management including the efforts and activities of the District regarding permitting, complaints, investigations, violations, and enforcement cases associated with permitting.**

### 3.0 – Report regarding Groundwater Management

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District has initiated 49 permitting request cases since August 1, 2022, and 9 permitting request cases remain pending. A listing of permitting requests cases was provided.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

As of October 14, 2022, the volume of groundwater reported to be produced in calendar year 2021 was 16,175 acre-feet.

As of October 14, 2022, the volume of groundwater production authorized under active or approved production permits totals 166,065 acre-feet per year.

As of October 17, 2022, the District had 16 open investigations and 4 open enforcement cases.

**Board Action:** None.

## 3.0.1 – Review of Permitting Request Cases

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District has initiated 49 permitting request cases, and 9 permitting request cases pending, since August 1, 2022.

**Board Action:** None.

## 3.1.1 – Investigations regarding Failure to Provide Notice of Intent to Place Casing

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District has 5 active investigations associated with well drillers apparently failing to provide notice to the District of intent to place casing into a new well boreholes. Item 4 of Rule 4.2: PERMITTING POLICIES AND PROCEDURES RELATED TO DRILLING PERMITS went into effect on October 29, 2015, and states "A person drilling a well shall provide the District with notice of intent to place casing in the borehole at least two hours and not more than three hours before placing casing in the borehole."

**Board Action:** Mr. Skalicky moved to:

1. Authorize the General Manager to open an enforcement case for each investigation listed;
2. Find that the subject well driller of each investigation violated Rule 4.2: PERMITTING POLICIES AND PROCEDURES RELATED TO DRILLING PERMITS by failing to provide notice of intent to place casing in association with the drilling of the subject well; and
3. Authorize the General Manager to offer to settle the violation if well driller acknowledges the violation and that subsequent violations may result in additional enforcement proceedings in accordance with the Enforcement Policy of the District.

Mr. Dugger seconded the motion. The motion passed unanimously.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

## 3.1.2 - Investigations regarding Failure to Register Non-Grandfathered Wells

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District had 4 open investigations regarding failures to obtain necessary permits.

In each case, the associated drilling permit application indicated the well was intended to be used as an exempt-use well and the associated well log indicates that well was drilled for exempt-use purposes.

Item 8 of RULE 2.1: REGISTRATION OF WELLS, WELL FIELDS, AND WELL SYSTEMS reads as follows: "All non-grandfathered wells and replacement wells drilled within the boundary of the District shall be registered with the District by the authorized operator, well owner, or well owner agent within 60 days of the completion of the non-grandfathered well by application accompanied by the well driller's log."

Item 8 of RULE 2.1: REGISTRATION OF WELLS, WELL FIELDS, AND WELL SYSTEMS reads as follows: "The District may register any well, well field, or well system within the District that is required to be registered under these rules."

Item 9 of RULE 2.1: REGISTRATION OF WELLS, WELL FIELDS, AND WELL SYSTEMS reads as follows: "The District may register any well, well field, or well system within the District that is subject to investigation by the District."

Item 10 of RULE 9.2: VIOLATIONS reads as follows: "Failure to register a well drilled and completed after the date of the original adoption of the rules of the District constitutes a violation of these rules."

**Board Action:** Mr. Dugger moved to authorize the General Manager to register the wells associated with the identified investigations and close the identified investigations. Mr. Born seconded the motion. The motion passed unanimously.

## 3.1.4 – Investigations regarding Failure to Obtain Permits

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District had 6 open investigations regarding failures to obtain necessary permits.

The District intends to focus its efforts on investigation INV-20221012.1423 through which the District is reconciling production permits to the list of public water systems with groundwater identified as the primary source of water. The District will postpone further processing of the other investigation until the rule revision process is completed.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

**Board Action:** None.

## 3.1.5 – Investigations regarding Failure to Report Groundwater Production

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District has 1 open investigation regarding failures to report groundwater production: INV-20220720.1015 - Failure to Report Groundwater Production for CY2021 - Active. The District has 1 enforcement case regarding failures to report groundwater production in CY2020. See MFC-20221020-3.3.2 - Enforcement Cases regarding Failure to Report Groundwater Production for CY2020 for more information.

The District has identified 1 instance in which groundwater production for a non-exempt well has not been reported in CY2021 and a violation for failure to report groundwater production in CY2020 is unresolved. The ownership of the property of the subject well, GW-00334, changed in March 2020 transferring ownership from Dianna Stanger to LeLe Golf, LLC. Unfortunately, the 2nd notice of violation transmitted to LeLe Golf, LLC under enforcement case violation ECV-20210712-08 - Level 1 - Failure to Report Groundwater Production for CY2020 - Unresolved was defective as it improperly referred to Victoria County GCD.

The District has identified 12 instances in which groundwater production for a non-exempt well has not been reported in CY2021 and a violation for failure to report groundwater production in CY2020 has been resolved.

The District has identified 6 instances in which groundwater production for a non-exempt well has not been reported in CY2021 and was not reported for CY2020.

**Board Action:** Mr. Revel moved to:

1. authorize the General Manager to open enforcement cases for each instance in which required groundwater production was not reported,
2. find that each instance of failure to report groundwater production is a violation unless the well owner can demonstrate that groundwater production for the subject well for calendar year 2021 was submitted on or before January 31, 2022, and
3. authorize the General Manager to offer to settle the violation without penalty or fee if, by December 1, 2022,
  1. groundwater production for the subject well for calendar year 2021 is reported, and
  2. the well owner of the subject well acknowledges the violation.

Mr. Woodland seconded the motion. The motion passed unanimously.

## **Texana Groundwater Conservation District**

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

### **3.2 – Permit Hearing for PRC-20220928-01 – Ranches at Mustang Creek LLC**

**Meeting Discussion:** Mr. Andruss explained Mr. Darryl R. Hammond for The Ranches at Mustang Creek, LLC seeks, under permitting request case PRC-20220928-01, a historic use production permit authorizing production of groundwater for irrigation of crops and lake maintenance at rates not to exceed 2,500 gallons per minute or 945 acre-feet per year from grandfathered well GW-00569. The subject well is located on a 322.65-acre tract of land near the intersection of U.S. Highway 59 North and County Road 202 in Jackson County, Texas. See PRC-20220928-01 - ARW-20220912-02/AVW-20220912-04 - The Ranches at Mustang Creek, LLC - Pending for additional information.

The applications and supplemental information associated with this permitting request case are considered administratively complete and contain sufficient information to evaluate the request relative to the Rules of the District. Provided the resulting permit is properly conditioned, the operation of the existing well would satisfy the requirements as established within the Rules of the District without a waiver or variance.

The application states that the "[w]ell has been used for at least 28 years." The application indicates groundwater produced from well GW-00569 was used for irrigation of crops and maintaining water level in a lake. The volume of historic use from well GW-00569 is estimated to be 945 acre-feet per year. The volume of historic use for grass irrigation is estimated to be 933 acre-feet per year. The volume of historic use for maintaining lake levels is estimated to be 12 acre-feet per year. The application includes affidavits from Mr. Darryl R. Hammond and Mr. Karl Reckaway. The District confirmed the existence of the pond on aerial imagery dated 1/23/1996 and 4/11/2007 from Google Earth.

On October 5, 2022, the public notice related to the consideration of the permit case was completed.

As of October 18, 2022, the District had not received notice of intent to contest the permitting request.

**Board Action:** None.

### **3.3.1 – Enforcement Case – EC-20200505-01 – Edwin Juranek**

**Meeting Discussion:** Mr. Andruss explained the District continues to process enforcement case EC-20200505-01 - Failure to Obtain Permit - Active.

On May 7, 2020, the District approved an offer to resolve the identified violations.

# **Texana Groundwater Conservation District**

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

The District offered to settle the violations if Mr. Juranek:

1. the acknowledgment of each violation,
2. the submittal of an administratively complete Application to Register a Well for the water well located at 29°1'36" N, 96°25'44" W,
3. the submittal of an administratively complete groundwater production reports for calendar years 2017, 2018, and 2019 for the water well located at 29°1'36" N, 96°25'44" W, and
4. the submittal of an administratively complete Application to Operate a Well for the water well located at 29°1'36" N, 96°25'44" W.

On July 7, 2020, Mr. Juranek consented to the offer to settle the violations.

On July 9, 2022, Mr. Juranek submitted an application requesting a production permit for well NW-00529. The application is administratively incomplete.

On April 15, 2021, the District extended offers to resolve the identified violations.

The District offered to consider the violations settled if Mr. Juranek:

1. ceased groundwater production immediately from the well until he demonstrates that:
  1. the subject well was re-worked/re-construct in a manner that satisfies the annular seal requirements of Rule 7.2.3.a; or
  2. the subject well was plugged and replaced in accordance with the Rules of the District including proper sealing of the annular space; and
  3. either:
    1. demonstrate the actual production rate of the subject well is less than 720,000 GPD (500 GPM) and complete with the permitting process established by the Rules of the District for wells that do not exceed a production capacity of 720,000 GPD; or
    2. install of two monitoring wells; provide the monthly water level and water quality measurements in accordance with Rule 4.3.18 and Rule 4.3.19; and complete with the permitting process established by the Rules of the District for wells that exceed a production capacity of 720,000 GPD.

On April 27, 2021, Mr. Juranek consented to the offer to settle the violations.

On January 26, 2022, Mr. Juranek submitted groundwater production report GPR-20220126-02 - NW-00529 - 2021 - Administratively Complete indicating the well was not operated in CY2021.

# **Texana Groundwater Conservation District**

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

On February 4, 2022, Mr. Juranek submitted waiver request AWR-20220504-01 - Edwin Juranek et al in association with production permit request AOW-20200709-06 - Edwin Juranek.

On April 21, 2022, the Board passed a motion to:

1. find that Mr. Juranek remains in violation of the Rules of the District;
2. instruct the General Manager to notify Mr. Juranek, by certified mail, of:
  1. the Board's finding that he continues to be in violation of the Rules of the District; and
  2. the necessity for him to take action to resolve the violations before July 7, 2022 by either:
    1. submitting credible evidence that the annular space of a new well is not contaminating or diminishing the quality of groundwater resources through the commingling of waters of different chemical quality and is not allowing pollutants to migrate into groundwater resources through the annular space; or
    2. submitting credible evidence that subject well was plugged, by a licensed well driller, by perforating and cementing the casing of the subject well in a manner that will 1) prevent the contamination of or diminishing of the quality of groundwater resources through the commingling of waters of different chemical quality through the annular space of the subject well, and 2) reduce the risk of allowing pollutants migrate to groundwater resources through the annular space of the subject well; and
  3. the intention of the Board to instruct legal counsel file suit regarding the violations on July 21, 2022, if the violations remain unresolved as of July 7, 2022.

On May 3, 2022, Mr. Skalicky provided photographs that appear to show the Mr. Juranek's fields being watered.

On May 3, 2022, Mr. Andruss and Mr. Benavides conducted a site visit at the well site to confirm that photographs provided by Mr. Skalicky appear to demonstrate that groundwater production had occurred in the recent past and discuss the matter with Mr. Juranek. Mr. Juranek provided a new phone number (361-771-5397), confirmed the well had been recently use to water the corn crop, and allowed the District to collect photos of the well.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

On July 13, 2022, Mr. Juranek requested the District dismiss violation ECV-20210415-04 - LEVEL 1 - Failure to Properly Seal the Annulus of a Well - Approved by Board.

On July 21, 2022, the Board overturned violation ECV-20210415-04 - LEVEL 1 - Failure to Properly Seal the annulus of a Well.

On July 21, 2022, during the discussion of the enforcement case with the Board, Mr. Rian Juranek stated that the well had been operated to produce groundwater for irrigation purposes during this calendar year which appears to be a violation of the rules of the district and the settlement offer accepted by Mr. Juranek.

On August 18, 2022, the board instructed the General Manager to request a legal briefing from Mr. Allison regarding the legal options available to the District to pursue enforcement of violations associated this enforcement case.

On August 24, 2022, the District requested Mr. Allison develop a legal brief regarding the legal options available to the District to pursue enforcement of violations associated this enforcement case.

**Board Action:** Mr. Revel opened executive session at 10:27 AM. Mr. Dugger seconded the motion.

**Board Action:** Mr. Skalicky moved to close executive session at 11:27. Mr. Dugger seconded the motion.

Mr. Revel moved to:

1. find that Mr. Juranek violated RULE 4.3: PERMITTING POLICIES AND PROCEDURES RELATED TO PRODUCTION PERMITS within 5 years of violation ECV-20200507-02 - LEVEL 1 - Failure to Obtain a Production Permit by operating a non-exempt use well prior to obtaining, from the District, a production permit authorizing the operation of the non-grandfathered non-exempt use well constituting a level two violation per the Enforcement Policy of the District;

2. move to assess a \$1,000.00 penalty upon Mr. Juranek for the level two violation in accordance with the Enforcement Policy of the District; and

3. in light of the fact that Mr. Juranek accepted a settlement offer in connection with violation ECV-20200507-02 - LEVEL 1 - Failure to Obtain a Production Permit and deliberately violated the settlement accepted by operating well NW-00529:

1. prohibit the use of well NW-00529 until all violations are resolved and a production permit for well NW-00529 is issued by the District; and



# **Texana Groundwater Conservation District**

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

2. require Mr. Juranek to install a mechanism on well NW-00529 that disables the operation of the well and can be locked and sealed by the District affixing a physical, tamper-evident device. The motion failed lack of a second.

**Board Action:** Mr. Skalicky moved to:

1. find that Mr. Juranek violated RULE 4.3: PERMITTING POLICIES AND PROCEDURES RELATED TO PRODUCTION PERMITS within 5 years of violation ECV-20200507-02 - LEVEL 1 - Failure to Obtain a Production Permit by operating a non-exempt use well prior to obtaining, from the District, a production permit authorizing the operation of the non-grandfathered non-exempt use well constituting a level two violation per the Enforcement Policy of the District;

2. move to assess a \$250.00 penalty upon Mr. Juranek for the level two violation in accordance with the Enforcement Policy of the District; and

3. in light of the fact that Mr. Juranek accepted a settlement offer in connection with violation ECV-20200507-02 - LEVEL 1 - Failure to Obtain a Production Permit and deliberately violated the settlement accepted by operating well NW-00529:

1. prohibit the use of well NW-00529 until all violations are resolved and a production permit for well NW-00529 is issued by the District; and

2. require Mr. Juranek to install a mechanism on well NW-00529 that disables the operation of the well and can be locked and sealed by the District affixing a physical, tamper-evident device.

### **3.3.2 – Enforcement Cases regarding Failure to Report Groundwater Production for CY2020**

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District has 1 enforcement case regarding failures to report groundwater production in CY2020.

**Board Action:** None.

### **3.3.3 – Enforcement Cases regarding Failure to Provide Notice of Intent to Place Casing**

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District has 3 active enforcement cases related to failure to provide notice of intent to place casing.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

The District sent the 2<sup>nd</sup> Notice of Violation and settlement offer to the associate well drillers on October 18, 2022.

**Board Action:** None.

**Agenda Item 4: Consideration of and possible action on matters related to Groundwater Protection including complaints, investigations, violations, and enforcement cases related to groundwater contamination and waste.**

## 4.0 – Report regarding Groundwater Protection

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2022, the District has no active investigations related to possible groundwater protection.

**Board Action:** None.

## 4.1 – Well Plugging – Bower and Saha Aquaculture LLC

**Meeting Discussion:** Mr. Andruss explained on July 23, 2020, the Board of Directors considered the plugging of well GW-00452. During the discussion of the matter, the Board was informed that:

1. on June 25, 2020, the District had notified Mr. Ekstrom by email "that the proposed method of plugging well may not satisfy the requirements established under Rule 7.3 of the Rules of the District. In particular, I am concerned about two important components of the plan to plug the well: 1) the depth to which the casing will be sealed and 2) the extent to which the method will result in sealing the annulus of the well (which I anticipate was gravel packed across all water-bearing sands)." and requested that Mr. Ekstrom "forward a copy of the plugging proposal and a copy of the video inspection of IW-3 for review by the District." in the hope that a review of the plan "in advance of the plugging the well, will help us avoid a situation in which the District determines that the method does not satisfy the requirements of the Rules after the plugging work has been completed." and

2. on July 17, 2020, Mr. Ekstrom notified the District by email that he had proceeded with the plugging of well GW-00452 on July 7, 2020 and submitted the associated plugging report. The plugging work was performed by Crowell Drilling Company, Inc. The well as plugged to a by tremmie pipe from a depth of 233 feet below the surface to 2 feet below the surface with 275 bag/sacks of cement. In the email message, Mr. Ekstrom provides an explanation of his reasoning for proceeding with the plugging without further coordination with the District.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

The Board took no action regarding the matter on July 23, 2020.

The item 2 of Rule 7.3 of the Rules of the District specifies the following: "The casing in a well shall be perforated and cemented in a manner that will prevent the commingling or loss of groundwater if the well is allowing the commingling of undesirable water and desirable groundwater or the unwanted loss of water, and the casing in the well cannot be removed and the well re-completed in accordance with the applicable rule."

Unfortunately, monthly average conductivity values continued to exceed the performance conditions established within waiver WV-20191219-01 after the plugging of well GW-00452 (April 2021 - December 2021) that required Ekstrom to curtail fresh groundwater production from the well field. In response, Ekstrom sought and received forbearance from the Board to produce groundwater from well R1GW-00452 (the replacement well drilled for well GW-00452) to develop technical data submitted to the District as a two-part report referred to as the DiSorbo Report) to better understand the hydrologic conditions at the site.

The DiSorbo Report indicated that conductivity measurements in the monitoring well and improved in response to the pumping and "no evidence of leakage between the brackish zone and freshwater zone on the Ekstrom Property."

The District has requested a review of the DiSorbo Report from Dr. Uddameri with a specific request to evaluate the apparent conclusion reached in the report that the upper brackish zone is effectively isolated from the lower fresh zone in the vicinity of East Aquifer Monitoring Site near well R1GW-00452(IW-3) in preparation for attempting to develop a joint recommendation for an amendment to waiver WV-20191219-01.

As instructed by the Board on August 18, 2022, the District has requested that Mr. Allison develop a legal brief regarding the plugging of well GW-00452 as it relates to Rule 7.3 to determine if a violation has potentially occurred and potential enforcement options, if any.

**Board Action:** None.

## **Agenda Item 5: Consideration of and possible action on matters related to Groundwater Monitoring.**

### **5.0 – Report on Groundwater Monitoring**

**Meeting Discussion:** None.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

**Board Action:** None.

## **5.1 – Monitor Drought**

**Meeting Discussion:** Mr. Andruss explained The U.S. Drought Monitor (<https://www.drought.gov/states/texas/county/jackson>) indicates that 100% of Jackson County was experiencing abnormally dry conditions, 34.29% was experiencing moderate drought conditions while 1.22% of Jackson County was experiencing severe drought as of October 11, 2022.

**Board Action:** None.

## **5.2 – Water Quality Trend Analysis**

**Meeting Discussion:** Mr. Andruss explained previously, directors have requested an analysis of conductivity trends within the District. He provided information that was developed from aquifer monitoring data (excluding continuous aquifer monitoring data collected at the Bower and Saha Fish Farm) collected by the District between year 2012 and 2022.

**Board Action:** None.

## **Agenda Item 6. Consideration of and possible action on matters related to Groundwater Conservation.**

**Meeting Discussion:** None.

**Board Action:** None.

## **Agenda Item 7: Consideration of and possible action on matters related to Groundwater resource planning including Groundwater Management Area 15 Joint Planning and regional water planning.**

**Meeting Discussion:** None.

**Board Action:** None.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

## **Agenda Item 8: Consideration of and possible action on matters related to Groundwater Policy including the Management Plan of the District and draft revisions to the Rules of the District.**

### **8.0 – Report of Groundwater Policy**

**Meeting Discussion:** Mr. Andruss explained on September 22, 2022, the Board provided guidance regarding draft rule revisions. A final draft of revised rules has been produced based the guidance provided.

On October 14, 2022, the District received notice from TWDB that the GMA 15 MAG report has been posted on the TWDB website along with MAG summaries by district and county. The Modeled Available Groundwater (MAG) for Jackson County is reported as 90,571 acre-feet per year for each decade between 2020 through 2080. The District will develop a draft management plan with revisions related to the new DFCs and MAGs for consideration at a future meeting.

**Board Action:** None.

### **8.1 – Draft Rule Revisions**

**Meeting Discussion:** Mr. Andruss explained on September 22, 2022, the Board provided guidance regarding draft rule revisions. A final draft of revised rules has been produced based the guidance provided.

**Board Action:** Mr. Dugger moved to:

1. designate the draft revisions of the rules of the district as the proposed rules of the district;
2. authorize the general manager to publicly post the proposed rules of the district for the purposes of accepting public;
3. authorize the general manager to notify entities such as the County of Jackson, the City of Edna, the City of Ganado, the LNRA of the proposed rules of the district; and
4. post the required notices of a rulemaking hearing regarding the draft rules scheduled for January 19, 2023.

Mr. Born seconded the motion. The motion passed unanimously.

## **Agenda Item 9: Consideration of and possible action on matters related to Meeting Management including minutes of previous meetings.**

### **9.0 – Report regarding Meeting Management**

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

**Meeting Discussion:** Mr. Andruss explained the next meetings of the Board are scheduled for January 19, 2023, April 20, 2023, July 20, 2023, August 17, 2023, and October 19, 2023 with each meeting to convene at 8:30 AM. Special meeting may be scheduled to address unforeseen issues.

**Board Action:** Mr. Born moved to adopt the meeting schedule for CY2023. Mr. Dugger seconded the motion. The motion passed unanimously.

## 9.1 – Minutes of Previous Meeting

**Meeting Discussion:** Mr. Andruss explained the minutes for the meeting held on September 22, 2022, were sent to the board members prior to the meeting.

**Board Action:** Mr. Skalicky moved to accept and approve the meeting minutes for September 22, 2022, as drafted. Mr. Dugger seconded the motion. The motion passed unanimously.

## **Agenda Item 10: Consideration of and possible action on matters related to Financial Management including the annual budget of the District, bank accounts, investments, financial reports of the district, bills and invoices of the District.**

### 10.0 – Report on Financial Management

**Meeting Discussion:** Mr. Andruss explained the financial records for August 2022 have been compiled, reviewed, and sent to the board members prior to the meeting.

**Board Action:** Mr. Skalicky moved to accept and approve the financial records for August 2022. Mr. Woodward seconded the motion. The motion passed unanimously.

#### 10.0.1 – Financial Transaction Review

**Meeting Discussion:** Mr. Andruss explained there were 4 accounts payable and 6 accounts receivable transactions since August 19, 2022, as of October 14, 2022.

**Board Action:** None.

#### 10.2 – Unpaid Accounts Payable

**Meeting Discussion:** Mr. Andruss explained the District has outstanding accounts payable invoices that are not considered regular and routine for which the District has received the goods and services billed for under the invoices.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

**Board Action:** Mr. Koop moved to authorize the General Manager to pay the listed invoices. Mr. Born seconded the motion. The motion passed unanimously.

## 10.3 – Financial Audit for FY2022

**Meeting Discussion:** Mr. Andruss explained Mr. Goldman of Goldman, Hunt and Notz LLP has submitted an engagement letter related to performance of a financial audit of the District for FY2022.

**Board Action:** Mr. Skalicky moved to accept the offer of Goldman, Hunt and Notz LLP to perform the financial audit for the fiscal year ending September 30, 2022, and authorize the firm to begin the audit upon development of the internal financial reports for September 30, 2022. Mr. Revel seconded the motion. The motion passed unanimously.

**Agenda Item 11: Consideration of and possible action on matters related to office administration and management including management goals and objectives of the District, administrative policies, election of officers of the board, staffing, consultant agreements, interlocal cooperation agreements, and support services provided to and from other groundwater conservation districts.**

**Meeting Discussion:** None.

**Board Action:** None.

**Agenda Item 12: Consideration of and possible action on matters related to Legal Counsel Report.**

**Meeting Discussion:** None.

**Board Action:** None.

**Agenda Item 13: Adjourn.**

**Meeting Discussion:** None.

**Board Action:** Mr. Dugger moved to adjourn the meeting after concluding all business of the District at 12:33 PM. Mr. Koop seconded the motion. The motion passed unanimously.

# Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | [www.texanagcd.org](http://www.texanagcd.org)

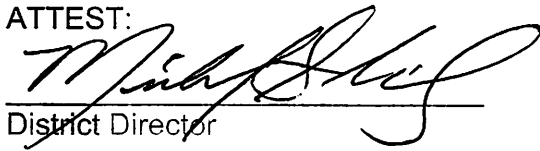
Prepared by:

Caitlynn Davenport; Administrative Coordinator

Texana Groundwater Conservation District

The above and foregoing minutes were read and approved on this the 19<sup>th</sup> day of JANUARY, 2023.

ATTEST:

  
District Director

  
District Director