

## **Victoria County Groundwater Conservation District Meeting Notice and Agenda**

Notice is hereby given in accordance with the Open Meetings Act, Chapter 551, Government Code and Section 36.064 of the Texas Water Code that the Victoria County Groundwater Conservation District Board of Directors will hold a meeting on April 19, 2024, at 9:00 AM at the Dr. Pattie Dodson Health Center, 2805 N. Navarro St., Victoria, Texas.

### **AGENDA**

1. Call the meeting to order and welcome guests.
2. Receive public comments.
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.
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.
5. Consideration of and possible action on matters related to groundwater monitoring.
6. Consideration of and possible action on matters related to groundwater conservation.
7. Consideration of and possible action on matters related to groundwater resource planning including Groundwater Management Area 15 Joint Planning and regional water planning.
8. Consideration of and possible action on matters related to groundwater policy including the Management Plan of the District and the Rules of the District.
9. Consideration of and possible action on matters related to administration and management including the minutes of previous meetings, the annual budget of the district, bank accounts, investments, financial reports of the district, bills and invoices of the district, management goals and objectives of the district, administrative policies, staffing, consultant agreements, interlocal cooperation agreements, and support services provided to and from other groundwater conservation districts.
10. Consideration of and possible action on matters related to legal counsel report.
11. Adjourn.

The Victoria County Groundwater Conservation District may close the meeting, if necessary, to conduct private consultation with legal counsel regarding matters protected by the attorney-client privilege pursuant to Section 551.071 of the Government Code or to discuss matters regarding personnel pursuant to Section 551.074 of the Government Code. The Victoria County Groundwater Conservation District will return to open meeting, if necessary, to take any action deemed necessary based on discussion in closed meeting pursuant to Section 551.102 of the Government Code.

In Accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of event you wish to attend.

# VCGCD - Matters For Consideration - 20240419

## Item 1.0 - Convene Meeting

### Management Discussion:

staff completed the necessary public notification requirements for the meeting.

See: Public Notice - 20240419 - Board Meeting.

### Management Recommendation:

call the meeting to order and record the district representatives present at the meeting.

\_\_\_\_\_ called the meeting to order at \_\_\_\_\_ AM with the following representatives being present:

Precinct 1: Mr. Jerry Hroch, Vice President : \_\_\_\_\_ .

Precinct 2: Mr. Thurman Clements, Jr., Director : \_\_\_\_\_ .

Precinct 3: Mrs. Barbara Dietzel, Secretary : \_\_\_\_\_ .

Precinct 4: Mr. Mark Meek, President : \_\_\_\_\_ .

At Large: Mr. Kenneth Eller, Director : \_\_\_\_\_ .

General Manager: Tim Andruss : \_\_\_\_\_ .

General Counsel: Jim Allison : \_\_\_\_\_ .

## Item 2.0 - Receive Public Comment

## Management Discussion:

none.

## Management Recommendation:

offer to accept public comment from attendees.

# Item 3.0 - Report regarding Groundwater Management

## Previous Consideration by the Board:

MFC-20240119-3.0 - Report regarding Groundwater Management.

## Management Discussion:

### Regarding Well Registration Processing for FY2024.

As of April 15, 2024, staff had received 28 well registration applications (ARWs) since October 1, 2023:

1. ARW-20231019-01 - Bruce Bagnall
2. ARW-20231019-02 - Mary Austin Hewitt
3. ARW-20231117-01 - Silver Serenity Assisted Living
4. ARW-20231117-02 - Aron and Jill Phillips
5. ARW-20231117-03 - Kenneth Charbula
6. ARW-20231117-04 - GW-000563 - Daryl Schroeder
7. ARW-20231117-05 - 3-D Companies LLC.
8. ARW-20231117-06 - Pamela Briones
9. ARW-20231117-07 - Rocky Alford
10. ARW-20231117-08 - Waylon J. Brannan III
11. ARW-20231117-09 - Waylon J. Brannan III
12. ARW-20231117-10 - Emerald City Investments
13. ARW-20231120-01 - Linden Hill Motel
14. ARW-20231120-02 - Devereux Foundation
15. ARW-20231226-01 - The Barn
16. ARW-20231227-01 - Smittys Food Mart
17. ARW-20240205-01 - 7-Eleven Store 36525

18. [ARW-20240205-02 - 7-Eleven Store 36551H](#)
19. [ARW-20240311-01 - Spring Creek Event Center](#)
20. [ARW-20240321-01 - Team KAM Enterprises](#)
21. [ARW-20240401-01 - McFaddin Ranch - Garcitas Division](#)
22. [ARW-20240401-02 - McFaddin Ranch - Garcitas Division](#)
23. [ARW-20240401-03 - McFaddin Ranch - Garcitas Division](#)
24. [ARW-20240401-04 - McFaddin Ranch - Garcitas Division](#)
25. [ARW-20240401-05 - McFaddin Ranch - Garcitas Division](#)
26. [ARW-20240401-06 - McFaddin Ranch - Garcitas Division](#)
27. [ARW-20240408-01 - Clayton Maxwell](#)
28. [ARWS-20231220-01 - MRGD - McFaddin Ranch - Garcitas Division](#)

As of [April 15, 2024](#), staff had received [37](#) Notices of Intent to Drill a Well (NIDWs) since [October 1, 2023](#):

1. [NIDW-20231030-01 - Chandler Drilling - Benjamin Rodriguez](#)
2. [NIDW-20231030-02 - Chandler Drilling - Juan and Dianna Geballos](#)
3. [NIDW-20231116-01 - Henry Rangnow - Tucker](#)
4. [NIDW-20231116-02 - Henry Rangnow - Tolbert](#)
5. [NIDW-20231116-03 - Joe Streak IV - Wall](#)
6. [NIDW-20231116-04 - Joe Streak IV - Wall](#)
7. [NIDW-20231201-01 - Mason Friedel - Russell Bagnall](#)
8. [NIDW-20231201-02 - Chandler Drilling - Jim Appleton](#)
9. [NIDW-20231201-03 - Matt Johnson - Kimberlite Homes](#)
10. [NIDW-20231201-04 - WB Southern Drilling - Juana Barreto luna](#)
11. [NIDW-20231201-05 - Mason Friedel - Eddie Flores](#)
12. [NIDW-20231201-06 - VCGCD - Matt Johnson - Kimberlite Homes](#)
13. [NIDW-20231201-07 - VCGCD - Matt Johnson - Schumack](#)
14. [NIDW-20231201-08 - Matt Johnson - Nick Kubala](#)
15. [NIDW-20231201-09 - Matt Johnson - Garland Sandhop](#)
16. [NIDW-20231201-10 - Matt Johnson - Royce Moran](#)
17. [NIDW-20231201-11 - WB Southern Drilling - Juan Coronado](#)
18. [NIDW-20231201-12 - Mike Deyo - Netti Hensley](#)
19. [NIDW-20231201-13 - Matt Johnson - Shanna and Patrick Mikulenka](#)
20. [NIDW-20231201-14 - Cadys Water Wells - Jayson Moore](#)
21. [NIDW-20231201-15 - Cadys Water Wells - Moore Construction](#)
22. [NIDW-20231201-16 - Matt Johnson - Clifford Davidson](#)
23. [NIDW-20231201-17 - Mason Friedel - Albert Servin](#)
24. [NIDW-20231204-01 - Henry Ragnow - Sam Le](#)
25. [NIDW-20231204-02 - Henry Rangnow - Phony Ngugen](#)

26. [NIDW-20231204-03 - Henry Ragnow - Robert May](#)
27. [NIDW-20240220-01 - Chris Manning](#)
28. [NIDW-20240222-01 - Chris Manning - Well 1](#)
29. [NIDW-20240306-01 - Jackson Weber - Henry Rangnow](#)
30. [NIDW-20240311-01 - Mike Blasching](#)
31. [NIDW-20240311-02 - Melissa Parks](#)
32. [NIDW-20240313-01 - Carmen Deleon - Matt Johnson](#)
33. [NIDW-20240313-02 - Amanda Moehle-Boyd - Levi Ballinger](#)
34. [NIDW-20240313-03 - Chris Manning - Louis Garza](#)
35. [NIDW-20240313-04 - Bruce Lot - Levi Ballinger](#)
36. [NIDW-20240322-01 - Kyle Neuendorff](#)
37. [NIDW-20240408-01 - Allen Hartman](#)

### **Regarding Production Permit Renewal Processing for FY2024.**

As of April 15, 2024, staff had received 8 production permit renewal requests (ARPs) since October 1, 2023.

1. [ARP-20240326-01 - Victoria County Pct. 2](#)
2. [ARP-20240326-02 - Victoria County Pct. 2](#)
3. [ARP-20240326-03 - Victoria R/E Venture](#)
4. [ARP-20240326-04 - Vulcan Material](#)
5. [ARP-20240326-05 - Faciliflow Services LLC](#)
6. [ARP-20240326-06 - LMFAO50LP](#)
7. [ARP-20240401-01 - Chris M. and Jacob Boyd](#)
8. [ARP-20240408-01 - USA Compression Partners LLC.te](#)

### **Regarding Permit Processing for FY2024.**

As of April 15, 2024, staff had initiated 29 permitting request case (PRCs) since October 1, 2023:

1. [PRC-20231002-01 - ANHUPPW-20230622-01 - Patriot RV Park](#)
2. [PRC-20231002-02 - ANHUPPW-20230919-01 - Ernest and Laura Gumban](#)
3. [PRC-20231002-03 - ANHUPPW-20230919-02 - John McLain](#)
4. [PRC-20231002-04 - ANHUPPW-20230919-04 - Greg Jolly](#)
5. [PRC-20231002-05 - ANHUPPW-20230919-05 - Stuart Wilkerson](#)
6. [PRC-20231002-06 - ANHUPPW-20230919-07- Ian McBean](#)
7. [PRC-20231002-07 - ANHUPPW-20230921-01 - Freedom Ventures of Victoria LLC](#)
8. [PRC-20231002-08 - ANHUPPW-20230921-02 - Lucky J Ranch](#)
9. [PRC-20231002-09 - ANHUPPW-20230921-03 - Lucky J Ranch](#)
10. [PRC-20231003-01 - ANHUPPW-20230925-03 - Ray Young - Pending](#)
11. [PRC-20231003-02 - ANHUPPW-20230926-01 - Kevin Broll - Pending](#)

12. PRC-20231003-03 - ARP-20230726-01 - Martin Luther Evangelical Lutheran Church - Pending
13. PRC-20231003-04 - AAP-20230815-01 - Victoria County WCID1 - R1GW-000311 - Pending
14. PRC-20231219-01 - ANHUPPW-20231120-01 - Linden Hill Motel
15. PRC-20231219-02 - ANHUPPW-20231120-02 - Devereux Foundation
16. PRC-20231219-03 - ANHUPPW-20231121-01 - Bloomington ISD
17. PRC-20231220-01 - ANHUPPW-20231121-02 - Oriana Solar LLC
18. PRC-20231226-01 - ANHUPPW-20231226-01 - The Barn - Pending/Uncontested
19. PRC-20231227-01 - ANHUPPW-20231227-01 - Smittys Food Mart
20. PRC-20240117-01 - ANHUPPW-20240117-01 - CSWR - Texas Utilities Operating Company - Coleta Water - Pending
21. PRC-20240117-02 - ANHUPPW-20240117-02 - CSWR - Texas Utility Operating Company - North Victoria Utilities- Pending
22. PRC-20240227-01 - ANHUPPW-20240220-01 - 7-Eleven Store 36551H - Pending/Uncontested
23. PRC-20240229-01 - ANHUPPW-20230921-04 - Five C Ranch and Minerals - Pending
24. PRC-20240229-02 - ANHUPPW-20230925-04 - Mission Partners - Pending/Uncontested
25. PRC-20240229-03 - ANHUPPW-20230918-01 - Vast Properties - Pending/Uncontested
26. PRC-20240306-01 - ANHUPPW-20240220-02 - 7-Eleven - 36525 - Pending/Uncontested
27. PRC-20240319-01 - AAP-20240318-01 - Redrocker Development - Pending/Contested
28. PRC-20240319-02 - AAP-20240318-02 - Redrocker Development - Pending/Contested
29. PRC-20240319-03 - AAP-20240318-03 - Allan Miller Enterprises - Pending/Contested

As of April 15, 2024, staff had 19 permitting request cases pending:

1. PRC-20211110-01 - ARW-20211109-01/03/ADW-20211109-05/AOW-20211109-02/04/06 - William G. Hoad - Pending
2. PRC-20220329-01 - ADW-20220322-01/AOW-20220322-02 - Michael Dillon Hannasch - Pending
3. PRC-20220624-01 - ADW-20220624-01 - Kenneth and Jennifer Charbula/AOW-20220624-02 - Kenneth and Jennifer Charbula - John and Gladys Stockbauer - Pending
4. PRC-20220705-03 - ADW-20220630-02/AOW-20220630-03 - Chase Thompson - Pending
5. PRC-20231003-01 - ANHUPPW-20230925-03 - Ray Young - Pending
6. PRC-20231003-02 - ANHUPPW-20230926-01 - Kevin Broll - Pending
7. PRC-20231003-03 - ARP-20230726-01 - Martin Luther Evangelical Lutheran Church - Pending

8. PRC-20231003-04 - AAP-20230815-01 - Victoria County WCID1 - R1GW-000311 - Pending
9. PRC-20231226-01 - ANHUPPW-20231226-01 - The Barn - Pending/Uncontested
10. PRC-20240117-01 - ANHUPPW-20240117-01 - CSWR - Texas Utilities Operating Company - Coleto Water - Pending
11. PRC-20240117-02 - ANHUPPW-20240117-02 - CSWR - Texas Utility Operating Company - North Victoria Utilities- Pending
12. PRC-20240227-01 - ANHUPPW-20240220-01 - 7-Eleven Store 36551H - Pending/Uncontested
13. PRC-20240229-01 - ANHUPPW-20230921-04 - Five C Ranch and Minerals - Pending
14. PRC-20240229-02 - ANHUPPW-20230925-04 - Mission Partners - Pending/Uncontested
15. PRC-20240229-03 - ANHUPPW-20230918-01 - Vast Properties - Pending/Uncontested
16. PRC-20240306-01 - ANHUPPW-20240220-02 - 7-Eleven - 36525 - Pending/Uncontested
17. PRC-20240319-01 - AAP-20240318-01 - Redrocker Development - Pending/Contested
18. PRC-20240319-02 - AAP-20240318-02 - Redrocker Development - Pending/Contested
19. PRC-20240319-03 - AAP-20240318-03 - Allan Miller Enterprises - Pending/Contested

As of April 15, 2024, staff had 247 active or approved production permits recorded in the permitting database with a combined amount of authorized groundwater production per year of 99,279.20 acre-feet.

### **Regarding Groundwater Production Report Processing for CY2023.**

As of April 15, 2024, staff had processed 225 groundwater production reports since October 1, 2023.

As of April 15, 2024, staff had recorded groundwater production reports for 222 water wells reporting 7,510.62 acre-feet of groundwater production during CY2023. (TWDB estimated the volume of groundwater produced for rural domestic, livestock, mining, and rig supply exempt uses in Victoria County in Year 2020 was 1,920 acre-feet. See: TWDB - Projected Exempt Groundwater Use Estimates. ).

### **Regarding Manage Investigations related to Permitting Violations for FY2024.**

As of April 15, 2024, staff had initiated 2 investigations related to groundwater management (i.e., permitting) since October 1, 2023:

1. INV-20231208.0827 - Failure to Satisfy Rules of the District - Failure to Register A Well - Active
2. INV-20231208.0827 - Failure to Satisfy Rules of the District - Failure to Register A Well - Active

As of April 15, 2024, staff had 5 active investigations related to groundwater management (i.e., permitting):

1. [INV-20140910-01 - Unpermitted Non-Exempt Use - Active](#)
2. [INV-20180608:0850 - Production in Excess of Authorized Volumes - Active](#)
3. [INV-20190715.1503 - Unpermitted Non-Exempt Use - Active](#)
4. [INV-20231115.1326 - Failure to Satisfy Rules of the District - Production Reporting for CY2023 - Active](#)
5. [INV-20231208.0827 - Failure to Satisfy Rules of the District - Failure to Register A Well - Active](#)

See: [MFC-20240419-3.2 - Investigation - INV-20231115.1326 - Failure to Report Groundwater Production.](#)

### **Regarding Manage Enforcement Cases related to Permitting Violations for FY2024.**

As of [April 15, 2024](#), the Board had initiated 9 enforcement case violations related to groundwater management (i.e., permitting) since [October 1, 2023](#):

1. [ECV-20231105-01 - Devereux Foundation - Failure to Obtain a Production Permit - Resolved](#)
2. [ECV-20231105-02 - Linden Hill Motel - Failure to Obtain Production Permit - Resolved](#)
3. [ECV-20231105-03 - Coletto Water - Failure to Obtain Production Permit - Active](#)
4. [ECV-20231105-04 - 7-Eleven Store 36525 - Failure to Obtain a Production Permit - Active](#)
5. [ECV-20231105-05 - 7-Eleven Store 36551H - Failure to Obtain Production Permit - Active](#)
6. [ECV-20231105-06 - North Victoria Utilities - Failure to Obtain Production Permit - Active](#)
7. [ECV-20231105-07 - Dollar General Store 16658 - Failure to Obtain Production Permit - Resolved](#)
8. [ECV-20231105-08 - The Barn - Failure to Obtain Production Permit - Resolved](#)
9. [ECV-20231105-09 - Smitty's Food Mart - Failure to Obtain Production Permit - Resolved](#)

As of [January 30, 2024](#), staff had 4 unresolved enforcement cases related to groundwater management (i.e., permitting):

1. [ECV-20231105-03 - Coletto Water - Failure to Obtain Production Permit - Active](#)
2. [ECV-20231105-04 - 7-Eleven Store 36525 - Failure to Obtain a Production Permit - Active](#)
3. [ECV-20231105-05 - 7-Eleven Store 36551H - Failure to Obtain Production Permit - Active](#)
4. [ECV-20231105-06 - North Victoria Utilities - Failure to Obtain Production Permit - Active.](#)



See: [MFC-20240419-3.3 - Enforcement Hearing re ECV-20231105-06 - CSWR-Texas Utility Operating Company - North Victoria Utilities - Failure to Obtain a Production Permit](#)

See: [MFC-20240419-3.4 - Enforcement Hearing re ECV-20231105-03 - CSWR-Texas Utility Operating Company - Coletto Water - Failure to Obtain a Production Permit](#)

See: [MFC-20240419-3.5 - Enforcement Hearing re ECV-20231105-04 - 7-Eleven Store 36525 - Failure to Obtain a Production Permit](#)

See: [MFC-20240419-3.6 - Enforcement Hearing re ECV-20231105-05 - 7-Eleven Store 36551H - Failure to Obtain a Production Permit](#)

## Management Recommendation:

none.

# Item 3.1 - Port of Victoria Request regarding Contiguous Acreage Limitations

## Previous Consideration by the Board:

[MFC-20240119-3.1 - Presentation by the Port of Victoria.](#)

## Management Discussion:

on January 19, 2024, the Board received a presentation from representatives (Mr. Galvan and Mr. Stibich) regarding potential development projects at the Port of Victoria and related water issues.

On March 18, 2024, Mr. Galvan on the behalf of the Victoria County Navigation District (VCND) submitted a request for the Board of Directors to "to consider revisions to their permitting policies and rules." In particular, the Navigation District requests that the Board undertake a rule making process to develop an exception to allow the "transfer water rights between non-contiguous properties" as a means to "offer increased flexibility for property owners and stakeholders in managing their water resources efficiently." The letter appears to identify two primary outcomes being sought by VCND:

1. the transfer of 300 acre-feet of groundwater production per year from VCND-owned properties (previously referred to as Properties 2440, 106, and 49) to another non-contiguous property (previously referred to as Properties 757 and 81).
2. the transfer of 8,000 acre-feet of deep-saline groundwater production per year from VCND-owned properties (previously referred to as Properties 2440, 106, and 49) to another non-contiguous property (previously referred to as Properties 757 and 81).

 **Untitled Attachment**

On March 20, 2024, Mr. Galvan responded to the request of the district for a shapefile depicting the boundaries of the contiguous tracts of landownership of by the Port of Victoria. The boundary information provided does not support previous assumptions held by staff that the roads, railroad tracks, and the ROW easement that cross or connect those properties do not represent breaks in the contiguous nature of the associated properties.

As previously expressed on January 19, 2024, the limitation of groundwater production based on contiguous ownership is a fundamental aspect of the district's regulation of groundwater production and constraint on the impacts of concentrated, non-historic use.

### **Management Recommendation:**

provide guidance on how, if at all, to proceed with preparing draft revisions to the rules of the district in connection with this request.

## **Item 3.2 - Investigation - INV-20231115.1326 - Failure to Report Groundwater Production**

### **Previous Consideration by the Board:**

[MFC-20230421-3.3 - Investigation of Failures to Report Groundwater Production for CY2022.](#)

### **Management Discussion:**

As of [April 15, 2024](#), the District has identified [23](#) wells under investigation [INV-20231115.1326 - Failure to Satisfy Rules of the District - Production Reporting for CY2023 - Active](#) that have potentially violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS by failing to report the volume of groundwater produced from the non-exempt-use well for the previous calendar year (January 1 to December 31) during January of the current calendar year.

On November 11, 2023, the general manager initiated the investigation.

On April 15, 2024, the general manager developed a list of wells and ownership information related to well that appear to currently have not satisfied the requirement to report groundwater production for CY2023.

Based on a review of recorded violations, staff have classified the potential violators based on appraisal district information (i.e., landowner names) into the following groups based the provisions of RULE 11.10: PENALTIES of the Rules of the District:

**Group 1: Persons with one violation and no previous violations:**

- a. the well owner as of December 31, 2023, find that the well owner as of December 31, 2023, (Registered Well Owner: Dennis Leita; VCAD Landowner: Dennis E. & Terri H. Leita) of well(s) GW-000475, GW-000477 and GW-00478.
- b. the well owner as of December 31, 2023, find that the well owner as of December 31, 2023, (Registered Well Owner: LS Tavern LLC.; VCAD Landowner: LS Tavern LLC.) of well GW-001009.
- c. the well owner as of December 31, 2023, find that the well owner as of December 31, 2023, (Registered Well Owner: Buhler-Telferner Partnership; VCAD Landowner: Buhler-Telferner Partnership) of well(s) GW-001028, GW-001029 and GW-001030.
- d. the well owner as of December 31, 2023, find that the well owner as of December 31, 2023,(Registered Well Owner: Smity's Food Mart; VCAD Landowner: Inez Convenience Services LLC.) of well GW-001065.
- e. the well owner as of December 31, 2023, find that the well owner as of December 31, 2023, (Registered Well Owner: Milenium Estate MGMT. LLC.; VCAD Landowner: Kam Enterprises LTD.) of well NW-000609.
- f. the well owner as of December 31, 2023, find that the well owner as of December 31, 2023, (Registered Well Owner: Mark R. Mize; VCAD Landowner: Mark R. Mize) of well NW-000869.

**Group: 2: Persons with previous violation of the related rule in the previous 5-year period:**

- a. the well owner as of December 31, 2023, (Registered Well Owner: Murphy Testamentary Trust; VCAD Landowner: Murphy William Jr. Trust) of well(s) GW-00340 and GW-00341.(See: [ECV-20210617-05](#), [ECV-20210617-06](#))
- b. the well owner as of December 31, 2023, (Registered Well Owner: Marvin C. Franz et al; VCAD Landowner:Marvin Franz) of well(s) GW-000464, GW-000466 and R1GW-000465. (See: [ECV-20210617-10](#), [ECV-20210617-11](#), [ECV-20210621-45](#).)
- c. the well owner as of December 31, 2023, (Registered Well Owner: Central States Water Resources Texas; VCAD Landowner: CSWR-Texas Utility Operating Company LLC.) of well(s) GW-000984 and GW-001055. (See: [ECV-20210621-05](#), [ECV-20230424-17](#).)
- d. the well owner as of December 31, 2023, (Registered Well Owner: The Dam Company LLC.; VCAD Landowner The Dam Company LLC.) of well GW-000557. (See: [ECV-20210617-14](#).)

- e. the well owner as of December 31, 2023, (Registered Well Owner: Oakwood Outlook LLC.; VCAD Landowner: Keep Bloomington Beautiful) of well GW-00720. (See: [ECV-20230424-02.](#))
- f. the well owner as of December 31, 2023, (Registered Well Owner: Jose G. Celedon; VCAD Landowner: Jose G. Celedon) of well GW-00750. (See: [ECV-20230424-21.](#))
- g. the well owner as of December 31, 2023, (Registered Well Owner: RSBR Investments LLC.; VCAD Landowner: Freedom Ventures of Victoria LLC.) of well NW-000824. (See: [ECV-20210621-34](#), [ECV-20230424-04.](#))
- h. the well owner as of December 31, 2023, (Registered Well Owner: Millennium Estate Management LLC.; VCAD Landowner: VICTTEC LLC.) of well NW-001296. (See: [ECV-20230424-20.](#))
- i. the well owner as of December 31, 2023, (Registered Well Owner: James R. Cook; VCAD Landowner: James Randall Cook) of well NW-001343. (See: [ECV-20220523-10.](#))

If the boards find that violations have occurred in the instances identified above and instruct staff to proceed with enforcement efforts, staff will:

- a) mail [1st notice of violation](#) and any approved settlement offer to the landowner associated with the appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by May 1, 2024;
- b) mail the [2nd notice of violation](#) and any approved settlement offer to the landowner associated with the appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by June 1, 2024,
- c) mail the [notice of need to file suit](#) and any approved settlement offer to the landowner associated with the appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by June 30, 2024,
- d) publish an enforcement hearing notice for any unresolved violations for the July 20, 2024 board meeting by July 6, 2024, and
- e) present any unresolved violations to the board at the July 20, 2024 meeting with a recommendation that board: 1) confirm the findings of violation and penalties and 2) referred to the violations to legal counsel for filing suit before the meeting scheduled for October 19, 2024.

## Management Recommendation:

### **Management Recommendation for Group 1: Persons with one violation and no previous violations.**

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Dennis Leita; VCAD Landowner: Dennis E. & Terri H. Leita)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well(s) **GW-000475, GW-000477 and GW-00478** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Dennis Leita; VCAD Landowner: Dennis E. & Terri H. Leita)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of \$0.00 by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: LS Tavern LLC.; VCAD Landowner: LS Tavern LLC.)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-001009** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: LS Tavern LLC.; VCAD Landowner: LS Tavern LLC.)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of \$0.00 by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Buhler-Telferner Partnership; VCAD Landowner: Buhler-Telferner Partnership)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well(s) **GW-001028, GW-001029 and GW-001030** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;

3. set a \$100.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Buhler-Telferner Partnership; VCAD Landowner: Buhler-Telferner Partnership)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of \$0.00 by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Smity's Food Mart; VCAD Landowner: Inez Convenience Services LLC.)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-001065** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Smity's Food Mart; VCAD Landowner: Inez Convenience Services LLC.)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of \$0.00 by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Millennium Estate MGMT. LLC.; VCAD Landowner: Kam Enterprises LTD.)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **NW-000609** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Millennium Estate MGMT. LLC.; VCAD Landowner: Kam Enterprises LTD.)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of \$0.00 by June 30, 2024; and

c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Mark R. Mize; VCAD Landowner: Mark R. Mize)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **NW-000869** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Mark R. Mize; VCAD Landowner: Mark R. Mize)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of \$0.00 by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

**Management Recommendation for Group 2: Persons with a previous violation of the related rule in the previous 5-year period.**

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Murphy Testamentary Trust; VCAD Landowner: Murphy William Jr. Trust)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well(s) **GW-000340 and GW-000341** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Murphy Testamentary Trust; VCAD Landowner: Murphy William Jr. Trust)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Marvin C. Franz et al; VCAD Landowner:Marvin Franz)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well(s) **GW-000464, GW-000466 and R1GW-000465** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Marvin C. Franz et al; VCAD Landowner:Marvin Franz)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Central States Water Resources Texas; VCAD Landowner: CSWR-Texas Utility Operating Company LLC.)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well(s) **GW-000984 and GW-001055** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Central States Water Resources Texas; VCAD Landowner: CSWR-Texas Utility Operating Company LLC.)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: The Dam Company LLC.; VCAD Landowner: The Dam Company LLC.)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-000557** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;



3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: The Dam Company LLC.; VCAD Landowner: The Dam Company LLC.)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Oakwood Outlook LLC.; VCAD Landowner: Keep Bloomington Beautiful)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-000720** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Oakwood Outlook LLC.; VCAD Landowner: Keep Bloomington Beautiful)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Jose G. Celedon; VCAD Landowner: Jose G. Celedon)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **GW-000750** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Jose G. Celedon; VCAD Landowner: Jose G. Celedon)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: RSBR Investments LLC.; VCAD Landowner: Freedom Ventures of Victoria LLC.)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **NW-000824** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: RSBR Investments LLC.; VCAD Landowner: Freedom Ventures of Victoria LLC.)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: Millennium Estate Management LLC.; VCAD Landowner: VICTTEC LLC.)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **NW-001296** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: Millennium Estate Management LLC.; VCAD Landowner: VICTTEC LLC.)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

move to:

1. find that the well owner as of December 31, 2023, **(Registered Well Owner: James R. Cook; VCAD Landowner: James Randall Cook)** violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well **NW-001343** unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;

3. set a \$250.00 penalty for the violation per RULE 11.5: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if **(Registered Well Owner: James R. Cook; VCAD Landowner: James Randall Cook)** consents to the following conditions:
  - a. acknowledges the violation by June 30, 2024;
  - b. pays a settlement fee of **\$20.00** by June 30, 2024; and
  - c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

## **Item 3.3 - Enforcement Hearing re ECV-20231105-06 - CSWR-Texas Utility Operating Company - North Victoria Utilities - Failure to Obtain a Production Permit**

### **Previous Consideration by the Board:**

[MFC-20240119-3.7 - Failure to Obtain a Production Permit.](#)

### **Management Discussion:**

on January 19, 2024, the Board of Directors took the following actions related to the violation: passed a motion to open and record the enforcement hearing; passed a motion to cease the recording the enforcement hearing after accepting public comments or comments from the alleged violator; and passed a motion to recess the enforcement hearing until the next meeting of the board of directors scheduled for April 19, 2024. See: [Enforcement Case Violation - ECV-20231105-06 - North Victoria Utilities - Failure to Obtain Production Permit - Active.](#)

On February 28, 2024, staff of the district mailed by certified mail to CSWR-Texas Utility Operating Company a request for additional information regarding the boundary of subject tracts of land control and the boundary of subject tracts of groundwater control by CSWR-Texas Utility Operating Company. See: [Production Permit Requests - AVW-20210623-01 - Central States Water Resources Texas - Administratively Incomplete.](#)

[VCGCD - Request for Boundary Confirmation - ANHUPPW-20240117-02 - Bundle.pdf](#)

 **Untitled Attachment**

VCGCD - Pre Certified Mail Receipt - 7022 1670 0003 4383 1232 - CSWR - NV.pdf

 **Untitled Attachment**

VCGCD - Pre Certified Mail Address Card - 7022 1670 0003 4383 1232 - CSWR - NV.pdf

 **Untitled Attachment**

As of April 16, 2024, the district has not received a response from CSWR-Texas Utility Operating Company.

On January 17, 2024, Mr. Allison provided a draft enforcement order for the enforcement case violation.

VCGCD - Enforcement Order No. ECV-20231105-06 (Production Permit).pdf

 **Untitled Attachment**

## **Management Recommendation:**

### **Management Recommendation 1:**

move to reconvene and continue the recording the enforcement hearing.

### **Management Recommendation 2:**

move to cease the recording the enforcement hearing after accepting public comments or comments from the alleged violator.

### **Management Recommendation 3:**

move to adopt an enforcement order for enforcement case violation ECV-20231105-06.

# **Item 3.4 - Enforcement Hearing re ECV-20231105-03 - CSWR-Texas Utility Operating Company - Coletto Water - Failure to Obtain a Production Permit**

## **Previous Consideration by the Board:**

[MFC-20240119-3.4 - Failure to Obtain a Production Permit.](#)

## **Management Discussion:**

on January 19, 2024, the Board of Directors took the following actions related to the violation: passed a motion to open and record the enforcement hearing; passed a motion to

cease the recording the enforcement hearing after accepting public comments or comments from the alleged violator; and passed a motion to recess the enforcement hearing until the next meeting of the board of directors scheduled for April 19, 2024. See: [Enforcement Case Violation - ECV-20231105-03 - Coletto Water - Failure to Obtain Production Permit - Active.](#)

On February 28, 2024, staff of the district mailed by certified mail to CSWR-Texas Utility Operating Company a request for additional information regarding the boundary of subject tracts of land control and the boundary of subject tracts of groundwater control by CSWR-Texas Utility Operating Company.

See: [Production Permit Requests - AVW-20210623-01 - Central States Water Resources Texas - Administratively Incomplete.](#)

VCGCD - Request for Boundary Confirmation - ANHUPPW-20240117-01 - Bundle.pdf

 **Untitled Attachment**

VCGCD - Pre Certified Mail Receipt - 7022 1670 0003 4383 1225 - CSWR - Coletto.pdf

 **Untitled Attachment**

VCGCD - Pre Certified Address Card - 7022 1670 0003 4383 1225 - CSWR - Coletto.pdf

 **Untitled Attachment**

As of April 16, 2024, the district has not received a response from CSWR-Texas Utility Operating Company.

VCGCD - Enforcement Order No. ECV-20231105-03 (Production Permit).pdf

 **Untitled Attachment**

## **Management Recommendation:**

### **Management Recommendation 1:**

move to reconvene and continue the recording the enforcement hearing.

### **Management Recommendation 2:**

move to cease the recording the enforcement hearing after accepting public comments or comments from the alleged violator.

### **Management Recommendation 3:**

move to adopt an enforcement order for enforcement case violation ECV-20231105-03.

# **Item 3.5 - Enforcement Hearing re ECV-20231105-04 - 7-Eleven Store 36525 - Failure to Obtain a Production Permit**

# Previous Consideration by the Board:

MFC-20240119-3.5 - Failure to Obtain a Production Permit

# Management Discussion:

on January 19, 2024, the Board of Directors took the following actions related to the violation: passed a motion to open and record the enforcement hearing; received testimony from Mr. Andruss regarding the alleged violation; passed a motion to cease the recording the enforcement hearing after accepting public comments; and passed a motion to adopt Enforcement Order ECV-20231105-04. See: Enforcement Case Violation - ECV-20231105-04 -7-Eleven Store 36525 - Failure to Obtain a Production Permit - Active  
VCGCD - Enforcement Order - ECV-20231105-04.pdf


 **Untitled Attachment**

On January 30, 2024, Ms. Donna Wise Manager for the 7 Eleven Store located on FM 236 contacted staff of the district to schedule a meeting for January 31, 2024, at 9:00 a.m. to discuss enforcement case violation ECV-20231105-04.


On January 31, 2024, Ms. Barbara Milfelt, Compliance representative for the 7 Eleven Store Located on FM 236, contacted staff of the district and stated that she would liked to schedule a meeting with VCGCD District staff and representatives of 7-Eleven to discuss enforcement case violation ECV-20231105-04.

On February 1, 2024, staff of the district scheduled and participated in a meeting with Ms. Milfelt to discuss the matter.

On February 3, 2024, Mr. Brian Guillette submitted the following applications for 7-Eleven Stores 36525.  
36525 5684 US Hwy 77s application to register well.pdf

 **Untitled Attachment**

36525 5684 Hwy 77s Victoria County District Permit-signedAB.pdf

 **Untitled Attachment**

On February 6, 2024, staff of the District reviewed the application submitted by Mr. Brian Guillette for 7-Eleven store 36525 to request a Non-Historic-Use Production Permit for a Well Field and drafted an application to request a Non-Historic-Use Production Permit for a Well along with the confirmation tracts of land control and confirmation tracts of groundwater control for Mr. Brian Guillette to review.  
VCGCD - ANHUPWF - 7-Eleven Store 36525.pdf

 **Untitled Attachment**

VCGCD - Groundwater Ownership - Conformation Form - 7-Eleven Store 36525.pdf

 **Untitled Attachment**

VCGCD - Land Ownership - Confirmation Form - 7-Eleven Store 36525

 **Untitled Attachment**

On February 20, 2024, staff of the district reviewed the information submitted by Mr. Brian Guillette for 7-Eleven store 36525 on February 12, 2024. Application ANHUPPW-20240220-02 was designed administratively complete. The permitting request is being processed under Permitting Request Case PRC-20240306-01. See: [Permitting Request Cases - PRC-20240306-01](#). Based on the review of the submitted information and the evaluation of the logical consistency of the request relative to the rules of the district, the Mr. Andruss authorized the publication of a Notice of Proposed Permit Issuance for April 1, 2024. See: [Public Notice - 20240401 - Permit Issuance - PRC-20240306-01](#).

As of April 1, 2024, a total of 73 days had lapsed from the date of the adoption of Enforcement Order No. ECV-20231105-04. The cumulative penalty as of April 1, 2024, totaled \$16,600.00 per the provisions of the order.

As of February 3, 2024, the date the violator first submitted permitting application in connection with the violation, the cumulative penalty totaled \$5,000.00 per the provisions of the order.

On April 16, 2024, staff drafted the standard-capacity production permit for well GW-001066.

See: [Production Permits - SCPPW-20240401-01 - 7-Eleven Store - 36525 - Drafted/Unexecuted](#).

3.5.7 VCGCD - SCPPW-20240401-01 - 7-Eleven - 36525 - Draft.pdf

 **Untitled Attachment**

On April 16, 2024, staff sought support from the representatives of 7-Eleven Store 36525 for a potential recommendation to conclude and resolve the violation as follows:

*move to 1) authorize the General Manager to approve Permit SCPPW-20240401-01, 2) assess a total penalty of \$5,000.00 for violation ECV-20231105-04, and 3) designate the violation resolved contingent upon the violator submitting check for payment of the total penalty amount and the executed production permit (Permit SCPPW-20240401-01) to the district on or before May 19, 2024.*

## Management Recommendation:

none.

# Item 3.6 - Enforcement Hearing re ECV-20231105-05 - 7-Eleven Store 36551H - Failure to Obtain a Production Permit

## Previous Consideration by the Board:

[MFC-20240119-3.6 - Failure to Obtain a Production Permit](#)

## Management Discussion:

on January 19, 2024, the Board of Directors took the following actions related to the violation: passed a motion to open and record the enforcement hearing; received testimony from Mr. Andruss regarding the alleged violation; passed a motion to cease the recording the enforcement hearing after accepting public comments; and passed a motion to adopt Enforcement Order ECV-20231105-05. See: [Enforcement Case Violation - ECV-20231105-05 -7-Eleven Store 36551H - Failure to Obtain Production Permit - Active](#)  
VCGCD - Enforcement Order - ECV-20231105-05.pdf

 **Untitled Attachment**

On January 31, 2024, Ms. Barbara Milfelt, Compliance representative for the 7 Eleven Store Located on FM 236, contacted staff of the district and stated that she would liked to schedule a meeting with VCGCD District staff and representatives of 7-Eleven to discuss enforcement case violation ECV-20231105-05.

On February 1, 2024, staff of the district scheduled and participated in a meeting with Ms. Milfelt to discuss the matter.

On February 3, 2024, Mr. Brian Guillette submitted the following applications for 7-Eleven Stores 36551H.

On February 6, 2024, staff of the district drafted an application to request a Non-Historic-Use Production Permit for a Well along with the confirmation tracts of land control and confirmation tracts of groundwater control to Mr. Brian Guillette for 7-Eleven store 36551H to review.

VCGCD - ANHUPPW - 7-Eleven Store 36551H.pdf

 **Untitled Attachment**

VCGCD - Land Ownership - Confirmation Form - 7-Eleven Store 36551H.pdf

 **Untitled Attachment**

VCGCD - Groundwater Ownership - Confirmation Form - 7-Eleven Store 36551H.pdf

 **Untitled Attachment**



On February 20, 2024, staff of the district reviewed the information submitted by Mr. Brian Guillette for 7-Eleven store 36551H on February 12, 2024. Application ANHUPPW-20240220-01 was designed administratively complete. The permitting request is being processed Permitting Request Case PRC-20240227-01. Based on the review of the submitted information and evaluation of the logical consistency of the request to the rules of the district. See:[Permitting Request Cases - PRC-20240227-01](#). Based on the review of the submitted information and the evaluation of the logical consistency of the request relative to the rules of the district, the Mr. Andruss authorized the publication of a Notice of Proposed Permit Issuance for April 1, 2024. See:[Public Notice - 20240401 - Permit Issuance - PRC-20240227-01](#)

As of April 1, 2024, a total of 73 days had lapsed from the date of the adoption of Enforcement Order No. ECV-20231105-05. The cumulative penalty as of April 1, 2024, totaled \$16,600.00 per the provisions of the order.

As of February 3, 2024, the date the violator first submitted permitting application in connection with the violation, the cumulative penalty totaled \$5,000.00 per the provisions of the order.

On April 16, 2024, staff drafted the standard-capacity production permit for well GW-001067.

See: [Production Permits - SCPPW-2024020401-02 - 7-Eleven Store 36551H - Draft/Unexecuted](#)

VCGCD - SCPPW-20240401-02 - 7-Eleven - 36551H - Draft.pdf

 **Untitled Attachment**

On April 16, 2024, staff sought support from the representatives of 7-Eleven Store 36551H for a potential recommendation to conclude and resolve the violation as follows:

*move to 1) authorize the General Manager to approve Permit SCPPW-20240401-02, 2) assess a total penalty of \$5,000.00 for violation ECV-20231105-05, and 3) designate the violation resolved contingent upon the violator submitting a check for payment of the total penalty amount and the executed production permit (Permit SCPPW-20240401-02) to the district on or before May 19, 2024.*

## Management Recommendation:

none.

# Item 4.0 - Report regarding Groundwater Protection

## Previous Consideration by the Board:

MFC-20240119-4.0 - Report regarding Groundwater Protection.

## Management Discussion:

### Regarding Well Inspections for FY2024.

As of April 15, 2024, staff had recorded 31 well inspection forms (WIFs) since October 1, 2023:

1. WIF-20240225-01 - GW-000611
2. WIF-20240225-02 - GW-000608
3. WIF-20240225-03 - GW-000609
4. WIF-20240227-01 - GW-000552
5. WIF-20240227-02 - GW-000158
6. WIF-20240227-03 - NW-000016
7. WIF-20240227-04 - GW-000159
8. WIF-20240227-05 - GW-000494
9. WIF-20240227-06 - GW-000606
10. WIF-20240227-07 - GW-000562
11. WIF-20240227-08 - GW-000366
12. WIF-20240227-09 - GW-000602
13. WIF-20240227-10 - GW-000603
14. WIF-20240227-11 - GW-000601
15. WIF-20240228-01 - GW-000989
16. WIF-20240228-02 - GW-000489
17. WIF-20240228-03 - GW-000192
18. WIF-20240228-04 - GW-000227
19. WIF-20240228-05 - NW-001253
20. WIF-20240228-06 - GW-000589
21. WIF-20240228-07 - GW-000587
22. WIF-20240228-08 - GW-000578
23. WIF-20240228-09 - GW-000577
24. WIF-20240228-10 - GW-000607
25. WIF-20240228-11 - GW-000377
26. WIF-20240229-01 - NW-000779
27. WIF-20240229-02 - GW-000583
28. WIF-20240229-03 - GW-000492
29. WIF-20240229-04 - GW-000271
30. WIF-20240229-05 - GW-000021

31. WIF-20240229-06 - GW-000138

**Regarding Manage Investigations related to Groundwater Protection for FY2024.**

As of April 15, 2024, staff had initiated 0 investigations related to Groundwater Protection since October 1, 2023:

1. none.

As of April 15, 2024, staff had 2 active investigation related to Groundwater Protection:

1. INV-20180730.0800 - Potential Contamination of Groundwater on FM 236 and Weber Rd - Active
2. INV-20220328.0813 - Potential Contamination of Groundwater at Smitty's Food Mart Inez - Active

**Regarding Manage Enforcement Cases related to Groundwater Protection for FY2024.**

As of April 15, 2024, the Board had initiated 0 enforcement cases related to Groundwater Protection since October 1, 2023:

1. none.

As of April 15, 2024, staff had 0 unresolved enforcement case violations related to Groundwater Protection:

1. none.

**Management Recommendation:**

none.

## **Item 5.0 - Report regarding Groundwater Monitoring**

**Previous Consideration by the Board:**

MFC-20240119-5.0 - Report regarding Groundwater Monitoring.

**Management Discussion:**

**Regarding Monitor Drought Conditions for FY2024.**

As of April 15, 2024, the U.S. Drought Monitor (<https://www.drought.gov/states/texas/county/victoria>) indicates that 0% of Victoria County was experiencing abnormally dry to extreme drought conditions.

As of April 15, 2024, drought condition information related to the district and the surrounding region of Texas collected from the Water Data for Texas website (<https://www.waterdatafortexas.org/drought/>) indicates that no portions of Victoria County are experiencing abnormally dry to extreme drought conditions.

**Regarding Synoptic Aquifer Monitoring for FY2024.**

As of April 15, 2024, staff had collected 32 water level measurements since October 1, 2023:

1. WLM-20240213-01 - NW-000426
2. WLM-20240225-01 - GW-000611
3. WLM-20240225-02 - GW-000608
4. WLM-20240225-03 - GW-000609
5. WLM-20240227-01 - GW-000552
6. WLM-20240227-02 - GW-000158
7. WLM-20240227-03 - NW-000016
8. WLM-20240227-04 - GW-000159
9. WLM-20240227-05 - GW-000494
10. WLM-20240227-06 - GW-000606
11. WLM-20240227-07 - GW-000562
12. WLM-20240227-08 - GW-000366
13. WLM-20240227-09 - GW-000602
14. WLM-20240227-10 - GW-000603
15. WLM-20240227-11 - GW-000601
16. WLM-20240228-01 - GW-000989
17. WLM-20240228-02 - GW-000489
18. WLM-20240228-03 - GW-000192
19. WLM-20240228-04 - GW-000227
20. WLM-20240228-05 - NW-001253
21. WLM-20240228-06 - GW-000589
22. WLM-20240228-07 - GW-000587
23. WLM-20240228-08 - GW-000578
24. WLM-20240228-09 - GW-000577
25. WLM-20240228-10 - GW-000607
26. WLM-20240228-11 - GW-000377
27. WLM-20240229-01 - NW-000779
28. WLM-20240229-02 - GW-000583
29. WLM-20240229-03 - GW-000492
30. WLM-20240229-04 - GW-000271
31. WLM-20240229-05 - GW-000021
32. WLM-20240229-06 - GW-000138

## Regarding Advanced Aquifer Monitoring for FY2024.

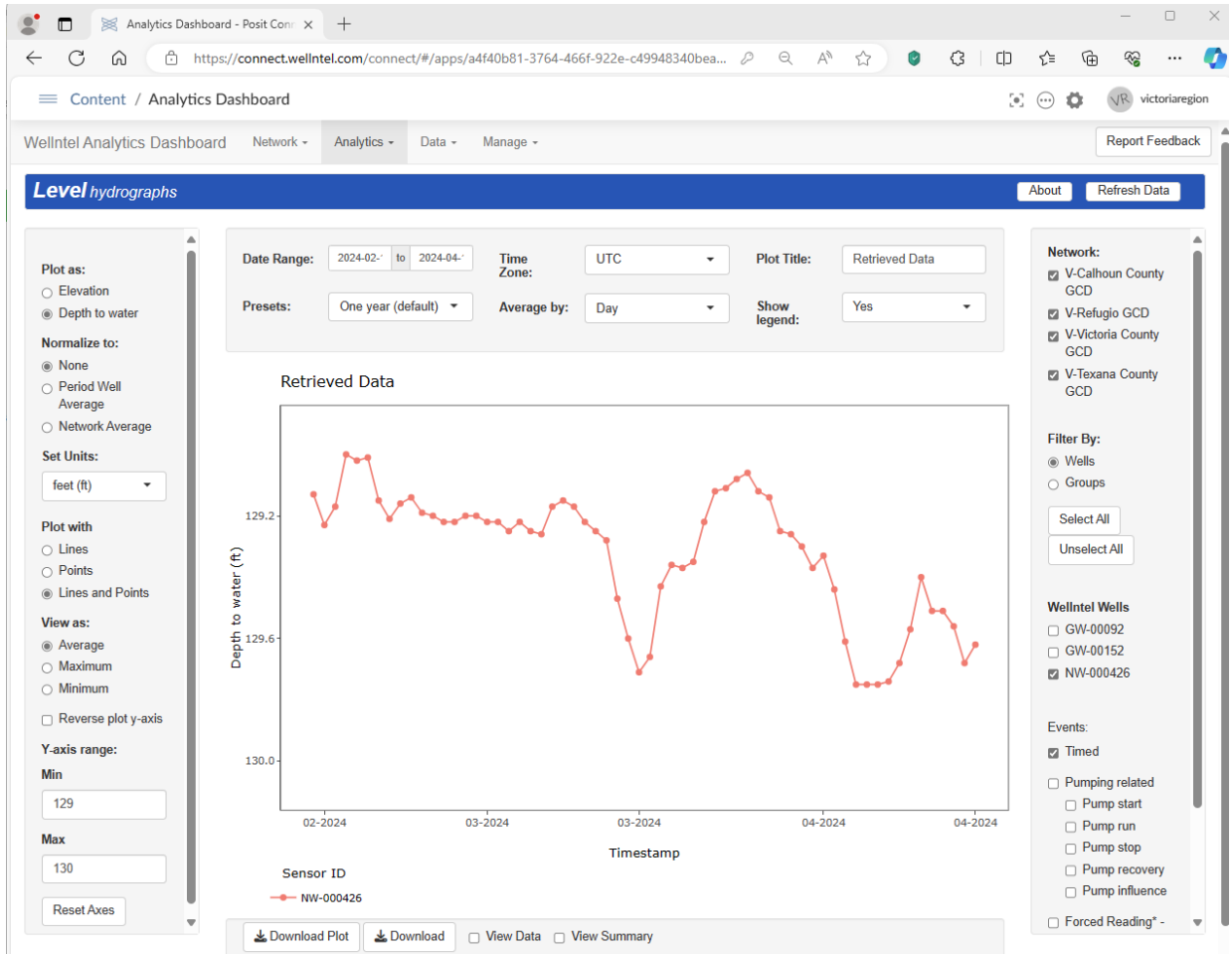
On February 13, 2024, staff, with technical support from WellIntel, successfully installed water level and conductivity monitoring instruments on well NW-000426 owned by Mr. McBean.

VCGCD - WellIntel Map McBean Well - 20240415.png

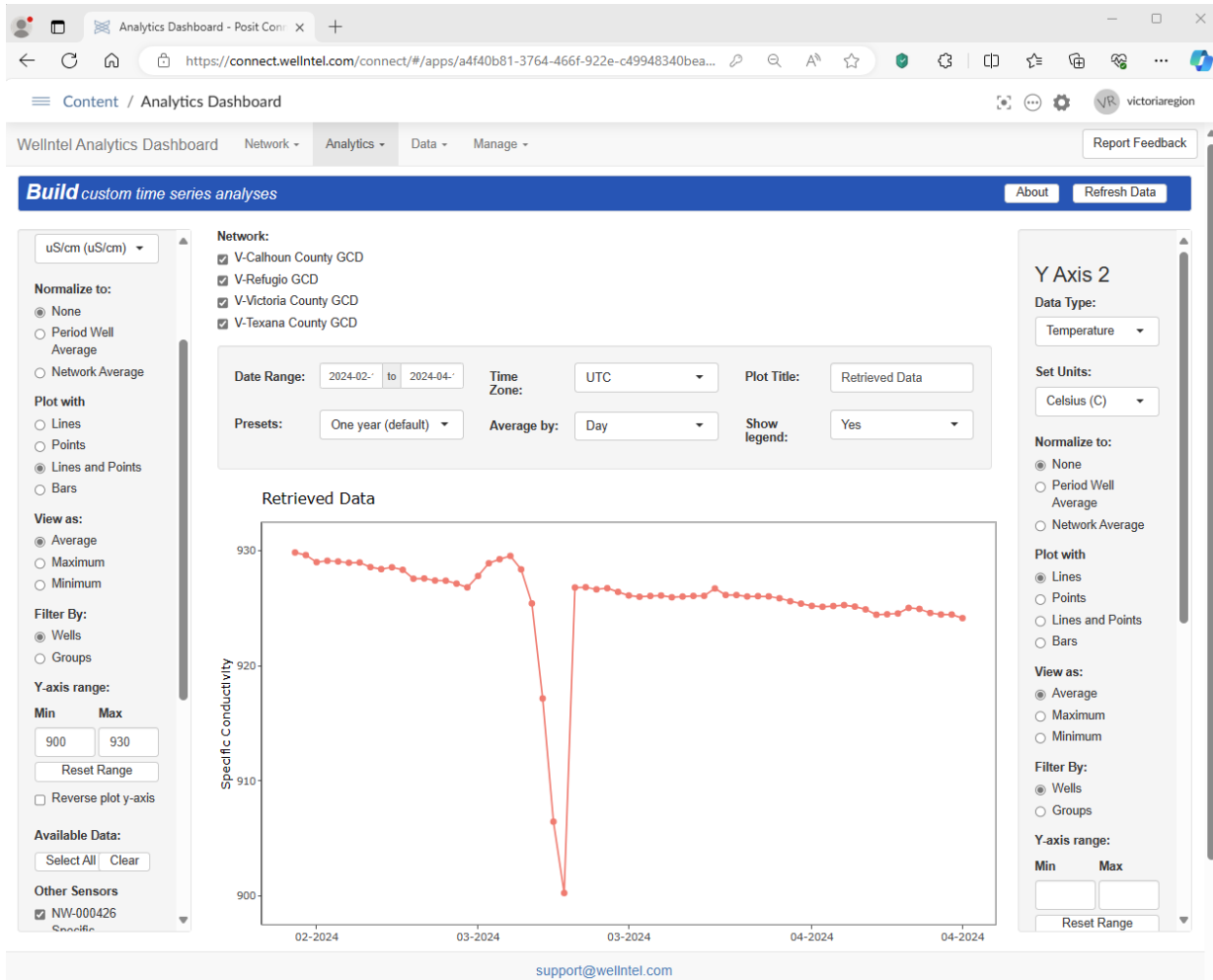


As of April 15, 2024, the sensor had collected and uploaded 1,422 water level measurements to the WellIntel Analytics Dashboard. The graphs below depict the water level measurements and conductivity measurements collected from well NW-000426.

VCGCD - WellIntel Analytics Dashboard re WLS - 20240415.png



VCGCD - WellIntel Analytics Dashboard re COND - 20240415.png



After the successful installation and configuration of a conductivity sensor at a WellIntel monitoring site in Victoria County, staff have ordered another water level sensor to be install on well GW-000366 owned by Mr. Meek to continue implementation of the Advanced Aquifer Monitoring Project.

**Regarding Baseline Water Quality Aquifer Monitoring for FY2024.**

See: MFC-20240419-5.1 - Equipment Replacement.

**Regarding Ad-Hoc Baseline Water Quality Sampling for FY2024.**

As of April 15, 2024, staff had collected 5 water quality field measurements since October 1, 2023:

- 1. none.

As of April 15, 2024, staff had collected 0 water quality samples since October 1, 2023:

- 1. none.

As of April 15, 2024, staff had received 0 water quality lab reports since October 1, 2023:

- 1. none.

**Regarding Annual Water Level Assessment for FY2024.**

No report.

**Regarding Annual Water Quality Assessment for FY2024.**

No report.

**Regarding Monitoring Network Assessment and Improvement Project for FY2024.**

No report.

**Regarding Synoptic Aquifer Monitoring for PVGCD for FY2024.**

As of April 15, 2024, staff had collected 29 water level measurements for Pecan Valley GCD since October 1, 2023:

1. WLM-20240306-01 - 2374
2. WLM-20240306-02 - 1523
3. WLM-20240306-03 - 3794
4. WLM-20240306-04 - 2400
5. WLM-20240306-05 - 2427
6. WLM-20240306-06 - 1431
7. WLM-20240306-07 - 2059
8. WLM-20240306-08 - 2395
9. WLM-20240306-09 - 2434
10. WLM-20240307-01 - 2423
11. WLM-20240307-02 - 2362
12. WLM-20240307-03 - 2361
13. WLM-20240307-04 - 2380
14. WLM-20240307-05 - 4114
15. WLM-20240307-06 - 2431
16. WLM-20240307-07 - 2432
17. WLM-20240307-08 - 2298
18. WLM-20240307-09 - 1228
19. WLM-20240307-10 - 0063
20. WLM-20240307-11 - 2429
21. WLM-20240307-12 - 3823
22. WLM-20240308-01 - 2430
23. WLM-20240308-02 - 1597
24. WLM-20240308-03 - 3425
25. WLM-20240308-04 - 3629
26. WLM-20240308-05 - 4212
27. WLM-20240308-06 - 0075
28. WLM-20240308-07 - 1796
29. WLM-20240328-01 - 0713



**Management Recommendation:**

none.

**Item 5.1 - Equipment Replacement**


**Previous Consideration by the Board:**

MFC-20210319-12.3 - Purchase of Water Quality Field Unit.

**Management Discussion:**

the district needs to replace the pH, dissolved oxygen, turbidity, conductivity, and temperature sensors on the instrument used in the field to collect basis water quality measurements from water wells at an quoted expense of \$3,995.00 in order to continue the long standing practice of collecting basic water quality measurements at wells visited by staff of the district.

VCGCD - Farrwest - Estimate - 20240411.pdf

 [Untitled Attachment](#)

**Management Recommendation:**

move to authorize the general manager to purchase the replacement equipment for groundwater monitoring at a cost not to exceed \$4,000.00.

**Item 6.0 - Report regarding Groundwater Conservation**

**Previous Consideration by the Board:**

MFC-20240119-6.0 - Report regarding Groundwater Conservation.

**Management Discussion:**

Regarding Promote Conservation for FY2024.

No report.

## **Regarding Conservation Education and Teacher Professional Development for FY2024.**

See: [MFC-20240415-6.1 - Conservation Education and Teacher Professional Development.](#)

See: [MFC-20240419-6.2 - Request for Sponsorship - Victoria East High School.](#)

See: [MFC-20240419-6.3 - VISD Professional Development Mini Conference.](#)

## **Management Recommendation:**

none.

# **Item 6.1 - Conservation Education and Teacher Professional Development**

## **Previous Consideration by the Board:**

[MFC-20230721-6.1 - Proposal regarding Conservation and Teacher Professional Development](#)

## **Management Discussion:**

staff of the district have begun the implementation of the project titled *Cooperative Promotion of Water Conservation through Teacher Professional Development - Summer 2024*. The planned workshops will be conducted on June 26-27, 2024.

As of April 15, 2024, staff have purchased and received the supplies (i.e., 2 Well Drillers Master Water Test Kits by Sensafe and 12 Awesome Aquifer Kit by Groundwater Foundation) needed for the planned activities. Unfortunately, staff have been unable to purchase the 3-D simulators needed for the planned activities (representing a \$7,200.00 reduction in anticipated costs) which will require some adjustment to the planned activities. VISD has agree to allow staff to use several 3-D aquifer models for the workshops enabling participates to receive the primary educational benefits of the planned activities despite the limited equipment.

Staff have been able to confirm that Mr. Synder of the INVISTA Wetland Center (and RGCD Director) and Dr. Le Sage-Clements of UHV have reserved the appropriate facilities and support elements (i.e., Wetland Training Center Classrooms, UHV transportation, and UHV student assistants) for the workshops.

As of April 16, 2024, staff have presented and secured financial support for the project from the Refugio GCD Board of Directors for up to 25% of the project costs and will present the same participation and funding opportunity to the Texana GCD Board of Directors on April 18, 2024, and to the Calhoun County GCD Board of Directors on April 22, 2024.

Recruitment materials will be forwarded to appropriate public and private schools by April 26, 2024. Applications to participate in the workshops will be accepted and approved on a first-come, first served basis. Staff will reserve 4 participant slots for teachers serving Victoria County and 2 participant slots for each participating district until May 17, 2024, after which any vacant slot will be filled on the first-come, first-served basis.

### **Management Recommendation:**

none.

## **Item 6.2 - Request for Sponsorship - Victoria East High School**

### **Previous Consideration by the Board:**

[MFC-20240119-6.1 - Request for Sponsorship - STEM Middle School.](#)

### **Management Discussion:**

on February 7, 2024, in response to the district's solicitation of requests for sponsorship related to promoting groundwater conservation. Ms. Linsey Leopold and Ms. Melissa Sauer of Victoria East High School submitted a requests for sponsorship in the amount of \$534.84 for classroom equipment to purchase equipment and books to focused on demonstrating groundwater concepts including physical aspects of aquifers, groundwater movement, contamination effects, and effects of groundwater pumping.

VCGCD - VISD East HS Sponsorship Application - 20240207.pdf

 Untitled Attachment

### **Management Recommendation:**

move to 1) approve the request for sponsorship submitted by Ms. Linsey Leopold and Ms. Melissa Sauer of Victoria East High School, 2) authorize the general manager to provide an offer of sponsorship in the amount of \$550.00 for the costs described on the application for sponsorship, and 3) pay the actual expenses up to \$550.00 upon receipt of the related summary report.

# Item 6.3 - VISD Professional Development Mini Conference

## Previous Consideration by the Board:

### Management Discussion:

at the invitation of VISD, staff have agreed to lead a professional development session for VISD on May 28, 2024 at the FW Gross PLC Center. The session will be limited to 12 participants and will focus on introducing aquifer concepts and the importance of conserving and protecting groundwater resources to teachers of students in 6th grade through high school. The session is intended to be a hands-on experience with the participants using basic aquifer models sourced from the Groundwater Foundation. Participants will receive preferential consideration by staff for any future conservation sponsorship.

### Management Recommendation:

move to authorize the general manager to purchase 12 Awesome Aquifer Kits for use and distribution to participating teachers in the Awesome Aquifer Mini Professional Development workshop to be conducted on May 28, 2024 at a cost not to exceed \$750.00.

# Item 7.0 - Report regarding Groundwater Resource Planning

## Previous Consideration by the Board:

MFC-20240119-7.0 - Report regarding Groundwater Resource Planning.

### Management Discussion:

#### Regarding Regional Water Planning Participation for FY2024.

Representatives of the district participated in the meeting of the South Central Texas Regional Planning Group (Region L) held on February 14, 2024, to continue efforts to develop the 2026 Regional Water Plan. The next meeting of Region P is scheduled for May 2, 2024.

#### Regarding GMA 15 Joint Planning for 4th Planning Cycle in FY2024.

Representatives of the district participated in the meeting of the representatives of Groundwater Management Area 15 on January 11, 2024 to continue joint planning efforts. During the meeting the members received a report from TWDB stating that the internal work to compare predictive results when modeling the GMA 15 DFC pumping scenario using the previous GAM (CGCD-GAM) and the current GAM (combined GMA 15 and GMA 16 extent) resulted in significant discrepancies and issues. TWDB is undertaking a review of the new model. The representatives agreed to postpone action on the joint planning work until the next meeting of GMA 15. Staff of the district had suspended efforts to negotiate terms of an agreement with Intera until TWDB provides clarity regarding the GAM to be used during the current joint planning cycle. The next meeting of the representatives of Groundwater Management Area 15 is scheduled for April 11, 2024 at Goliad County GCD offices.

TWDB - 2024-0329\_CSGC\_GAM\_Letter\_signed.pdf

 **Untitled Attachment**

TWDB - 2024-0329\_CSGC\_GAM\_Letter\_Attachment.pdf

 **Untitled Attachment**

On April 3, 2024, staff received a report developed by the Texas Water Development Board regarding its efforts to review the new groundwater availability model released in 2023 for use by GMA 15 for the current planning cycle. The report identifies numerous issues that need to be resolved prior to its use for joint planning purposes.

### **Management Recommendation:**

none.

## **Item 8.0 - Report regarding Groundwater Policy**

### **Previous Consideration by the Board:**

[MFC-20240119-8.0 - Report regarding Groundwater Policy.](#)

### **Management Discussion:**

**Regarding Management Plan Revisions for FY2024.**

No report.

**Regarding Rule Amendments for FY2024.**

Staff have identified three potential aspects of the rules of the district that may warrant clarification to policy development:

1. appropriate requirements and procedures related to amendment requests of waivers associated with production permits,
2. appropriate requirements and procedures related to amendment requests of production permits, and
3. appropriate requirements and procedures regarding renewal and expiration of production permits associated with proposed wells.

Staff will coordinate with legal counsel on draft revisions to the rules of the district and present recommendations to the Board on July 19, 2024.

### **Regarding Legislative Support and Lobbying for FY2024.**

On March 20, 2024, Mr. Andruss participated in a meeting of the Legislative Committee the Texas Water Conservation Association in Austin. The committee heard presentations regarding issues that members would like for the committee to consider as part of its efforts to identify "consensus legislation" including the following topics:

#### Infrastructure and Funding:

- i. Secure additional water infrastructure funding. (Darrell Nichols, Justin Yancy, Jason Pierce)
- ii. Additional flood Infrastructure funding. (Tina Petersen)
- iii. Broaden TWDB financial assistance tools to lessen the cost of future growth on current customers, encourage replacement of existing infrastructure, and clarify financing of ASR projects. (Darrell Nichols)
- iv. Establish incentives to promote conjunctive use of surface water and groundwater. (Gary Westbrook)
- v. Establish incentives to encourage desalination along the coast to free up surface water inland. (Gary Westbrook)
- vi. Establish a new category of funding for communities with a population under 5,000. (Travis Pruski)
- vii. Create & fund a new Groundwater Research and Science Fund to fund local science/groundwater monitoring. (Vanessa Puig-Williams)
- viii. Replenish funding for the Ag. Water Conservation Fund. (Wayne Halbert, Troy Allen)
- ix. Create a statewide groundwater well plugging program. (Mike Pyburn)
- x. Create funding options for artificial drainage systems. (Rolando Vela)

#### Regionalization and Growth:

- xi. Annexation laws and creation of special districts/promoting regionalization. (Kevin Ward)
- xii. Evaluate tools for GCDs to enforce permit limits or curtail unauthorized groundwater production. (Brian Sledge, Vanessa Puig-Williams)

xiii. Evaluate tools for retail public water utilities or IOUs to enforce drought restrictions. (Vanessa Puig-Williams)

xiv. Require developers to look at economic feasibility of sustainable infrastructure (reuse, bioswales, alternative power generation). (Auggie Campbell)

Surface Water:

xv. Evaluate changes to state permit requirements to optimize water projects. (Emily Rogers)

xvi. Impact of domestic & livestock reservoir exemptions. (Lyn Clancy)

Groundwater:

xvii. Better define "waste" and "beneficial use" of groundwater. (Gary Westbrook, Vanessa Puig-Williams)

xviii. Storage and transport of groundwater via surface water rivers/streams. (Lyn Clancy)

xix. Use of groundwater for vanity ponds. (Ty Embrey)

xx. Review of statutory provisions relating to the identification of brackish groundwater production zones and potential refinement of the requirement that zones not be located in areas with injection/disposal wells. (Hope Wells)

xxi. Evaluate how GCDs address large production projects. (Greg Ellis)

xxii. Evaluate whether to allow opportunity for public comment on the current DFC at the beginning of the 5-year evaluation process (instead of the end), including alternatives the public want investigated. (Greg Ellis)

xxiii. Evaluate whether the DFC appeal process should address the next round of DFC evaluation instead of invalidating the most recently adopted DFC. (Greg Ellis)

Data:

xxiv. Update water availability models for remaining river basins. (Tony Smith, Justin Yancy, Jason Pierce)

xxv. Better alignment of water reuse data between TWDB and TCEQ. (Elizabeth Fazio-Hale)

xxvi. Require TWDB to develop a data point to counterbalance TERS, such as Total Estimated Preservation Volume. (Carlos Rubinstein, Vanessa Puig-Williams)

Other:

xxvii. Clarification of terms in HB 3810 (88th) regarding notice to TCEQ of unplanned conditions leading to an outage or certain other notices. (Hope Wells)

xxviii. Create an option for state road signs for watersheds/recharge zones. (Andrew Weir)

## Management Recommendation:

none.

# Item 9.0 - Report regarding Administration and Management

## Previous Consideration by the Board:

MFC-20240119-9.0 - Report regarding Administration and Management.

## Management Discussion:

### Regarding Employment Management for FY2024.

No report.

### Regarding Employee Health Benefits Enrollment.

No report.

### Regarding Employee Retirement Plan Review.

No report.

### Regarding Election Coordination for CY2024.

No report.

### Regarding Financial Audit for FY2023.

On March 22, 2024, Mr. Cox with Goldman, Hunt and Notz, LLP informed the District that he anticipates presenting the audit report to the Board on July 15, 2024.

### Regarding Investment Management for FY2024.

See: MFC-20240419-9.3 - Investments of the District.

### Regarding Financial Record Processing and Reporting for FY2024.

See: MFC-20240419-9.2 - Financial Reports of the District.

See: MFC-20240419-9.2.1 - Financial Transaction Review.

See: MFC-20240419-9.4 - Unpaid Accounts Payable.

### Regarding Budget Development for FY2025.

Staff will develop and present preliminary budget information to the Board on July 19, 2024.

### Regarding Asset Tracking for FY2024.

No report.

### Regarding Public Funds Training for FY2024.

No report.

### Regarding Website Improvements.

Staff have added webpages and electronic forms related to groundwater monitoring, groundwater water production reporting, and renewal of groundwater production permits to the website of the district.

See: <https://www.vcgcd.org/incentivization-of-monitoring-program>



See: <https://www.vcgcd.org/groundwater-production-reporting-for-cy2023>

See: <https://www.vcgcd.org/electronic-groundwater-production-report-form>

See: <https://www.vcgcd.org/production-permit-renewals-for-cy2024>

See: <https://www.vcgcd.org/electronic-application-to-renew-a-permit>

### **Regarding GIS Data Quality Control.**

No report.

### **Regarding Public Notice and Meeting Coordination for FY2024.**

The next meetings of the Board are scheduled for **July 19, 2024, August 16, 2024** (Budget and Tax Rate Matters), and **October 18, 2024**, with each meeting to convene at 9:00 AM. Regular meetings will be rescheduled as necessary and special meeting may be scheduled to address unforeseen issues.

See: [MFC-20240419-9.1 - Minutes of the Previous Meeting.](#)

### **Regarding Public Notice and GMA 15 Meeting Coordination for FY2024.**

the next meeting of GMA 15, scheduled for July 11, 2024, will be held at the office building of the Fayette County GCD.

### **Regarding Performance Audit for FY2023.**

Staff will develop and present the performance audit for FY2023 to the Board on July 19, 2024.

### **Regarding Project Management for FY2024.**

No report.

### **Regarding Administrative Policy Review for FY2024.**

No report.

### **Regarding Transparency Reporting for FY2024.**

No report.

### **Regarding Cybersecurity Training for FY2024.**

No report.

### **Regarding Consultant Review for FY2024.**

No report.

### **Regarding Open Government Training for FY2024.**

No report.

### **Regarding District Liability Insurance Review and Renewal.**

No report.

### **Regarding Emergency Management Training for FY2024.**

No report.

### **Regarding GCD Support for FY2024.**

See: [MFC-20240419-9.5 - Services Provided to Other GCDs.](#)

### **Regarding Digital Record Archiving for FY2024.**

Staff continue to create digital archives for the records of the district.

### **Regarding Physical Record Archiving for FY2024.**

Staff continue to create physical archives for select records of the district.

### **Management Recommendation:**

none.

## **Item 9.1 - Minutes of the Previous Meeting**

### **Previous Consideration by the Board**

MFC-20240119-9.1 - Minutes of the Previous Meeting.

### **Management Discussion:**

the minutes for the previous meeting were sent to the board members prior to the meeting. See: VCGCD - Adm - MM - Meeting Minutes - 20240119 - Board of Directors.

VCGCD - Meeting Minutes - 20240119 - Final.pdf

 Untitled Attachment

### **Management Recommendation:**

move to accept and approve the meeting minutes for January 19, 2024.

## **Item 9.2 - Financial Reports of the District**

### **Previous Consideration by the Board**

MFC-20240119-9.2 - Financial Reports of the District.

### **Management Discussion:**

the internal control review and internal financial reports for December 2023, and January 2024, have been compiled, reviewed, and forwarded to the directors prior to the meeting.

See: Internal Control Review Reports - ICRR-20231231-01 - December 2023.

VCGCD - Adm - FM -Internal Control Review Reports - ICRR-20231231-01 - December 2023.pdf

 Untitled Attachment

See: [Internal Financial Reports - IFR-20231231-01 - FY2024M03 - December 2023.](#)

VCGCD - Internal Financial Report - December 2023.pdf

 **Untitled Attachment**

See: [Internal Control Review Reports - ICRR-20240131-01 - January 2024.](#)

VCGCD - Adm - FM -Internal Control Review Reports - ICRR-20240131-01 - January 2024.pdf

 **Untitled Attachment**

See: [Internal Financial Reports - IFR-20240131-01 - FY2024M04 - January 2024.](#)

VCGCD - Internal Financial Report - January 2024.pdf

 **Untitled Attachment**

See: [Internal Control Review Reports - ICRR-20240229-01 - February 2024.](#)

VCGCD - Adm - FM - Internal Control Review Reports - ICRR-20240229-01 - February 2024.pdf

 **Untitled Attachment**

See: [Internal Financial Reports - IFR-20240229-01 - FY2024M05 - February 2024.](#)

VCGCD - Internal Financial Report - February 2024.pdf

 **Untitled Attachment**

## Management Recommendation:

move to accept and approve the internal control review reports and the Internal financial reports for December 2023, January 2024, and February 2024.

## Item 9.2.1 - Financial Transaction Review

### Previous Consideration by the Board

[MFC-20240119-9.2.1 - Financial Transaction Review.](#)

### Management Discussion:

the list below identifies each accounts payable transaction that was recorded since January 1, 2024, as of April 17, 2024:

1. [ACCTP-20240119-01 - \\$28.00 - Victoria County Clerk](#)
2. [ACCTP-20240119-02 - \\$305.00 - TML IRP](#)
3. [ACCTP-20240119-03 - \\$14,235.00 - WellIntel Inc.](#)
4. [ACCTP-20240119-03 - \\$28.00 - Victoria County Clerk](#)
5. [ACCTP-20240119-04 - \\$305.00 - TML IRP](#)
6. [ACCTP-20240119-04 - \\$507.26 - Caitlynn Davenport - TEC-20240131-01](#)
7. [ACCTP-20240119-05 - \\$507.26 - Caitlynn Davenport - TEC-20240131-01](#)

8. ACCTP-20240119-06 - \$1,562.81 - Cardmember Service
9. ACCTP-20240119-07 - \$5.36 - Xerox
10. ACCTP-20240119-08 - \$15,000.00 - Intera
11. ACCTP-20240131-01 - \$3,390.59 - Paystub - Brent Immenhauser - December 2023
12. ACCTP-20240131-02 - \$3,824.69 - Paystub - Caitlynn Davenport - December 2023
13. ACCTP-20240131-03 - \$2,686.99 - Paystub - Candace Whittley - December 2023
14. ACCTP-20240131-04 - \$3,876.97 - Paystub - Michael Benavides - December 2023
15. ACCTP-20240131-05 - \$6,222.28 - Paystub - Timothy Andruss
16. ACCTP-20240131-07 - \$5,651.25 - TCDRS - December 2023
17. ACCTP-20240131-08 - \$9.33 - Intuit
18. ACCTP-20240131-09 - \$6,663.88 - IRS - December 2023
19. ACCTP-20240131-10 - \$3,109.55 - TML
20. ACCTP-20240208-01 - \$139.36 - Inv No. TEC-20240208-01
21. ACCTP-20240229-01 - \$139.36- Candace Whittley - TEC-20240229.1550
22. ACCTP-20240408-01 - \$104.52 - TEC-20240408-01- Candace Whittley
23. ACCTP-20240215-06 - \$10.96 - Xerox Corporation
24. ACCTP-20240221-01 - \$15,000.00 - Intera
25. ACCTP-20240221-02 - \$2,649.90 - Victoria Advocate
26. ACCTP-20240215-01 - \$1,955.34 - Office Systems
27. ACCTP-20240229-01 - \$3,673.58 - Brent Immenhauser - January Payroll
28. ACCTP-20240221-03 - \$400.00 - VISD
29. ACCTP-20240229-06 - \$21.32- Intuit
30. ACCTP-20240229-09 - \$5,907.26 - TCDRS
31. ACCTP-20240229-08 - \$3,102.15 - TML
32. ACCTP-20240229-07 - \$7,265.28 - IRS
33. ACCTP-20240229-05 - \$6,172.09 - Tim Andruss - January Payroll
34. ACCTP-20240229-04 - \$4,187.61 - Mike Benavides - January Payroll
35. ACCTP-20240229-03 - \$2,929.86 - Candace Whittley - January Payroll
36. ACCTP-20240229-02 - \$3,798.36 - Caitlynn Davenport - January Payroll
37. ACCTP-20240221-01 - \$139.36 - Candace Whittley - TEC-20240208-01
38. ACCTP-20240215-05 - \$1,768.82 - Cardmember Service
39. ACCTP-20240215-04 - \$301.60 - Victoria Advocate
40. ACCTP-20240215-03 - \$3,163.47 - Office Systems
41. ACCTP-20240215-02 - \$41.21 - Office Systems
42. ACCTP-20240221-02 - \$482.07 - Caitlynn Davenport
43. ACCTP-20240326-01 - \$2,256.70 - Office Systems
44. ACCTP-20240305-01 - \$1,381.40 - Victoria Advocate
45. ACCTP-20240305-02 - \$125.00 - Michael Klinge CPA

46. ACCTP-20240326-05 - \$139.36 - Candace Whittley - TEC-20240229-1550
47. ACCTP-20240326-04 - \$473.96 - Caitlynn Davenport - TEC-20240331-01
48. ACCTP-20240326-03 - \$2,086.98 - Cardmember Service
49. ACCTP-20240326-02 - \$6.16 - Xerox Corporation
50. ACCTP-20240305-03 - \$4,490.33 - VCAD

The list below identifies each accounts receivable transaction that was recorded since January 1, 2024, as of April 17, 2024:

1. ACCTR-20240102-01 - \$33,142.54 - Tax Collections
2. ACCTR-20240104-01 - \$444.58 - Interest
3. ACCTR-20240104-02 - \$303.62 - Interest
4. ACCTR-20240104-03 - \$15,036.64 - Tax Collections
5. ACCTR-20240108-01 - \$55.18 - Interest
6. ACCTR-20240108-02 - \$55.18 - Interest
7. ACCTR-20240108-03 - \$4,614.09 - Tax Collections
8. ACCTR-20240109-01 - \$25,143.77 - Tax Collections
9. ACCTR-20240110-01 - \$10,054.66 - Tax Collections
10. ACCTR-20240111-01 - \$83,158.26 - Tax Collections
11. ACCTR-20240116-01 - \$5,094.50 - Tax Collections
12. ACCTR-20240117-01 - \$5,783.34 - Tax Collections
13. ACCTR-20240118-01 - \$19,578.67 - Tax Collections
14. ACCTR-20240119-01 - \$5,257.99 - Tax Collections
15. ACCTR-20240122-01 - \$461.54 - Interest
16. ACCTR-20240122-02 - \$9,699.98 - Tax Collections
17. ACCTR-20240122-03 - \$7,500.00 - PVGCD
18. ACCTR-20240122-04 - \$3,750.00 - Evergreen UWCD
19. ACCTR-20240122-05 - \$3,750.00 - Bee GCD
20. ACCTR-20240124-01 - \$28,158.94 - Tax Collections
21. ACCTR-20240125-01 - \$19,284.63 - Tax Collections
22. ACCTR-20240129-01 - \$10,146.59 - Tax Collections
23. ACCTR-20240130-01 - \$44,765.68 - Tax Collections
24. ACCTR-20240131-01 - \$705.89 - Interest
25. ACCTR-20240131-02 - \$3,353.93 - Interest
26. ACCTR-20240131-03 - \$44.94 - Interest
27. ACCTR-20240131-04 - \$3.37 - Interest
28. ACCTR-20240131-05 - \$11,734.03 - Tax Collections
29. ACCTR-20240226-05 - \$7,166.25 - CCGCD - September 2023
30. ACCTR-20240204-01 - \$444.71 - Interest
31. ACCTR-20240226-11 - \$3,750.00 - CCGCD - Intera Cost Share

32. ACCTR-20240226-10 - \$7,166.25 - CCGCD - February 2024
33. ACCTR-20240226-01 - \$5,166.25 - RGCD - October 2023
34. ACCTR-20240226-06 - \$7,166.25 - CCGCD - October 2023
35. ACCTR-20240208-01 - \$737.55 - Interest
36. ACCTR-20240222-03 - \$7,500.00 - Colorado County GCD
37. ACCTR-20240226-08 - \$7,166.25 - CCGCD - December 2023
38. ACCTR-20240226-07 - \$7,166.25 - CCGCD - November 2023
39. ACCTR-20240202-01 - \$16,075.53 - Tax Collections
40. ACCTR-20240229-01 - \$662.03 - Interest
41. ACCTR-20240222-01 - \$462.44 - Interest
42. ACCTR-20240204-02 - \$303.43 - Interest
43. ACCTR-20240226-09 - \$7,166.25 - CCGCD - January 2024
44. ACCTR-20240229-04 - \$4.40 - Interest
45. ACCTR-20240229-03 - \$33.98 - Interest
46. ACCTR-20240229-02 - \$3,820.12 - Interest
47. ACCTR-20240208-02 - \$737.55 - Interest
48. ACCTR-20240222-04 - \$3,750.00 - Fayette County GCD
49. ACCTR-20240226-04 - \$5,166.25 - RGCD - January 2024
50. ACCTR-20240226-03 - \$5,166.25 - RGCD - December 2023
51. ACCTR-20240226-02 - \$5,166.25 - RGCD - November 2023
52. ACCTR-20240229-05 - \$2,961.88 - Tax Collections
53. ACCTR-20240227-01 - \$4,119.95 - Tax Collections
54. ACCTR-20240222-02 - \$1,085.29 - Tax Collections
55. ACCTR-20240220-01 - \$32,515.24 - Tax Collections
56. ACCTR-20240216-01 - \$12,915.58 - Tax Collections
57. ACCTR-20240214-01 - \$63,487.94 - Tax Collections
58. ACCTR-20240209-02 - \$11,073.55 - Tax Collections
59. ACCTR-20240209-01 - \$8,101.92 - Tax Collections
60. ACCTR-20240205-01 - \$23,303.84 - Tax Collections
61. ACCTR-20240202-02 - \$17,671.58 - Tax Collections
62. ACCTR-20240304-01 - \$433.52 - Tax Collections
63. ACCTR-20240328-01 - \$1,848.35 - Tax Collection
64. ACCTR-20240312-01 - \$3,563.18 - Tax Collections
65. ACCTR-20240311-01 - \$3,779.12 - Tax Collections
66. ACCTR-20240307-01 - \$1,465.39 - Tax Collections
67. ACCTR-20240306-01 - \$732.22 - Tax Collections

## Management Recommendation:

none.

## Item 9.3 - Investments of the District

### Previous Consideration by the Board

MFC-20240119-9.3 - Investments of the District

### Management Discussion:

the investment reports for January and February 2024 have been compiled, reviewed and sent to the board members prior to the meeting.

See: Investment Report - IR-20240131-01 - FY2024M04 - January 2024.

VCGCD - Investment Report - IR-20240131-01 - FY2024M04 - January 2024.pdf

 Untitled Attachment

See: Investment Report - IR-20240229-01 - FY2024M05 - February 2024

VCGCD - Investment Report - IR-20240229-01 - FY2024M05 - February 2024.pdf

 Untitled Attachment

### Management Recommendation:

approve and accept the investment reports for January and February 2024.

## Item 9.4 - Unpaid Accounts Payable

### Previous Consideration by the Board

MFC-20240119-9.4 - Unpaid Accounts Payable

### Management Discussion:

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.

### Management Recommendation:

move to authorize the general manager to pay the following items:

1. ACCTP-20240419-01 - \$180.12 - Tim Andruss - TEC-20240103-01
2. ACCTP-20240419-02 - \$1,650.00 - ABM

3. ACCTP-20240419-03 - \$2,070.00 - ABM
4. ACCTP-20240419-04 - \$900.00 - ABM
5. ACCTP-20240419-05 - \$902.49 - Tim Andruss - TEC-20240417-01

## Item 9.5 - Services Provided to Other GCDs

### Previous Consideration by the Board:

MFC-20230818-9.1 - FY2024 Budget.

### Management Discussion:

the interlocal cooperation agreement between the District and Calhoun County GCD, Refugio GCD, Texana GCD will automatically extend for 1 year on September 30, 2024 unless either of the parties to an agreement provides at least a 60 day notice of their intent to not renew the agreement to the other party. The district must provide notice by August 1, 2024 to cooperating district to prevent the automatic renewal of the agreement. See: Agreements - GCD Management and Administrative Support for FY2023 - CCGCD, Agreements - GCD Management and Administrative Support for FY2023 - RGCD, Agreements - GCD Management and Administrative Support for FY2023 - TGCD. See: Agreements - GCD Groundwater Monitoring Support for FY2020 - PVGCD.

Staff recommends that the Board carefully consider how, if at all, to continue providing support services to other GCDs. The decision to continue providing support services to other GCDs will have a significant impact on the administration on the District. Unless changes are made regarding the interlocal agreement or staffing levels, management believe serious issues may arise in the upcoming months and years ranging from significant differences regarding groundwater policy to administrative performance.

Setting aside potential inter-district conflicts that might arise or unanticipated labor intensive work efforts such as contested cases which develop outside of the control of staff, staff is concerned that its performance, as perceived by the VCGCD Board and the boards of the cooperating districts, will diminish from being adequate to inadequate unless 1) additional staff is hired, officed, and trained to perform non-administrative tasks such as processing permitting requests, investigation, compliance, and enforcement-related tasks or 2) a substantial revision in the services provided by VCGCD staff to other GCDs are agreed to by all parties.

Any effort to address these potential issues will likely have a significant impact on the development of the budget proposals for the districts for FY2025. The budget development



process begins in earnest in July 2024. The cooperating districts will be encouraged to undertake a similar consideration during their July 2024 meetings and would benefit from any guidance provided to staff by the VCGCD Board.

**Management Recommendation:**

provide guidance to staff regarding services to be provided other GCDs.

## **Item 10.0 - Legal Counsel Report**

**Previous Consideration by the Board**

MFC-20240119-10.0 - Legal Counsel Report.

**Management Discussion:**

none.

**Management Recommendation:**

none.

## **Item 11.0 - Adjourn Meeting**

**Management Discussion:**

none.

**Management Recommendation:**

move to adjourn the meeting after concluding all business of the District.