

# Victoria County Groundwater Conservation District

THE STATE OF TEXAS  
VICTORIA COUNTY

The Board of Directors of the Victoria County Groundwater Conservation District convened a meeting at the Dr. Pattie Dodson Health Center, 2805 N. Navarro St., Room 108, Victoria, Victoria County, Texas, 77901 on April 19, 2024, at 9:00 AM.

## Meeting Attendance:

Precinct 1:	Mr. Jerry Hroch, Vice President	Present
Precinct 2:	Mr. Thurman Clements, Jr., Director	Present
Precinct 3:	Mrs. Barbara Dietzel, Secretary	Present
Precinct 4:	Mr. Mark Meek, President	Present
At Large:	Mr. Kenneth Eller, Director	Absent
General Manager:	Mr. Timothy Andruss	Present
Legal Counsel:	Mr. James Allison	Present

## Agenda Items -

### 1. Call the meeting to order and welcome guests.

**Meeting Discussion:** Mr. Meek called the meeting to order at 9:00 AM.

**Board Action:** None.

### 2. Receive public comments.

**Meeting Discussion:** None.

**Board Action:** None.

### 3. Consideration of and possible action on matters related to Groundwater Management including 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 provided the following report:

#### Regarding Well Registration Processing for FY2024.

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

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

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## **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.

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

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

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

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 for the preceding calendar year 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:

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

## **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:

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

**Board Action:** None.

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## 3.1 – Port of Victoria Request regarding Contiguous Acreage Limitations

**Meeting Discussion:** Mr. Andruss explained 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 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).

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.

**Board Action:** None.

## 3.2 – Investigation – INV-20231115.1326 – Failure to Report Groundwater Production

**Meeting Discussion:** Mr. Andruss explained 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-

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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:**

1. 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.
2. 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.
3. 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.
4. 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.
5. the well owner as of December 31, 2023, find that the well owner as of December 31, 2023, (Registered Well Owner: Millenium Estate MGMT. LLC.; VCAD Landowner: Kam Enterprises LTD.) of well NW-000609.
6. 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:**

1. 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-0034. (See: ECV-20210617-05, ECV-20210617-06)
2. the well owner as of December 31, 2023, (Registered Well Owner: Marvin C. Franz et al; VCAD Landowner: Marvin Franz) of well(s)

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GW-000464, GW-000466 and R1GW-000465. (See: ECV-20210617-10, ECV-20210617-11, ECV-20210621-45.)

3. 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.)

4. 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.)

5. 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.)

6. 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.)

7. 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.)

8. 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.)

9. 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.

**Board Action:** Mr. Clements made the following motions:

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## 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;

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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;

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- 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.

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-



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- 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

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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-EXEMPT USE 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-EXEMPT USE 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:

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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;

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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.

Mr. Hroch seconded the motions. The motions passed unanimously.

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

**Meeting Discussion:** Mr. Andruss explained 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.

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.

**Board Action:** Mr. Clements moved to reconvene and continue the recording of the enforcement hearing at approximately 9:34 AM. Mr. Hroch seconded the motion. The motion passed unanimously.

Mr. Clements moved to adopt an enforcement order for enforcement case violation ECV-20231105-06. Mr. Hroch seconded the motion. The motion passed unanimously.

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Mr. Clements moved to cease the recording of the enforcement hearing after accepting public comments or comments from the alleged violator. No representative was present. Mr. Hroch seconded the motion. The motion passed unanimously at approximately 9:40 AM.

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

**Management Discussion:** Mr. Andruss explained 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.

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

**Board Action:** Mr. Clements moved to reconvene and continue the recording of the enforcement hearing at approximately 9:43 AM. Mr. Hroch seconded the motion. The motion passed unanimously.

Mr. Clements moved to adopt an enforcement order for enforcement case violation ECV-20231105-03. Mr. Hroch seconded the motion. The motion passed unanimously.

Mr. Clements moved to cease the recording of the enforcement hearing after accepting public comments or comments from the alleged violator. No representative was present. Mr. Hroch seconded the motion. The motion passed unanimously at approximately 9:50 AM.

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

**Meeting Discussion:** Mr. Andruss explained 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

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enforcement hearing after accepting public comments; and passed a motion to adopt Enforcement Order ECV-20231105-04.

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.

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.

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.

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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.*

**Board Action:** see item 3.6.

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

**Meeting Discussion:** Mr. Andruss explained 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.

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 like 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.

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, Mr.

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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.

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.*

**Board Action:** Mr. Hroch moved to 1) authorize the General Manager to approve permit SCPPW-20240401-01 and permit SCPPW-20240401-02, 2) assess a total penalty of \$2,500.00 for violation ECV-20231105-04 and violation ECV-20231105-05, and 3) designate the violations resolved contingent upon the violator submitting check for payment of the total penalty amount and the executed production permit (permit SCPPW-20240401-01 and permit SCPPW-20240401-02) to the district on or before May 19, 2024. Mr. Hroch seconded the motion. The motion passed unanimously.

## **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 provided the following report:

#### **Regarding Well Inspections for FY2024.**

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

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## **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:

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

## **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:

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

**Board Action:** None.

## **5. Consideration of and possible action on matters related to groundwater monitoring.**

### **5.0 – Report regarding Groundwater Monitoring**

**Meeting Discussion:** Mr. Andruss provided the following report:

#### **Regarding Monitor Drought Conditions for FY2024.**

As of April 15, 2024, the U.S. Drought Monitor 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 significant portions of Victoria County are experiencing abnormally dry conditions.

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

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

#### **Regarding Advanced Aquifer Monitoring for FY2024.**

# Victoria County Groundwater Conservation District

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.

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.

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:

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

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

## **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:

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**Board Action:** None.

## 5.1 – Equipment Replacement

**Meeting Discussion:** Mr. Andruss explained the district needs to replace the pH, dissolved oxygen, turbidity, conductivity, and temperature sensors on the instrument used in the field to collect basic 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.

**Board Action:** Mr. Clements moved to authorize the general manager to purchase the replacement equipment for groundwater monitoring at a cost not to exceed \$4,000.00. Ms. Dietzel seconded the motion. The motion passed unanimously.

## 6. Consideration of and possible action on matters related to groundwater conservation.

### 6.0 – Report regarding Groundwater Conservation

**Meeting Discussion:** None.

**Board Action:** None.

### 6.1 – Conservation Education and Teacher Professional Development

**Meeting Discussion:** Mr. Andruss explained 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 agreed to allow staff to use several 3-D aquifer models for the workshops enabling participants 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.

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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.

**Board Action:** None.

## 6.2 – Request for Sponsorship – Victoria East High School

**Meeting Discussion:** Mr. Andruss explained 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.

**Board Action:** Mr. Clements moved 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 an invoice for the actual expenses up to \$550.00 upon receipt of the related summary report. Mr. Hroch seconded the motion. The motion passed unanimously.

## 6.3 – VISD Professional Development Mini Conference

**Meeting Discussion:** Mr. Andruss explained 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.

# Victoria County Groundwater Conservation District

**Board Action:** Mr. Clements moved 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. Mr. Hroch seconded the motion. The motion passed unanimously.

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

### 7.0 – Report regarding Groundwater Resource Planning

**Meeting Discussion:** Mr. Andruss provided the following report:

#### **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.

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.

**Board Action:** None.

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## 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.

### 8.0 – Report regarding Groundwater Policy

**Meeting Discussion:** Mr. Andruss provided the following report:

#### **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:
- Regionalization and Growth:
- Surface Water:
- Groundwater:
- Data:
- Other:

**Board Action:** None.

## 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, financial reports of the district, bills and invoices of the district, management goals and objectives of the district, administrative policies, staffing,

# Victoria County Groundwater Conservation District

consultant agreements, interlocal cooperation agreements, and support services provided to and from other groundwater conservation districts.

## 9.0 – Report regarding Administration and Management

**Meeting Discussion:** Mr. Andruss provided the following report:

### **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 19, 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.

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## **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.



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## **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.

**Board Action:** None.

## **9.1 – Minutes of Previous Meeting**

**Meeting Discussion:** Mr. Andruss explained the minutes for the previous meeting were sent to the board members prior to the meeting.

**Board Action:** Mr. Hroch moved to accept and approve the meeting minutes for January 19, 2024. Mr. Clements seconded the motion. The motion passed unanimously.

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## 9.2 – Financial Reports of the District

**Meeting Discussion:** Mr. Andruss explained the internal control review reports and internal financial reports for December 2023, and January 2024, have been compiled, reviewed and forwarded to the directors prior to the meeting.

**Board Action:** Mr. Clements moved to accept and approve the financial reports for December 2023, January and February 2024. Mr. Hroch seconded the motion. The motion passed unanimously.

### 9.2.1 – Financial Transaction Review

**Meeting Discussion:** Mr. Andruss explained since January 1, 2024, as of April 17, 2024, there have been 50 accounts payable transactions and 67 accounts receivable transactions recorded.

**Board Action:** None.

## 9.3 – Investments of the District

**Meeting Discussion:** Mr. Andruss explained the investment reports for January and February 2024 have been compiled, reviewed and sent to the board members prior to the meeting.

**Board Action:** Mr. Clements moved to approve and accept the investment reports for January and February 2024. Mr. Hroch seconded the motion. The motion passed unanimously.

## 9.4 – 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.

**Board Action:** Mr. Clements moved 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

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

## 9.5 – Services Provided to Other GCDs

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**Meeting Discussion:** Mr. Andruss explained 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 districts 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 believes 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.

**Board Action:** The board instructed the general manager to investigate and develop options regarding support services for cooperating GCDs for consideration by the board at a future meeting.

## 10. Consideration of and possible action on matters related to legal counsel report.

### 10.0 – Legal Counsel Report

**Meeting Discussion:** Mr. Allison provided a verbal report regarding legal matters.

**Board Action:** None.

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## 11. Adjourn.

### 11.0 – Adjourn Meeting

**Meeting Discussion:** None.

**Board Action:** Mr. Clements moved to adjourn the meeting at 11:33 AM after concluding all business of the District. Mr. Hroch seconded the motion. The motion passed unanimously.

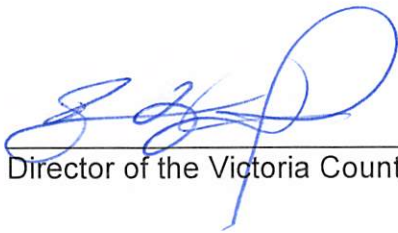
THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON THIS

THE 19 DAY OF JULY A.D. 2024.



\_\_\_\_\_  
Director of the Victoria County Groundwater Conservation District

ATTEST:



\_\_\_\_\_  
Director of the Victoria County Groundwater Conservation District