

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

## THE STATE OF TEXAS

### CALHOUN COUNTY

The Board of Directors of the Calhoun County Groundwater Conservation District convened a meeting at the Coastal Center, 131-A N. Virginia St, Port Lavaca TX 77979, Calhoun County, on January 23, 2023, at 5:30 PM.

#### Meeting Attendance:

Precinct 1:	Mr. Steven Dierschke, Director	Present
Precinct 2:	Mr. Wesley Brett, Vice-President	Absent
Precinct 3:	Mr. Galen Johnson, Secretary	Present
Precinct 4:	Mr. Michael Hahn, Treasurer	Absent
At Large:	Mr. Harold May, President	Present
General Manager:	Mr. Timothy Andruss	Present
Legal Counsel:	Mr. James Allison	Absent

#### Agenda Items -

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

**Meeting Discussion:** Mr. May called the meeting to order at 5:30 PM.

**Board Action:** None.

##### Agenda Item 2: Receive public comments.

**Meeting Discussion:** None.

**Board Action:** None.

##### Agenda Item 5: Consideration of and possible action on matters related to groundwater monitoring.

###### 5.2 – Monitoring Network Assessment and Improvement Project for FY2023

**Meeting Discussion:** Mr. Andruss explained on September 23, 2021, the board approved a motion to cooperate and cost-share with VCGCD, RGCD, and TCGCD on a project to be completed by Intera Inc. to improve and expand the District's effort to monitor groundwater levels. Intera delivered the final report on November 23, 2022. The report is extensive and contains scientifically-credible information and guidance to assist the District in significantly improving the aquifer monitoring efforts within Calhoun County. Staff will use the report, if accepted by the board, to develop an implementation and cost schedule for aquifer monitoring sites in Calhoun County for presentation to the board at the meeting scheduled for April

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

2023. Upon acceptance by all of the cooperating districts, the report will be posted on the websites of the cooperating districts.

**Board Action:** Mr. Dierschke moved to accept the report and deliverables provided by Intera under project PRJ-20221024.1319 and authorize the general manager to pay the associated cost-sharing invoices from VCGCD in an amount not to exceed \$13,750.00. Mr. Johnson seconded the motion. The motion passed unanimously.

## **Agenda Item 6: Consideration of and possible action on matters related to groundwater conservation.**

### **6.1 – Conservation Education and Teacher professional Development**

**Meeting Discussion:** Mr. Andruss explained on December 6, 2022, Professor Teresa LeSage-Clements, Ed. D., submitted the final report regarding the University of Houston-Victoria conservation promotion project sponsored by RGCD, CCGCD, TGCD, and VCGCD. The program produced mixed results. While the teacher-focused portion of the project was well attended and participates represented communities throughout the jurisdictions of the sponsoring districts including Industrial ISD, the student-focused workshops was not well attended with all seven students being from Victoria County. Future efforts, if approved by the boards, will be adjusted to respond to feedback provided by the teachers and increase student participation.

**Board Action:** Mr. Johnson moved to accept the report and authorize the general manager to pay associated cost-sharing invoices for the project received from VCGCD. Mr. Dierschke seconded the motion. The motion passed unanimously.

## **Agenda Item 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.**

### **8.1 – Hearing regarding Proposed Rules**

**Meeting Discussion:** Mr. Andruss explained prior to December 1, 2022, the CCGCD website was updated to provide public access to the proposed rules and draft applications. See <https://calhouncountygcd.org/proposed-rule-revisions---2023.html>.

On November 22, 2022, the public notice for the rule making hearing on 20220120 was submitted to the County Clerk's Office, legal counsel, and directors of the district.

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

On November 23, 2022, the public notice for the rule making hearing on 20220120 was posted on the website of the district.

On November 25, 2022, the public notice for the rule making hearing on 20220120 was published in the Victoria Advocate newspaper.

On November 22, 2022, the public notice for the rule making hearing on 20220120 was posted at the offices of the district.

On December 15, 2022, courtesy notices were sent by mail to :

1. Licensed Well Drillers that submitted well logs since November 1, 2021,
2. Calhoun County Commissioners Court,
3. City of Port Lavaca,
4. TCEQ-Active Public Water Systems with Groundwater Source,
5. Calhoun Port Authority

During the public comment period, staff of the district have prepared for the anticipated adoption of the proposed rules. The preparation included the development of various forms that, in turn, required additional review of the proposed rules. As a result, several non-substantive revisions intended to clarify the policies articulated in the proposed rules have been drafted.

On December 30, 2022, Dr. Steve Young of Intera provided verbal comments to the district regarding his review of the proposed rules which he completed at the request of the district. As a result of these comments, additional non-substantive revisions to clarify the policies articulated in the proposed rules have been drafted.

On January 12, 2023, Dr. Uddameri provided comments regarding the proposed rules. Based on the comments provided by Dr. Uddameri, the following revisions are recommended:

- a revision to item 1.3 of Rule 6.3.1 to read: "an aquifer test analysis report for a pumping test with a minimum of an 8-hour pumping period and a 16-hour recovery period documenting:"

On January 21, 2023, legal counsel reviewed and advised that the revision developed in response to Dr. Uddameri's comments would be considered a substantive change.

As of January 21, 2023, staff had not received any additional questions or comments regarding the proposed rules from the public.

**Board Action:** Mr. Johnson moved to convene the public hearing regarding the proposed rules. Mr. Dierschke seconded the motion. The motion passed.

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

The public hearing was open at approximately 5:55 PM and the proposed rules were discussed.

The hearing was recorded.

The following made public comment:

- Ms. Alysa Jarvis
- Mr. Carl Critendon
- Mr. Woody Cady

**Board Action:** Mr. Dierschke moved to close the public hearing after accepting all comments and questions regarding the proposed rules. Mr. Johnson seconded the motion. The public hearing was closed at approximately 6:27 PM.

## 8.1.1 – Adoption of Proposed Rules

**Meeting Discussion:** Mr. Andruss explained provided the board does not incorporate any substantive revisions to the proposed rules of the district and closes the rulemaking hearing for the proposed rules of the district, consideration of and possible adoption of the proposed rules of the district would be appropriate.

**Board Action:** Mr. Johnson moved to adopt the proposed rules of the district with the non-substantive revisions accepted and incorporated by the board during the rulemaking hearing for the proposed rules. Mr. Dierschke seconded the motion. The motion passed unanimously.

### 8.1.1.1 – Approval of Forms

**Meeting Discussion:** Mr. Andruss explained in anticipation of the adoption of the proposed rules of the district, staff have drafted forms used to implement the proposed rules of the district if adopted by the board. In addition to stand-alone forms, staff have assembled a "new well packet" for well drillers and well owners to complete the well drilling notification and well registration process associated with new wells.

Provided the proposed rules have been adopted with the non-substantive revisions drafted by the General Manager, approving and authorizing the use of the identified forms and packets would be appropriate.

**Board Action:** Mr. Johnson moved to accept and authorize the General Manager to use the draft forms and packets to implement the rules of the district. Mr. Dierschke seconded the motion. The motion passed unanimously.

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

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

### **9.1 – Minutes of Previous Meetings**

**Meeting Discussion:** Mr. Andruss explained the minutes for the meeting held on October 24, 2022, and November 14, 2022, were sent to the board members prior to the meeting.

**Board Action:** Mr. Dierschke moved to accept and approve the meeting minutes for October 24, 2022 and November 14, 2022, as drafted. Mr. Johnson seconded the motion. The motion passed unanimously.

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

### **10.0 – Report on Financial Management**

**Meeting Discussion:** Mr. Andruss explained the bank statements for September 2022, October 2022, and November 2022; collateral reports for September 2022, October 2022, and November 2022; the internal financial reports for October 2022 and November 2022; and internal control review reports for September 2022, October 2022, and November 2022 have been compiled, reviewed and sent to the board members prior to the meeting.

**Board Action:** Mr. Dierschke moved to accept and approve the bank statements for September 2022, October 2022, and November 2022; collateral reports for September 2022, October 2022, and November 2022; the internal financial reports for October 2022 and November 2022; and internal control review reports for September 2022, October 2022, and November 2022. Mr. Johnson seconded the motion. The motion passed unanimously.

### **10.1 – 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. Johnson moved to authorize the general manager to pay the following:

1. ACCTP-20221222-01 - \$448.40 - Victoria Advocate
2. ACCTP-20221117-01 - \$919.34 - Allison, Bass & Magee, LLP - Inv# 6792

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

3. ACCTP-20230123-04 - \$184.18 - MVBA
4. ACCTP-20230123-03 - \$312.05 - Prosperity Bank - Act# 8049
5. ACCTP-20230123-02 - \$342.39 - Prosperity Bank - Act# 3070
6. ACCTP-20230123-01 - \$926.10 - TML Intergovernmental Risk Pool
7. ACCTP-20230123-05 - \$7,519.34 - VCGCD - ILA-202210-01-C - October 2022
8. ACCTP-20230123-06 - \$7,614.85 - VCGCD - ILA-202211-01-C - November 2022
9. ACCTP-20230123-07 - \$7,433.25 - VCGCD - ILA-202212-01-C - December 2022
10. ACCTP-20230123-08 - \$1,331.48 - VCGCD - ILA-20230113-01-C - UHV Cost Share

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

## 10.2 – Investments of the District

**Meeting Discussion:** Mr. Andruss explained the investment reports for September 2022 and October 2022 have been developed.

As of November 30, 2022, the balance of funds held in interest-bearing money market account was \$1,600,776.06 earning interest at a rate of 2.1% APY. The district could increase the interest paid on these funds by investing a portion into certificates of deposit. Prosperity Bank is currently offering 3.14% APY interest rate on \$250,000.00 certificates based on a 2-year maturity period.

**Board Action:** Mr. Johnson moved to 1) accept the investment reports for September 2022 and October 2022, and 2) authorize the General Manager to open a 1-year \$250,000 certificates of deposit and a 2-year, \$250,000 certificate of deposit with Prosperity Bank Texas with funds from the district interest-bearing demand account. Mr. Dierschke seconded the motion. The motion passed unanimously.

## 10.3 – Internal Financial Report for September 2022

**Meeting Discussion:** Mr. Andruss explained the internal financial reports for September 2022 have been developed with proposed budget amendments to adjust certain expense line items so that the amended budget amount equals or exceeds the actual expenses as of September 30, 2022. The proposed amendments are outlined in the table below. The amendments represent a no-net-change in the overall budgeted expenses of the district and effectively re-assign portions of the expense budget from certain budget line items to other line items.

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

**Board Action:** Mr. Johnson moved to accept and approve the proposed budget amendments and the internal financial reports for September 2022. Mr. Dierschke seconded the motion. The motion passed unanimously.

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

## 11.1 – Election of Officers

**Meeting Discussion:** Mr. Andruss explained the By-Laws of the District require the election of four officers, President, Vice-President, Secretary, and Treasurer, each January. Currently, Mr. May serves as President; Mr. Brett serves as the Office of Vice-President; Mr. Johnson serves as Secretary; Mr. Hahn serves as Treasurer.

**Board Action:** Mr. Johnson moved to 1) elect Mr. May to serve as President; Mr. Brett to serve as Vice-President; Mr. Johnson to serve as Secretary; Mr. Hahn to serve as Treasurer; and 2) authorize the General Manager to submit an updated district information form to TCEQ. Mr. Dierschke seconded the motion. The motion passed unanimously.

## 11.2 – Review of Administrative Policies

**Meeting Discussion:** Mr. Andruss explained the following links represent the administrative policies in effect as of October 1, 2022:

Administrative Policies - Enforcement Policy - Adopted 20220425

Administrative Policies - By-Laws - Adopted 20220425

Administrative Policies - Investment Policy - Adopted 20220425

On January 23, 2023, the policies were reviewed and no revisions to the policies have been drafted.

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

1. revoke the Enforcement Policy of the District; and
2. re-adopt the following policies as the administrative policies of the District:
  1. Administrative Policies - By-Laws - Adopted 20220425, and
  2. Administrative Policies - Investment Policy - Adopted 20220425.

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

The meeting packet, provided to the directors at the meeting, contained information on the following:

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

- Report regarding Groundwater Management
- Review of Permitting Request Cases
- Review of Groundwater Management Investigations
- Groundwater Production Reporting for CY2022
- Production Permit Renewals for FY2023
- Report regarding Groundwater Protection
- Report regarding Groundwater Monitoring
- Baseline Water Quality Aquifer Monitoring District-Wide for FY2023
- Report regarding Groundwater Conservation
- Report regarding Groundwater Resource Planning
- Report regarding Groundwater Policy
- Draft Fee Schedule
- 88<sup>th</sup> Regular Session of the Texas Legislature
- Report on Meeting Management
- Financial Transaction Review
- Report regarding Administration and Management

## Agenda Item 13: Adjourn Meeting

**Meeting Discussion:** None.

**Board Action:** Mr. Johnson moved to adjourn the meeting after concluding all business of the District. Mr. Dierschke seconded the motion. The motion passed unanimously. The meeting concluded at approximately 7:07 PM.



# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON THIS

THE 24<sup>th</sup> DAY OF April A.D. 2023.

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

ATTEST:

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