

**MINUTES OF MEETING
OF
BOARD OF DIRECTORS**

THE STATE OF TEXAS §
 §
BRUSH COUNTRY GROUNDWATER §
CONSERVATION DISTRICT §

The Board of Directors of Brush County Groundwater Conservation District (the “District”) met at a regular meeting, open to the public, on April 25, 2023 at the Brush Country Groundwater Building 732 W. Rice Falfurrias, Texas, in accordance with the duly posted notice of said meeting.

1. The meeting was called to order at 9:31 a.m. and the roll was called. Board members’ presence at the meeting or absence is as follows:
 - i. David Kelly present
 - ii. Bill Botard present
 - iii. Mario Martinez absent
 - iv. Robert Scott present
 - v. A.C. Jones IV present arrived at 9:34
 - vi. Robert Fulbright resigned
 - vii. Paul Goranson present
 - viii. Jesse Howell present
 - ix. Mauro Garcia present arrived at 9:35

Also in attendance were General Manager Luis Pena, Felix Saenz Consultant, Administrative Assistant Royce Carrera, Bill Dugat Legal Counsel, Irma Menchaca from Brooks County, General Manager Jorge Gonzalez of Duval County GCD, Utility Manager Adrian Montemayor City of Falfurrias Utilities, Aeisha Cruz Reyes MPA Director of Special Programs Center for Sustainable Agriculture & Rural Advancement UTRGV.

2. Pledge of Allegiance
 - a. The Pledge of Allegiance was recited.
3. Public Comment
 - a. None
4. Discuss, consider, and possibly act on Minutes of the Regular Meeting on April 25, 2023. Motion was made by Bill Botard to approve the minutes and seconded by Robert Scott. The motion carries unanimously.

5. Discuss, consider, and possibly act on General Manager's Report.

Mr. Pena asked George Gonzales, Duval County GCD to report on the Kenedy County GCD April Board meeting, which he attended. It was held at the Danny Butlers Ranch Punta Del Sol. Mr. Gonzales reported that at the meeting Kristen Fancher, the new legal counsel, spoke about current legislation. Mr. Pena read a thank you letter from the 4H Water Ambassadors David Smith. Mr. Pena reported that there is an invoice for a well plugged for Gilberto Lopez by Victors Water Wells. Mr. Pena reported that Javier Nieto's well was plugged in Brooks County. Mr. Pena reported that Starr County GCD and Duval County GCD were having their board meetings tomorrow.

These items were presented for information purposes only and no action was taken.

6. Discuss, consider, and possibly act on appointment of a director to fill the vacancy created by Robert Fulbright's resignation.

This item was moved to the end of the meeting. Jim Hogg County Commissioners Court appointed Humberto Martinez Jr as a director to fill the vacancy created by the resignation of Robert Fulbright even though Director Fulbright's vacancy must be filled by the District Board. At 10:39 a.m. the Board convened into closed session under Sections 551.071 and 551.074 of the Government Code to discuss with legal counsel the appointment of a director to fill the unexpired term of Director Robert Fulbright who resigned. At 11:04 a.m. the Board reconvened in open session. No action was taken in the closed session. In open session a motion was made to appoint Humberto Martinez Jr. as a director by Paul Goranson, seconded by Mauro Garcia. The motion carries unanimously.

7. Discuss, consider, and possibly act on cybersecurity verification and reporting completion of cybersecurity training and periodic audit by resolution.

Mr. Pena reported that District staff completed the cybersecurity training and requested that the Board adopt a resolution indicating that training was completed. Mr. Jesse Howell made the motion to adopt the resolution and Mr. Paul Goranson seconded the motion. The motion carries unanimously.

8. Discuss, consider, and possibly act on 2nd Qtr. Investment report FY 2023.

Mr. Pena asked, and consultant Mr. Felix Saenz gave the investment report. Mr. Saenz describe the three different deposit accounts and reported the interest earned was \$9,969.97. A motion was made by Paul Goranson, seconded by Bill Botard to approve the investment report. The motion carries unanimously.

9. Discuss, consider, and possibly act on production permits, annual water use reports.

Mr. Pena reported that the District received almost all of the water use reports, which showed all permittees in compliance. He also reported that several wells required ownership transfer. Specifically, SRC was being bought by Jim Wells Fresh Water District and they had visited with Mr. Toby Flores and had been helping Mr. Flores with English acres well. Mr. Pena also reported that he had sent correspondence to Burt Bull who had recently purchased Cinch Properties, which will file a minor amendment on the change of ownership. Mr. Pena also reported that Steven Garret owner of Garret Cattle Company had purchased James Floyd Farms and he is currently working on the minor amendment for change of ownership. These items were presented for information purposes only and no action was taken.

10. Report from Aisha Cruz-Reyes, MPA Director of Special Programs Center for Sustainable Agriculture & Rural Advancement UTRGV (Center).

Ms. Aisha Cruz-Reyes reported on several outreach programs aimed at small scale producers, programs for marketing, financing, and distribution. Ms. Reyes reported that the Center partners with Texas Mexico Border Coalition (TMBC) Annaleis Lotteman. These items were presented for information purposes only and no action was taken.

11. Discuss, consider, and possibly act on payment of bills.

The bills were presented, Mr. Mauro Garcia made the motion to pay the bills, Bob Scott seconded the motion, and the motion carries unanimously.

12. Discuss, consider, and possibly act on legislative report from Robert Howard.

General manager Luis Pena read the report for Mr. Robert Howard who was not in attendance. These items were presented for information purposes only and no action was taken.

13. Discuss, consider, and possibly act on GMA 16 issues.

Mr. Pena reported that the District had not received any correspondence in connection with GMA 16. These items were presented for information purposes only and no action was taken.

14. Discuss, consider, and possibly act on new business and select date for next meeting.

New business for our next meeting would include consideration of a memorandum of understanding between TMBC and Brush Country GCD.

Motion was made by Bill Botard to have our meeting on May 23,2023, Jesse Howell seconded, and the motion carries unanimously.

15. Adjourn. Motion to adjourn the meeting at 11:23 a.m. was made by A.C. Jones seconded by Jesse Howell, and the motion carries unanimously.

Passed and approved this 23rd day of May 2023.

President, Board of Directors

Attest by:

Secretary, Board of Directors