

**COASTAL BEND GROUNDWATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS MEETING**

**AGENDA PREPARED AND POSTED:** August 02, 2019  
**DATE OF MEETING:** August 07, 2019  
**TIME OF MEETING:** 8:00 A.M.

**PLACE WHERE MEETING WAS HELD:** Coastal Bend GCD, 109 E. Milam,  
WHARTON, TEXAS 77488.

**In Attendance:**

Ronald Gertson – President; L.G. Raun – Vice-President; Edmund Weinheimer – Secretary CBGCD; Daniel Berglund – Director CBGCD; Neil Hudgins – Manager CBGCD; Jaime Bosch – Office Manager CBGCD; Greg Ellis; Judge Spenrath; Joan Andel; Andres Garza; Kevin Spencer

**I. Call to Order:**

The meeting was called to order at 8:03 A.M. by President Gertson.

**II. Public Comments:**

None

**III. Approval of Minutes:**

Director Berglund made a motion to accept the meeting and permit hearing minutes as presented for July 16, 2019. Secretary Weinheimer seconded. All voted for; motion carried.

**V. Manager's Report:**

Financial Report – Mr. Hudgins reported a checking account balance of \$336,278.21; a money market balance of \$137,045.60; 2018 CD balance of \$400,000; 2019 CD balance 520,718.78. A budget vs. actual and the balance sheet for July was also presented. After discussion and review, Director Berglund made a motion to approve the financials as presented. Secretary Weinheimer seconded. All voted for; motion carried.

Well Monitoring Update – Mr. Hudgins presented the board with the monitor well levels as of August 01, 2019. The index well graph shows a 5-foot decline from the previous month of July. The levels are 5 feet higher than August 2018 levels. The critical depletion study area shows a similar trend to the index well graph. Mr. Hudgins is continuing to work toward drilling the replacement monitor wells.

Upcoming Meetings – TAGD Groundwater Summit-San Antonio August 20-22, Coastal Plains GCD August 15, Region P August 19

**VI. Discussion to Approve Permit Applications:** After discussion and review of the permit application for City of Wharton-OP-A04120602; Vice-President Raun made a motion to approve the permit application. Director Berglund seconded. All voted for; motion carried.

After discussion and review of the permit application for Brad Wittig-OP-A05011143; Vice-President Raun made a motion to approve the permit application. Director Berglund seconded. All voted for; motion carried.

**VII. Annual Evaluation of District Rules on Prevention of Groundwater Waste:** After review, Vice-President Raun made a motion to approve the evaluation as presented. Director Berglund seconded. All voted; motion carried.

- VIII. **Annual Evaluation of District Investment Policy:** After review of the district investment policy, Director Berglund made a motion to approve the policy as presented. Secretary Weinheimer. All voted; motion carried.
- IX. **Review and Propose 2019-2020 Budget:** Mr. Hudgins presented and discussed the preliminary 2019-2020 budget. Vice-President Raun made the motion to propose the 2019-2020 budget as presented which would necessitate a Tax Rate of \$0.0080/100 valuation. Director Berglund seconded. All voted for; motion carried.
- IV. **Review and Propose 2019-2020 Tax Rate:** Vice-President Raun made a motion to propose a Tax Rate of \$0.0080/100 valuation. Director Berglund seconded. All voted for; motion carried.
- X. **Review and Discuss Renewal Options to Certificate of Deposit #50016679:** Mr. Hudgins presented the board with the maturity date of the certificate of deposit and discussed investment options. After discussion, Vice-President Raun made a motion to reinvest the certificate of deposit at the highest available rate subject to Mr. Hudgins' judgement. Director Berglund seconded. All voted for; motion carried.
- XI. **Review and Discuss Draft Contract with GM Ellis Law Firm:** Greg Ellis presented and discussed the draft contract with the board. After review and discussion, Director Berglund made a motion to approved the contract with the agreement that CBGCD will be responsible for 60% and Coastal Plains GCD will be responsible for 40% which will be invoiced by Coastal Bend GCD. Vice-President Raun Seconded. All voted for; motion carried.
- XII. **Review Draft Proposed CBGCD Rule Amendments Related to Public Comment at Board Meetings, Term of Permit Amendments, and Export Permit Term Renewals:** Mr. Hudgins presented the board with the draft CBGCD rule amendments. After review and discussion, Director Berglund made a motion to propose the rule amendments as presented and schedule a public hearing at the next meeting. Vice President Raun seconded. All voted; motion carried.
- XIII. **Consider Easement Agreement from TxDot for Installing Monitor Wells:** No Action
- XIV. **Hearing On Cancellation of Permits: 1.Donald Schoenfield OP-08062329 2.Donald Schoenfield OP-08062341 3.Edmond Holub OP-04082501 & OP-04082501 4.Jonathan Kulak OP-05012608:** Opened hearing at 9:15. The hearing was closed at 9:16 with no one present for comments.
- XV. **Consider and Take Action on Permits Discussed in Cancellation Hearing:** After review and discussion, Director Berglund made a motion to cancel the permits discussed in the cancellation hearing with a cancellation date of September 01, 2019. Secretary-Weinheimer seconded. All voted for; motion carried.
- XVI. **Litigation Update a) Fazzino v Brazos Valley Groundwater Conservation District (District Court) b) Cockrell Investment Partners, Ltd. V Middle Pecos Groundwater Conservation District (District Court) c) Uvalde County Underground Water Conservation District v Edwards Aquifer Authority (District Court) d) Neches and Trinity Valley's Groundwater Conservation District v Mountain Pure, Inc.:** Greg Ellis updated the board on the current status of the cases.
- XVII. **Consider Joining Amicus Brief in Support of Neches and Trinity Valley GCD:** No Action
- XVIII. **Legislative Update:** Greg Ellis advised the CBGCD board of any changes required as a result of new legislation.
- XIX. **Possible Future Agenda Items:** None

- XX. **Public Comments/Announcements:** None.
- XXI. **Set Next Meeting Date and Agenda:** Director Berglund made a motion that the next CBGCD board meeting be set for Tuesday, September 10, 2019 at 8:00 am. Vice-President Raun seconded. All voted for; motion carried.
- XXII. **Adjournment:** Meeting adjourned at 9:56 a.m.