

MINUTES
EVERGREEN UNDERGROUND WATER CONSERVATION DISTRICT
May 19, 2017 – REGULARLY SCHEDULED BOARD MEETING

The Meeting of the Board of Directors of the Evergreen Underground Water Conservation District, pursuant to notice, at the District Office, 110 Wyoming Blvd., Pleasanton, Atascosa County, Texas.

Directors Present: Clifton L. Stacy, Vice-President
Blaine Schorp, Secretary/ Treasurer
Diane Savage
Jay Troell
Frank Kruciak
Larry Fox
Jason Peeler
Craig Nieschwietz

Directors Absent: Steve Snider, President

Employees Present: Russell Labus, General Manager
Melissa Gonzalez, District Secretary/Bookkeeper
Christopher McFarlane, Assistant Manager
Matthew Pope, Field Technician

Guests Present: Attached
Agenda: Attached.

Declaration of Quorum and Call to Order:

Vice President Stacy declared a quorum present and called the meeting to order at 9:10 a.m. The meeting was posted and filed as required by law.

Pledge of Allegiance.

Award Presentation for the Kenneth Stephens Memorial Scholarship Program.

Director Savage announced the following winners:

3rd Place Winner, Jared Labus from Floresville High School. Was not able to attend.

2nd Place Winner, Hayden Dallmeyer from Poth High School was presented with a certificate and a check for the amount of \$1500.00

1st place Winner, Caleb Albert from Poth High School was presented with a certificate and a check for the amount of \$2000.00

Recess to Public Hearing

Public Hearing- Water Well Drilling and Production Permit Applications

a. Call to Order

Vice President Stacy called the Public Hearing to order at 9:17 a.m.

b. Drilling/Production Permit Applications:

The Board was presented with one drilling and one production permit application from D&L Freshwater (Drilling Permit#14117, Production Permit#PK00331) for a new well to be located in Karnes County. Director Kruciak moved to approve the drilling and production permit. Director Schorp seconded the motion and there being no further discussion the motion carried unanimously.

The Board was presented with one drilling and one production permit application from Edward Villarreal (Drilling Permit#14118, Production Permit#PA00430) for a new well to be located in Atascosa County. Director Fox moved to approve the drilling and production permit. Director Troell seconded the motion and there being no further discussion the motion carried unanimously.

c. Permits on Existing Wells:

The Board was presented with one production permit application for Devon Energy (Permit #PK00332), for an existing well located in Karnes County. Director Kruciak moved to approve the production permit. Director Schorp seconded the motion and there being no further discussion the motion carried unanimously.

d. Adjourn.

Vice President Stacy declared the Public Hearing adjourned at 9:20 a.m.

Reconvene to Meeting.

Production Permit Renewals:

Director Fox moved to approve the Permit Renewals. Director Troell seconded the motion, and there being no further discussion the motion carried unanimously.

Public Comments, Requests or Discussion by the Public, Limited to 5 Minutes Concerning Agenda Items or Other District Business:

Jessica Hardy asked when the 90 day deadline will be to request a rehearing for the Sand Mining of Texas, LLC permit amendments. Attorney, Monique Norman stated that the deadline will be July 19, 2017. Mrs. Hardy said that "Not Just Dust" is going to have a meeting with Sand Mining of Texas, LLC and asked that agenda item six be tabled for a later date.

Discussion and Possible Action on the Request for Rehearing by “Not Just Dust” on the Production Permit Amendments for Sand Mining of Texas, LLC:

Agenda item was tabled.

Presentation and Proposal by Halff Associates, Inc. for Data Management Software for the Evergreen UWCD:

Director Savage moved to approve the Proposed Contract by Halff and Associates, Inc. for Data Management Software contingent upon contract review by Attorney, Monique Norman. Director Troell seconded the motion, and there being no further discussion the motion carried unanimously.

Minutes of the April 28, 2017 Board of Directors’ Meeting:

The minutes of the April 28th meeting were presented to the Board. Director Troell moved to approve the minutes as presented. Director Savage seconded the motion, and there being no further discussion the motion carried unanimously.

Approval of Report of Bills Paid, Deposits, and Financial Statements for April 2017:

The report of bills paid, deposits, and financial statements for April were presented to the Board. Director Savage moved to receive and file the reports. Director Troell seconded the motion, and there being no further discussion the motion carried unanimously.

Accept Steve Snider’s Resignation from the EUWCD Board of Directors.

No Action Needed.

Recognition of Service on the EUWCD Board for Steve Snider and Craig Nieschwietz:

General Manager, Russell Labus presented a plaque to Craig Nieschwietz.

Canvass Election Returns from the May 6, 2017 Board of Directors Election in Atascosa and Karnes Counties:

District Secretary, Melissa Gonzalez read the results from Early Voting and Election Day for Atascosa County. Early Voting- Larry Fox 108, Weldon Riggs 75
Election Day- Larry Fox 52, Weldon Riggs 34

District Secretary, Melissa Gonzalez read the results from Early Voting and Election Day for Karnes County. Early Voting- Thomas Moy III 36, Jeffrey Wiatrek 14
Election Day- Thomas Moy III 157, Jeffrey Wiatrek 73

Statement of Elected/Appointed Officer for Directors:

District Secretary, Melissa Gonzalez read the Statement of Elected/Appointed Office for the new Elected Directors Clifton Stacy, Larry Fox, Thomas Moy III and Sherman Posey.

Oath of Office for Directors:

District Secretary, Melissa Gonzalez, being a Notary Public administered the Oath of Office to the new Elected Directors, Clifton Stacy, Larry Fox, Thomas Moy III and Sherman Posey.

Attorney, Monique Norman stated that according to Chapter 36 the newly elected Directors cannot serve in their capacity until they are bonded.

Re-Elect Officers for Board of Directors:

Director Savage made the motion to nominate Blaine Schorp for President of the Board. Director Peeler seconded the motion, and there being no further discussion the motion carried unanimously.

Director Savage made the motion to nominate Frank Kruciak for Vice President of the board. Director Troell made the motion to nominate Clifton Stacy for Vice President of the Board. The Board at this time took a vote by paper ballot. Frank Kruciak had majority of the votes 6 to 2.

Director Kruciak made the motion to nominate Diane Savage for Secretary/Treasurer of the board. Director Peeler seconded the motion, and there being no further discussion the motion carried unanimously.

Staff Report on District Activities:

- **Meetings and Conferences Attended and Schedule of Upcoming Meetings:**

General Manager, Russell Labus mentioned that he attended the Polk Hearing on May 12, 2017. Mr. Labus said that there will be a TAGD Business Meeting on May 31-June 1, 2017, a Queen City-Sparta Brackish Stakeholder Meeting on June 6, 2017 and a STWMA Meeting on June 28, 2017.

- **Legislative Updates:**

Attorney, Monique Norman gave a summary of the legislative updates and stated that Chapter 36 will be revised by the next board meeting.

- **Exempt Well Registrations:**

Assistant Manager, Chris McFarlane mentioned that there were seven exempt well registrations this month.

- **Monitor Well Report and Water Sampling Activity:**

Chris McFarlane said that the monitor wells in Karnes and Wilson Counties are consistent.

Matt Pope said that the levels in Atascosa and Frio Counties are seasonally appropriate with drawdowns in Frio County and Western Atascosa County. Mr. Pope mentioned that he took a couple of water samples from landowners in Atascosa County close to the Sand Mining of Texas property.

- **Complaints and Investigations:**

None.

- **Other District Activities:**

None.

Consider and Take Appropriate Action on Items to be Placed on the Next Agenda:

General Manager Russell Labus stated that at the next board meeting Peter Gregg will be here to give an overview of the Polk Operating protest activity, Josh Brownlow will give an update report and Steve Young with Intera, Inc. will give a presentation and proposal.

Set Date and Time for the Next Board Meeting:

The Board agreed to set the next meeting date for Friday, June 30, 2017 at 09:00 a.m. at the District Office in Pleasanton, TX 78064.

Adjourn:

There being no further business to come before the Board, Vice President Stacy declared the meeting adjourned at 10:56 a.m.


Blaine Schorp, President

ATTEST:

Frank Kruciak
Frank Kruciak, Vice President