

MINUTES
EVERGREEN UNDERGROUND WATER CONSERVATION DISTRICT
MAY 23, 2018 – 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: Blaine Schorp, President
 Frank Kruciak, Vice-President
 Diane Savage, Secretary/Treasurer
 Clifton Stacy
 Thomas Moy III
 Larry Fox
 Jay Troell
 Sherman Posey
 Jason Peeler

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

Guests Present: Attached
Agenda: Attached.

Declaration of Quorum and Call to Order:

President Schorp declared a quorum present and called the meeting to order at 9:06 a.m. The meeting was posted and filed as required by law.

Pledge of Allegiance.

Director Savage presented our Scholarship Program 2018 1st place winner Lana Pruski with a certificate and check for \$2000.00.

Recess to Public Hearing

Public Hearing- Water Well Drilling and Production Permit Applications

a. Call to Order

President Schorp called the Public Hearing to order at 9:10 a.m.

b. Public Comments:

Tina Sherman said that she plugged in the coordinates listed on the permit notice for a couple of wells and they did not match to where the wells are physically located.

Matt Pope stated that where he has the location pinned on the map displayed is exactly according to the coordinates on the permit hearing notice.

c. Drilling/Production Permit Applications:

The Board was presented with one drilling and production permit application for Axle Tree Ranch (Production Permit#PK00346) for new well to be located in Karnes County. Director Stacy moved to approve the drilling and production permit. Director Posey seconded the motion, Director Moy abstained, and there being no further discussion the motion carried.

The Board was presented with one drilling and production permit application for Gary Fritz (Production Permit#PF00459) for new well to be located in Frio County. Director Savage moved to approve the drilling and production permit. Director Kruciak seconded the motion, and there being no further discussion the motion carried.

The Board was presented with one drilling and production permit application for Thomas Moy (Production Permit#PA00456) for new well to be located in Atascosa County. Director Troell moved to approve the drilling and production permit. Director Kruciak seconded the motion, Director Moy abstained, and there being no further discussion the motion carried.

d. Permit Amendments:

The Board was presented with one permit amendment from Peter Mutz (Permit #PW00250) in Wilson County. Permit will be amended from 300 GPM to 455 GPM and the total maximum production will be amended from 362.76-acre feet to 550.187-acre feet. Permit number will be amended from PK00119 to PW00250. Director Savage moved to approve the two permit amendments. Director Stacy seconded the motion, and there being no further discussion the motion carried unanimously.

e. Hearing and Board Action on Order Regarding Notice of Complaint Received under §36.119, Texas Water Code, about City of Kenedy Wells 11, 13, 14, 15, and 16.

This agenda Item was moved to after Agenda Item #8 of the Regular Meeting.

Reconvene to Regular Meeting.

Production Permit Renewals:

None.

Public Comments on Agenda Items or Other District Business, Limited to 5 Minutes Each:

David Morgan said that last month he mentioned the trouble he was having with PIRs. Mr. Morgan said that Russell responded to two of them and his concern is in regard to one of the wells near Frank in Helena. Mr. Morgan said that well was not permitted before it was drilled and from what he understands from the state well report that it is screened in six different locations. General Manager, Russell Labus said that he and Chris have been trying to get a hold of the driller and that this concern is under investigation with the District. Chris McFarlane stated that he along with Landon Yosko went to look for the well and the well has not been used and does not have a pump in it. Mr. Morgan said he wanted to bring it up to the board that there are wells being drilled without a permit.

Kathy Morgan- Passed

Mary Harnden said the reason why she is speaking today at this meeting is because of the concern she has for what she has been hearing in regard to what is going on in Karnes County. Ms. Harnden stated that she has been hearing how this board is not holding up to the standards of this state and how a group of people have to get together to protect their water. Ms. Harnden said the board needs to be accountable and follow their rules and regulations in order to protect the water.

Approval of Minutes from the April 27, 2018 Board of Directors Meeting:

The minutes of the April 27th meeting were presented to the Board. Director Savage moved to approve the minutes as presented. Director Fox 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 2018:

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

Discussion and Action on Providing Sponsorship for Logan West, 4H Ambassador:

Director Troell moved to provide sponsorship for Logan West in the amount of \$1000.00. Director Fox seconded the motion, and there being no further discussion the motion carried unanimously.

Proposed Amended District Bylaws:

Director Savage moved to approve the Amended District Bylaws. Director Troell seconded the motion, and there being no further discussion the motion carried unanimously.

Proposed Record Retention Schedule:

Director Troell moved to approve the Record Retention Schedule. Director Savage seconded the motion, and there being no further discussion the motion carried unanimously.

*The Board went into Executive Session at 9:47 a.m.
The Board reconvened to Regular Meeting at 10:51 a.m.*

The Board Recessed to Public Hearing at 10:51 a.m.

Public Hearing:

- e. Hearing and Board Action on Order Regarding Notice of Complaint Received under §36.119, Texas Water Code, about City of Kenedy Wells 11, 13, 14, 15, and 16.**

The attorney's for N.A.D.A. and the City of Kenedy presented their cases to the Board.

Adjourn:

President Schorp called the Public Hearing adjourned at 11:28 a.m.

The Board Reconvened to Regular Meeting at 11:28 a.m.

The Board Recessed into Executive Session at 11:28 a.m.

The Reconvened to Regular Meeting at 12:30p.m.

Board Action on Public Hearing Item (e.)- Hearing and Board Action on Order Regarding Notice of Complaint Received under §36.119, Texas Water Code, about City of Kenedy Wells 11, 13, 14, 15, and 16:

Director Troell moved to approve the order stating that the City of Kenedy's wells are not in violation. Director Savage seconded the motion, and there being no further discussion the motion carried unanimously.

(Attached- Order of the EUWCD Regarding the Notice of Citizen Suit, Texas Water Code §36.119 Complaints Against the City of Kenedy Wells 11, 13, 14, 15 and 16.)

Staff Report on District Activities:

General Manager, Russell Labus stated that Landon Yosko is now a full-time employee and that we will be looking for a vehicle for him. Mr. Labus said that the database is up and running and Halff will be coming in for hands on training with the staff. Mr. Labus mentioned that there was a Region L meeting and TAGD meeting this month. Mr. Labus said that he and Blaine Schorp met with Roland Ruiz with EAA to discuss precipitation enhancement as a possible Region L water management strategy.

Field technician, Matt Pope said that the water levels in Atascosa and Frio Counties are as expected during this time of year.

Assistant Manager, Chris McFarlane said his well levels in Karnes and Wilson Counties are fairly consistent and that he has been very busy in the field this month.

Technical Specialist, Landon Yosko mentioned that he started water quality sampling and is putting a plan together to get sampling for the whole district.

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

- Proposed Study of Gulf Coast Aquifer in Karnes County.

- Rules Committee Meeting.
- Southwest Research Institute Expenditures.

Set Date and Time for the Next Board of Directors Meeting:

The Board agreed to set the next meeting date for Friday, June 29, 2018 at 09:00 a.m. at the District Office in Pleasanton, TX 78064.

Adjourn:

President Schorp declared the meeting adjourned at 12:47 p.m.



Blaine Schorp, President

ATTEST:



Diane Savage, Secretary/Treasurer