

Refugio Groundwater Conservation District

604 E. Commerce St., Refugio, Texas 78377

P.O. Box 116, Refugio, Texas 78377

Phone (361) 526-1483 | Fax (361) 526-1294 | www.rgcd.org

THE STATE OF TEXAS
REFUGIO COUNTY

The Board of Directors of the Refugio Groundwater Conservation District convened a meeting on September 6, 2022, at 6:00 PM at the First Baptist Church of Woodsboro Fellowship Hall, 309 Johnson Street, Woodsboro, Texas 78393

Meeting Attendance:

Precinct 1:	Mr. John Snyder, Treasurer	Present
Precinct 2:	Mr. Carroll Borden, President	Present
Precinct 3:	Vacant	
Precinct 4:	Mr. Fredric Biery, Secretary	Present
At Large:	Mr. Scott Carter, Vice President	Present
General Manager:	Mr. Timothy Andruss	Present
Legal Counsel:	Mr. James Allison	Absent

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

Meeting Discussion: Mr. Borden called the meeting to order at approximately 6:00 PM.

Board Action: None.

Agenda Item 2: Receive public comments.

Meeting Discussion: None.

Board Action: None.

Agenda Item 3: Consideration of and possible action on matters related to groundwater management, including permit and waiver requests, complaints, investigations, and enforcement cases.

Meeting Discussion: None

Board Action: None.

Agenda Item 4: Consideration of and possible action on matters related to meeting management including minutes of previous meetings.

4.0 – Report regarding Meeting Management

Meeting Discussion: Mr. Andruss explained the next meeting of the Board is scheduled for October 17, 2022, with each meeting to convene at 6:00 PM. Special meetings may be scheduled to address unforeseen issues.

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Board Action: None.

4.1 – Minutes of Previous Meeting

Meeting Discussion: Mr. Andruss explained the minutes for the meeting held on July 18, 2022, were sent to the board members prior to the meeting.

Board Action: Mr. Borden moved to accept and approve the meeting minutes for July 18, 2022, as drafted. Mr. Snyder seconded the motion. The motion passed unanimously.

Agenda Item 5: Consideration of and possible action on matters related to financial management including the annual budget, budget recommendation for fiscal year 2023, tax rate for tax year 2022, certified appraisal roll, bank accounts, investments, financial reports of the district, bills and invoices of the district.

5.0 – Report on Financial Management

Meeting Discussion: Mr. Andruss explained the financial records for June 2022 have been compiled, reviewed, and sent to the board members prior to the meeting.

Board Action: Mr. Borden moved to accept and approve the financial records for June 2022. Mr. Snyder seconded the motion. The motion passed unanimously.

5.0.1 – Review of Financial Transactions

Meeting Discussion: Mr. Andruss presented a list that identified the accounts receivable and accounts payable transactions that were recorded between July 19, 2022, and August 31, 2022.

Board Action: None.

5.1 – Budget Recommendation for FY2023

Meeting Discussion: Mr. Andruss explained a recommended budget for fiscal year 2022 for the District has been developed that, if adopted, would fund the operations of the District in a manner that should provide for 1) the accomplishment of the management plan goals and objectives and 2) the completion of certain projects and tasks associated with the administration of the district, groundwater conservation, groundwater management and permitting, groundwater monitoring, groundwater policy development, groundwater protection, groundwater research, and groundwater resource planning, and 3) avoid a budget deficit in Fiscal Year 2022-2023.

The recommended budget anticipates the continued cooperation with and support of the staff of the Victoria County Groundwater Conservation to be achieved through the approval of a revised interlocal cooperation agreement. The significant revisions provide for 1) an increase to the monthly fees for service by 5% from \$6,825.00 to \$7,166.25.

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The recommended budget includes and is based on the following:

- estimation of total fund balance of \$1,465,281 at the end of Fiscal Year 2021-2022;
- anticipation of expenditures of \$270,495 during Fiscal Year 2022-2023 which includes budgeted expenses of \$100,000 for development of a district-owned aquifer monitoring well network:

Legal Services - Groundwater Monitoring	\$	(10,000.00)
Aquifer Monitoring Well Network Development	\$	(25,000.00)
Aquifer Monitoring Well Network Development - Monitor Well Construction	\$	(30,000.00)
Aquifer Monitoring Well Network Development - Land Acquisition and Access	\$	(20,000.00)
Equipment - Aquifer Monitoring Well Network Development	\$	(15,000.00)

- allocation of \$270,495 of the total fund balance to the Operating Fund effective October 1, 2022;
- allocation of the remainder of the total fund balance to the Reserve Fund effective October 1, 2022;
- commitment of the monies of the Reserve Fund in Fiscal Year 2022-2023 in accordance with the following schedule:
 - Groundwater Conservation: 5%
 - Groundwater Management: 10%
 - Groundwater Monitoring: 25%
 - Groundwater Protection: 25%
 - Groundwater Research: 5%
 - Groundwater Resource Planning: 5%
 - Legal Contingencies: 25%
- anticipation of revenue from sources other than tax-related sources to be \$89,746;
- adoption of a Tax Year 2022 tax rate of \$0.01519/\$100 of taxable value;
- anticipation of revenue from tax-related sources to be \$180,749; and
- anticipation of a decrease of the reserve fund by \$88,246 at the conclusion of the fiscal year.

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Board Action: Mr. Biery moved to approve and adopt the proposed budget for FY2023 by order. Mr. Borden seconded the motion. The motion passed unanimously.

5.2 – Hearing and Adoption of Tax Rate for Tax Year 2022

Meeting Discussion: Mr. Andruss explained the District completed the public notice requirements related the required public hearing regarding the proposed tax rate for tax year 2022. Based on calculations completed by the Refugio County Tax Assessor-Collector, the following tax rates exist for the District for Tax Year 2022:

- No-New-Revenue Tax Rate: \$0.01519 /\$100
- Voter-Approved Tax Rate: \$0.016.43 /\$100

The District adopted a tax rate of \$0.01826 /\$100 for Tax Year 2021.

The proposed tax rate for Tax Year 2022 (No-New-Revenue Tax Rate; \$0.01519 /\$100), if adopted, would decrease the tax rate and produce an additional \$1,066 of tax revenue. As of September 2, 2022, District has not received comments on the proposed tax rate for tax year 2022.

If the Board adopts the proposed rate, the tax rate would be lower than the current rate of \$0.01826 /\$100 value to the No-New-Revenue Rate of \$0.01519 /\$100 value.

Board Action: Mr. Borden moved to open the public hearing at 6:31 PM regarding the proposed tax rate for tax year 2022. Mr. Biery seconded the motion. The motion passed.

Board Action: Mr. Borden moved to close the public hearing after accepting public comment regarding the proposed tax rate for tax year 2022 at 6:32 PM. Mr. Biery seconded the motion. The motion passed.

Board Action: Mr. Snyder moved to approve and adopt the proposed tax rate of \$0.01519/\$100 value as the tax rate for tax year 2022 by order. Mr. Biery seconded the motion. The motion passed unanimously.

5.3 – Appraisal Roll for Tax Year 2022

Meeting Discussion: None.

Board Action: Mr. Biery moved to accept and approve the appraisal roll for tax Year 2022 and adopt the Order Approving the 2022 Appraisal Roll. Mr. Borden seconded the motion. The motion passed unanimously.

5.4 – Unpaid Accounts Payable

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Meeting Discussion: Mr. Andruss explained that 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. Snyder moved to authorize the general manger to pay the listed 18 invoices. Mr. Borden seconded the motion. The motion passed unanimously.

Agenda Item 6: Consideration of and possible action on matters related to office administration and management including administrative policies, consultant agreements, interlocal cooperation agreements, and support services provided to and from other groundwater conservation districts.

6.0 – Report regarding Administration and Management

Meeting Discussion: None.

Board Action: None.

6.1 – Agreements with Cooperating Districts

Meeting Discussion: Mr. Andruss explained the VCGCD Board authorized the general manager to present and the presiding officer to execute the interlocal cooperation agreement with the District (INTERLOCAL AGREEMENT FOR SERVICES RELATED TO GENERAL MANAGEMENT AND ADMINISTRATIVE ACTIVITIES) with revisions limited to increasing monthly fees by 5% from \$6,825.00 to \$7,166.25 for fiscal year 2023.

Board Action: Mr. Biery moved to authorize the presiding officer to execute the interlocal cooperation agreement with VCGCD (INTERLOCAL AGREEMENT FOR SERVICES RELATED TO GENERAL MANAGEMENT AND ADMINISTRATIVE ACTIVITIES) with revisions limited to increasing monthly fees by 5% from \$6,825.00 to \$7,166.25 for fiscal year 2023. Mr. Borden seconded the motion. The motion passed unanimously.

6.2 – Review of Consultants

Meeting Discussion: Mr. Andruss explained the District previously reviewed and considered the services provided by consultants on October 18, 2021. The District has obtained services from Jim Allison of Allison, Bass and Magee, Dr. Venkatesh Uddameri as well as Steve Young of Intera, Inc. in the past. The services provided by each consultant have been considered acceptable by the District. Furthermore, services provide by Dr. Venkatesh Uddameri, Matt Wickham of Golder Associates, and Steve Young of Intera, Inc. have been obtained through interlocal cooperation agreements with the VCGCD.

Board Action: Mr. Borden moved to continue the authorization for the General Manager to obtain proposals and services from Dr. Venkatesh Uddameri, and Intera, Inc. in accordance with the conditions established in the agreements between VCGCD and the

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consultants as appropriate. Mr. Biery seconded the motion. The motion passed unanimously.

Agenda Item 7: Consideration of and possible action on matters related to election management including contracts related to the 2022 election and the potential cancellation of the 2022 election.

7.0 – Election Matters

Meeting Discussion: Mr. Andruss explained the Secretary of State Office has published Election Advisory 2022-25. Within the advisory, a number of key dates are identified regarding the upcoming elections:

- Monday, August 22, 2022 (78th day before Election Day)
 - Political Subdivisions Other Than Counties: 5:00 p.m. - Last day for a candidate in a political subdivision (other than a county) to file an application for a place on the ballot for general election for officers for most political subdivisions, except as otherwise provided by the Texas Election Code. (Secs. 143.007(c), 144.005(d), Election Code; Sec. 11.055, Education Code; Chapter 286, Health & Safety Code). See Candidacy Filing outline for more details.
 - Political Subdivisions Other Than Counties (General Election): Deadline for political subdivisions to order a general election to be held on Tuesday, November 8, 2022. (Sec. 3.005).
- Friday, August 26, 2022 (74th day before Election Day)
 - Political Subdivisions Other Than Counties: 5:00 p.m. - Deadline for write-in candidates to file Declaration of Write-In Candidacy (PDF) for regular officers for city, school district, library district, junior college district, hospital district, common school districts, Chapter 36 and 49 Water Code districts, and other political subdivision elections, unless otherwise provided by law. (Secs. 144.006(b), 146.054(b), 146.055, Election Code; Secs. 11.056, 11.304, 130.0825, Education Code; Secs. 326.0431, 326.0432, Local Government Code; Sec. 285.131, Health and Safety Code; Secs. 36.059, 49.101, 63.0945, Water Code). See Candidacy Filing outline for more details.
 - Political Subdivisions Other Than Counties: Recommended first day that a general or special election may be cancelled if all filing deadlines have passed, each candidate for an office listed on the ballot is unopposed (except as discussed below), and write-in votes may be counted only for names appearing on a list of write-in candidates. The Certification of Unopposed Candidates for Other Political Subdivisions (PDF) may be used to certify candidates as unopposed. Also, see our Sample Order of Cancellation (PDF).

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The terms of the following offices are scheduled to expire in November 2022:

- Director, Precinct 1; (currently held by Mr. Snyder)
- Director, Precinct 3; (currently held by VACANT)

As of August 26, 2022, the District had received no applications for a place on the ballot for the November 2022 election.

Board Action: Mr. Biery moved to cancel the election for all positions effective August 26, 2022. Mr. Borden seconded the motion. The motion passed unanimously.

Agenda Item 8: Adjourn

8.0 – Adjourn

Meeting Discussion: None.

Board Action: Mr. Borden moved to adjourn the meeting after concluding all business of the District. Mr. Carter seconded the motion. The motion passed unanimously.

The above and foregoing minutes were read and approved on this the 17th day of October, 2022

ATTEST:

Camel E. Borden
District Director

Andrii Biery
District Director