

MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

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Email: mpgcd@mpgcd.org Website: www.middlepecosgcd.org

Directors

Jerry McGuairt, President Janet Groth, Vice President M. R. Gonzalez, Secretary/Treasurer
Alvaro Mandujano, Jr. Vanessa Cardwell Ronald Cooper
Weldon Blackwelder Allan Childs Jeff Sims Puja Boinpally Larry Drgac

Employees

Ty Edwards, General Manager
Office: Gail Reeves & Melissa Mills Field Technician: Anthony Bodnar

March 24, 2020

MINUTES OF REGULAR BOARD MEETING HELD BY TELECONFERENCE

On this the 24th of March, 2020, in accordance with Governor Abbott's declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act, a Regular Board Meeting by teleconference was held by the Middle Pecos Groundwater Conservation District, with the following members forming a quorum, to-wit:

| | |
|-----------------------|------------------------------|
| Jerry McGuairt | President, Precinct 1 |
| Janet Groth | Vice President Precinct 1 |
| M. R. Gonzalez | Prec. 2, Secretary/Treasurer |
| Puja Boinpally | Precinct 2 |
| Weldon Blackwelder | Precinct 3 |
| Larry Drgac | Precinct 3 |
| Alvaro Mandujano, Jr. | Precinct 4 |
| Ronnie Cooper | Precinct 4 |
| Vanessa Cardwell | City of Fort Stockton |
| Jeff Sims | City of Iraan |

Board Member absent: Allan Childs

District employees and professionals participating: Ty Edwards, Anthony Bodnar, Gail Reeves, Rocky Rives (CPA), Mike Gershon (legal counsel)

Members of the public participating: Zach Swick, Linda Gordon, Eddie McCarthy, Ryan Reed, Glen Honaker, and Steve Fountain

REGULAR BOARD MEETING

I Call to order regular Board meeting.

Meeting called to order at 10:07 am.

- II Comments from **public and media** (limit 5 minutes per person cumulative for all items addressed). Members of the public may address the Board for a limited time concerning any subject whether or not it is on the agenda (each person wishing to speak must register by email as indicated above).²

No Comment.

- III Briefing and take action as necessary regarding **7D area and continued Kent and Luna permit hearings.**

General Manger Ty Edwards gave an update to the Board. PCWCID#1 has hired Kristin Fancher to represent them in the Gordon / Kent and Luna matter. MPGCD is still on hold until the title issues are resolved.

- IV Consider and/or act upon **Financial Audit for the Year ending 09-30-2019.**

Rocky Rives with Smith and Rives, PC Certified Public Accountants presented the audit to the Board and answered all questions. The opinion rendered is an unmodified opinion which is the best that can be rendered. The financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the major fund, and the aggregate remaining fund information of the MPGCD, as of September 30, 2019, and the respective changes in financial position thereof for the year ended in conformity with the "GAAP" (generally accepted accounting principles), including those principles generally accepted for government entities in the United States of America. There are no findings that require disclosure or corrective action in the audit report.

Jr Mandujano made a motion to approve the Audit for Fiscal Year ending 09-30-2019 as presented. Seconded by Janet Groth.

Moción Carried unanimously. Vote: 10 For. -0- Opposed. 1 Absent.

- V Consider and/or act upon **General Manager's 2019 Annual Report.**

Ty Edwards presented the General Manager's 2019 Annual Report to the Board.

Janet Groth made a motion to accept the 2019 report. Motion seconded by Ronnie Cooper. Motion carried unanimously.

- VI Consider and/or act upon **Treasurer's Report for the Month Ending February 29, 2020 and delegation of authority to approve future expenses (for limited time during Governor-declared disaster) to one or more Directors and General Manager.**

Ronnie Cooper made a motion to approve the Treasurer's Report for the month ending February 29, 2020 as presented. Motion seconded by Jeff Sims Motion carried. Vote: 10 For. -0- Against. 1 Absent.

No delegation was authorized. It will be business as usual.

- VII Consider and/or act upon **2-18-2020 Minutes of Regular Board Meeting.**

Vanessa Cardwell made motion to approve 2-18-2020 minutes as presented. Puja Boinpally seconded the motion. Motion passed unanimously.

VIII Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, Drought Monitor Map, Water Quality Analysis and General Manager's Correspondence.³

- * Well Registrations: Since 1-6-2020 we registered 6 water wells. Our total registrations 3,265. 962 of those are Non-Exempt Wells and 2,303 Exempt wells.
- * Data Loggers: We are up to 130 wells that we are checking monthly.
- * Drought Monitor: The drought monitor report is submitted in Board Information.
- * Water Quality Analysis: Water analysis samples are being pulled. We pulled 94 samples last year.
- * North of Fort Stockton: We continue to receive emails and calls from people needing water due to PCWCID#1 not able to set new taps at this time.
- * RigData Report: The report show 16 rigs in Pecos County. 17 are in Cayanosa, and 1 is east of town.
- * TAGD has announced Interim Legislative Subcommittees. General Manger Ty Edwards is a voting member for the Brackish and Produced water Subcommittees and an interested party for the Joint Planning. We have held our initial phone conferences and have begun working on the issues.
- * MPGCD has begun annual production reports.
- * Ray Durham has begun pump test and will submit a production permit over the next few months.

IX Directors' Comments⁴ and consider and/or act upon agenda for next meeting and Directors' preferences for remote participation of Directors, staff and public.

No Comment.

- X Briefing from General Manager and legal counsel regarding President Trump's Coronavirus Guidelines for America (March 16, 2020) and Governor Abbott's proclamation/declaration of statewide disaster (March 13, 2020) and executive order (March 19, 2020), and possible extent of impacts to District and its constituents, and options for District to maintain operations; and Board to consider and take action as appropriate to temporarily amend bylaws, delegate authority, and/or implement other measures to maintain operations and accessibility to public.

General Manager Ty Edwards gave an update to the Board on the Coronavirus and how that affected MPGCD business. Mike Gershon made the Board aware of the actions taken by the Governor and President and that they are online. He proposed the Board pass a motion to temporarily suspend certain by-laws to be consistent with those actions.

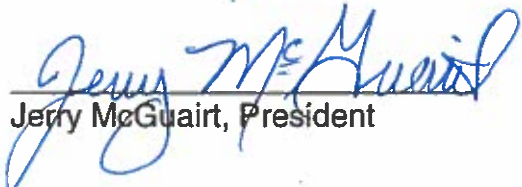
Janet Groth made a motion to suspend by-laws in a manner that is consistent with the Governor's past and any future actions made before the next Board meeting. Puja Boinpally seconded the motion. Motion passed unanimously.

- XI **Adjourn** Board meeting.

Meeting adjourned at 10:55 am.



M. R. Gonzalez, Secretary/Treasurer



Jerry McGuairt, President

Date Approved 05-19-2020