



Board Meeting Minutes

Tuesday, September 16, 2025, at 1:30 pm.

District Office at 601 West Main Street, Johnson City, Texas

Present: Directors: President Jimmy Klepac, James Sultemeier, George Cofran.

Absent director: Tom Murrah

Staff: Erik Kubinski, Amy Haynes, Greg Stevens

Citizens: See Sign-In Sheet

1. Call to Order

President Jimmy Klepac called the meeting to order at 1:30pm

2. Invocation

BPGCD Staffer Gregory Stevens led the invocation. President Jimmy Klepac offered a prayer for absent Director Tom Murrah whose wife recently passed away. President Klepac led those assembled in the pledge of allegiance.

3. Public Comments

No requests for public comment were received.

4. Consent Agenda

The consent agenda included approval of board meeting minutes from August 26, 2025, monthly financial reports, and monthly operational reports.

Motion to approve the consent agenda was made by James Sultemeier, seconded by George Cofran. Motion carried unanimously.

5. Public Hearing, discussion and possible action on the following pending operating permit applications

President Klepac opened the public hearing at 1:32 PM regarding Johnson City's permit applications for case numbers 20240028, 20240029, 20240030, 20250055, and 20250056.

General Manager Erik Kubinski noted that one protest had been received regarding the Johnson City permit. Greg Ellis, legal counsel, explained the formal protest process, noting that:

- The protestant has the burden of proof to demonstrate standing by showing they would be personally affected in a way different from the general public.
- The protestant must raise a justiciable issue relevant to groundwater management.
- A preliminary hearing to determine party status would be conducted by a hearing examiner.
- Options for hearing examiners include retired judges like Steven Ables, former administrative law judges, or the board itself.
- If the protestant is found to have standing, an evidentiary hearing would follow.



- The hearing examiner would produce a proposal for decision with findings of fact and conclusions of law.
- The board would then make a final decision based on this proposal.
- Throughout this process, parties can reach a settlement agreement.

Greg Ellis encouraged settlement discussions to avoid the expense of a contested case hearing.

Eddie McCarthy, attorney for Johnson City, stated that his firm was recently hired by the city and attempted to contact the attorney for the protestant, Mr. Baker, who was out of the country. Mr. McCarthy indicated they would continue trying to reach a settlement once Mr. Baker returns.

No public comments were received during the hearing portion.

Public hearing was closed at 1:33 PM.

Motion to refer the Johnson City application to a hearing examiner for the preliminary hearing and instruct the general manager and general counsel to solicit hearing examiner proposals for board consideration in the October board meeting was made by James Sultemeier, seconded by George Cofran. Motion carried unanimously.

6. Discuss and possible action on Hye Development permit amendment for case numbers: 20240013, 20240103, 20240040

Erik Kubinski explained that this item had a public hearing last month, and the board had expressed concerns about plugging a well. He noted that documentation showing the well had been plugged was included in the packet.

George Cofran raised questions about the adequacy of the well plugging, asking for confirmation that it had been properly sealed. James McGarr, representing the applicant, explained that while he didn't personally do the plugging, the report indicated that 42 sacks of bentonite and 16 sacks of Portland cement were used to seal from the water-bearing formation to the surface.

George Cofran expressed concerns about the top of the well needing proper capping to prevent deterioration over time from weather exposure. He requested positive assurance that this had been accomplished according to district rules and Chapter 36 requirements.

James McGarr said that he had glanced over the District's rules regarding well capping, but had not read them.

After discussion, the board decided to table the item to allow for verification that the well had been properly capped according to Texas Department of Licensing and Regulation standards.



7. Public Hearing on the 2025 tax rate of \$0.016176 per \$100 of valuation, the proposed 2025-2026 District Budget, and the 2025-2026 District Fee Schedule

President Klepac opened the public hearing at 1:58 PM.

One member of the public asked for clarification on what was included in personnel expenses. Erik Kubinski explained that personnel expenses include vehicle contract health insurance costs and the like.

The public hearing was closed at 1:59 PM.

8. Discussion and possible adoption of the 2025 tax rate of \$0.016176 per \$100 of valuation and Resolution #20250916-1

Motion to adopt the 2025 tax rate of \$0.016176 per \$100 of valuation and Resolution #20250916-1 was made by George Cofran, seconded by James Sultemeier. Motion carried unanimously.

9. Discussion and possible adoption of the proposed 2025-2026 District Budget

Motion to adopt the 2025-2026 District Budget was made by James Sultemeier, seconded by George Cofran. Motion carried unanimously.

10. Discussion and possible adoption of 2025-2026 Fee Schedule

Motion to accept the proposed fee schedule for the coming year was made by George Cofran, seconded by James Sultemeier. Motion carried unanimously.

11. Discuss and possible action district drought status and drought conditions

Erik Kubinski provided an aquifer management update, reporting that monitoring wells across the district continue to show steady and healthy trends thanks to early July rains. He noted:

- The overall well drop this month was 3.6 inches compared to 2.4 inches in July
- Over the two months since July floods, the average drawdown has been about 6 inches (half a foot)
- Current levels are hovering along the Desired Future Condition (DFC) line

Based on well data, recent climate observations, and forecasted conditions, staff recommended maintaining the district drought stage at 1 while continuing to monitor drought trends closely.



George Cofran suggested that the title of the graph "Progress towards DFC" could be misleading since progress typically has a positive connotation, while the graph shows drawdown. Erik Kubinski explained that the graph was designed to mimic the downward curve of drawdown and mentioned that a consultant is reviewing their drought status process, with results expected by the end of September.

No action was taken.

12. Discuss and possible action on DocAccess Agreement

Erik Kubinski explained that DocAccess is part of Streamline, the district's new website launching on Friday. The service addresses ADA compliance by making PDF files accessible to screen readers such as JAWS. He reported:

- The service identified 71 documents (500 pages) that would have cost \$3,500 to manually make ADA compliant
- DocAccess costs \$30 per month (\$360 per year), representing a 90% savings
- Additional pages beyond their limit would cost 6 cents per page

George Cofran asked if the \$30 monthly rate was fixed regardless of future PDF volume, and whether updating or replacing documents would incur additional fees. Erik confirmed it was a rate based on page count and that updating documents would incur 0.06 per page additional charges.

Motion that the district proceed with the DocAccess proposal and authorize the general manager to execute the agreement was made by George Cofran, seconded by James Sultemeier. Motion carried unanimously.

13. Update on the Region K regional planning meeting held on August 27, 2025

Gregory Stevens, who attended the meeting, reported that the Region K meeting was about 95% housekeeping matters and took about 38 minutes. He noted that it was largely procedural with no significant decisions made.

Erik Kubinski added that membership and attendance were discussed, noting that Region K experiences about 30% turnover every two years. He mentioned that groundwater district general managers often attend and participate in board meetings as members of the board. Kubinski identified three appointments he is targeting: GMA 9, Groundwater Conservation District, and county representative, all of which have alternate positions.

James Sultemeier, who previously served on the board for 16 years, explained that while the meetings can be tedious, they're important because they feed into the state water planning process. He emphasized that the board's main purpose is to approve low-interest loans for cities



and MUDs, and stressed the importance of having Blanco County representatives who will work to keep local water resources in the county.

Erik Kubinski noted that Region K is working toward finalizing the 2026 water plan, committee appointments, and officer nominations in the coming months.

14. Update on the GMA9 regional planning meeting held on September 9, 2025

Erik Kubinski reported attending this meeting where consultant James Beach gave a presentation and took questions. Key points included:

- All districts in GMA 9 are using versions of Scenario 6 of the of the current GAM.
- Two districts, including Blanco-Pedernales GCD, are using the original Scenario 6, while others are using a “ramped-u” version accounting for additional pumping and growth
- Questions were raised about using a new model proposed in early August
- The board's attorney advised that the new model is still in draft form and may be illegal to adopt now
- The consensus was to proceed with the existing model updated with current data
- The consultant will run numbers for the districts and report back next meeting (OCT 21)
- The deadline for completing the DFC is May 2026, with a public hearing and resolution required before then

15. Set future meeting dates and propose future agenda items

The next regular board meetings were scheduled for Thursday, October 16, 2025, and Thursday, November 20, 2025. No conflicts were noted by board members.

16. Adjournment

Motion to adjourn was made by James Sultemeier, seconded by George Cofran. Motion carried unanimously.



We hereby attest that the minutes of the meeting held on August 14, 2025, accurately reflect the discussions and decisions made by the Board of Directors:



James Sultemeier, Director Precinct 2



Tom Murrah, Board Vice President