FAYETTE COUNTY GROUNDWATER CONSERVATION DISTRICT

MINUTES

Of the September 14, 2026
Board of Directors Meeting

Directors Present:	Alan Brothers, Leo Wick, Cynthia Rodibaugh, Harvey Hayek,
Directors Absent:	Mark Heinrich
Others Present:	David Van Dresar, General Manager; Wendi Labus, Assistant General Manager; Monique Norman, Legal Counsel; Paul Kirby, Daniel B. Stephens; Brad Christian, resident; Joe Jameson, resident

The meeting was called to order by President Brothers at 10:06 a.m., on September 14, 2026, immediately following the tax rate hearing, at the Fayette County Agricultural Building Conference Room 104 located at 255 Svoboda Lane, in La Grange, Texas. A quorum to conduct business was declared to be present.

President Brothers asked if there were any public comments. There were none.

Minutes from the August 3, 2026 Public Hearing and Board of Directors meeting and the August 5, 2026 special called meeting were presented by Mr. Van Dresar. Mrs. Rodibaugh made the motion to approve all sets of minutes. Mr. Hayek seconded the motion and the motion was approved.

Mrs. Labus presented the August 2026 financial statement. Mr. Hayek made the motion to approve the financial statement and to pay the outstanding bills. Mr. Wick seconded the motion and it was approved.

The board considered action on the FY2026/2027 HALFF Database Hosting contract. Mrs. Labus stated that the contract amount was unchanged from last year, $6,000.00. With no further discussion, Mrs. Rodibaugh made the motion to approve the contract. Mr. Wick seconded the motion and the motion was approved.

The board considered action on the FY2027 On-Call Agreement with Daniel B. Stephens & Associates. Mrs. Labus presented the On-Call Agreement stating that the agreement amount is unchanged from last fiscal year, being $100,000.00. Mr. Van Dresar stated the GMA planning was still ongoing for the previous round, and the next round of planning will begin after the first of the year. After a brief discussion, Mrs. Rodibaugh made the motion to approve the agreement. Mr. Wick seconded the motion and the motion was approved.

The board considered action on the Daniel B. Stephens & Associates grant addendum to the original contract of 2011. Mr. Van Dresar presented the addendum stating that, after discussion with Mr. Kirby, the addendum was necessary to clearly denote work that Daniel B. Stephens & Associates will perform for the district under the TWDB grant contract. Mr. Kirby stated that the work performed for the grant program was separate and apart from the On-Call Agreement and it was given its own account designation at his company. After a brief discussion, Mrs. Rodibaugh made the motion to approve the addendum. Mr. Wick seconded the motion and the motion was approved.

Mrs. Labus read the Certification of Unopposed Candidates into the record.

Mrs. Labus read the Order of Cancellation for the 2026 General Election into the record. Mrs. Labus read the following candidates have been certified as being unopposed and hereby elected:

Mr. Harvey Hayek	Director Precinct 2
Mr. Mark Heinrich	Director Precinct 4
Mr. Leo Wick	Director At Large

Mrs. Rodibaugh made the motion to accept and approve the Order of Cancellation. Mr. Hayek seconded the motion and the motion was approved.

Mr. Van Dresar presented the District Manager's report to the board:

Complaints:

On August 17, Brian Richter contacted the office to report that on, August 15, he observed water flowing from a property into a ditch along Burke Road. He stated that it was possibly from O&G activity. The location of the event is near 5703-5841 Burke Road. On August 25, I made a site visit to the location and found no evidence of water currently flowing or standing in the ditches on E. Burke Road nor W. Burke Road. Staff will continue to monitor this area for any violations.

Meetings and Public Education:

On August 20, I made a presentation to members of the local district of the Texas Water Utilities Association at the Schulenburg Fire Station. Approximately 15 people were in attendance. Discussion included water sources, uses within the district, demands now and in the future, and how PWSs can help with water loss. The information was well received and several questions were asked.

General Business

1. **Update on GMA 12 and GMA 15**

    - As of August 31, public hearings have been conducted to receive public comments for proposed desired future conditions for both GMA 12 and GMA 15.
    - To date, no public comments, verbal or written, have been received regarding FCGCD proposed desired future conditions.
    - GMA 15 has posted a public notice to meet on October 22, to address public comments.
    - GMA 12 has proposed to meet on October 26, to address public comments.

2. **General Update**
    - Following the August board meeting, I received a call from TCEQ Region 11 director Lori Wilson. Director Wilson and I discussed the map that was presented to the board at the meeting. I advised Director Wilson that the icon on the map was an artifact from a map used during the 2012 sampling project and that the district has no knowledge of any existing leak along the dam structures at the FPP.
    - On August 13, a public information request was received from Mr. Jerry Moerbe regarding the map and requesting information about the leak, the map, and correspondence between the district, DBS&A, TCEQ, and the LCRA. Information requested was forwarded to Mr. Moerbe on August 20.
    - On August 20, we received an email from Mr. Jerry Moerbe stating the district was grossly misusing taxpayer money regarding the sampling project for Cobalt, Arsenic, Lithium, Molybdenum, and Selenium near the FPP. He stated that the district is creating a deliberate hydrogeological sleight of hand. He demands that Boron, Sulfate, Chloride, and Total Dissolved Solids.
    - On August 20, the district office received an email from Mr. Jerry Moerbe making a formal complaint to the Texas Comptroller's Office stating that the district is in violation of transparency laws.

- On August 23, we received a public information request from Mr. Jerry Moerbe for raw financial ledgers, check registers, credit card statements, outside legal expenditures, audits, and capital reserve balances.
- On August 23, we received an email from Mr. Jerry Moerbe which made a formal complaint regarding the Ellinger water supply arsenic contamination.
- On August 25, we received an email from Mr. Charles Miller regarding an overpressure in an abandoned oil well. This matter was forwarded to the Railroad Commission of Texas.

3. **Update on Static Well Monitoring**
   - Static monitoring wells were visited on August 18 and August 19. With few issues, the visits were quickly done with the only issue being that the e-line is broken and needs to be replaced. Staff is working on this issue.
   - Paul and I visited two wells on August 19 that will be added to the static program.

4. **Update on Permit Approval**
   - No permits were approved in the month of August.

5. **Drought Conditions (see attachments)**
   - As of September 8, Fayette County is in D1 (moderate) drought conditions.
   - Rainfall averaged 0.51 inches total for month. The Colorado River gauge collected the most with 1.14 inches and the gauges at Carmine and Muldoon collected the least with 0.06 inches.

6. **Update Legislature and News Articles**
   - Nothing to report.

7. **Unsold Properties Update**
   - There were no unsold properties processed.

The board considered action on Applications for Exception. Mr. Van Dresar stated that none were received.

Items were identified for the next meeting's agenda.

There being no further business, Mrs. Rodibaugh made the motion to adjourn the meeting. Mr. Hayek seconded the motion. Mr. Brothers adjourned the meeting at 10:44 a.m.

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Alan Brothers, President Cynthia Rodibaugh, Secretary/Treasurer

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