

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT**  
**Board of Directors Meeting with Public Hearings**  
**Post Oak Savannah Ground Water District Offices**  
**310 East Avenue C**  
**Milano, Texas 76556**  
**July 12, 2005 – 5:30 p.m.**

**MINUTES**

**Entity**

**Members Present**

President /Nathan Ausley  
 Secretary/Treasurer Jerry Starnes  
 John Malazzo  
 Jim Hodson  
 Jay Tumlinson  
 Robert Ware  
 Carroll Glaser  
 Andy Hovorak

POSGCD  
 POSGCD  
 POSGCD  
 POSGCD  
 POSGCD  
 POSGCD  
 POSGCD  
 POSGCD

Gary Westbrook  
 Elaine Gerren  
 Barney Knight  
 Larry French  
 Steve Young

District Manager POSGCD  
 District Administrative Assistant POSGCD  
 Barney Knight & Associates – Legal Counsel  
 URS – District Hydrologist  
 URS – District Hydrologist

**Members Absent**

Jay Wilder  
 Vice President/Dwayne Jekel

POSGCD  
 POSGCD

**Others Present**

Jackie Scott  
 Scott Carlson  
 Bill Graham  
 Ross Cummings  
 Dick Burns  
 Kodi E. Sawin  
 Ridge Kaiser  
 Arnold Proctor  
 Eddie Zapata  
 Mari & Duke Turner  
 Ron Freeman  
 Russell Johnson  
 James Kowis  
 Robert Smith  
 Harry Vowell  
 Grady Baskin, Jr.  
 Grady Baskin, Sr.  
 Roger Nevola  
 John Houchins  
 Robert Stem  
 Rick Jamison  
 Gene Savage  
 Eldon Ball  
 Crystal Gray

Brazos River Authority  
 Metropolitan Water Co., L.P.  
 Landowner  
 Layne Water Development of Texas  
 Alcoa  
 Water Texas  
 R.W. Harden  
 Rockdale ISD  
 City of Rockdale  
 Land Owners  
 Layne Water Development of Texas  
 Bracewell & Giuliani  
 Alcoa  
 Landowner  
 Landowner  
 Self  
 Self  
 Alcoa  
 Fisher McClain Interest  
 Milam County Judge  
 Self  
 Self  
 Self  
 Freeman & Corbett, LLP

## **PUBLIC HEARING**

**1. Call to Order.**

Board President Nathan Ausley called the Public Hearings to order at 5:35 p.m.

**2. Public Comment**

Public comment was heard from Roger Nevola of Alcoa, Eddie Zapata from The City of Rockdale, and Arnold Proctor from Rockdale ISD.

**3. Public Hearing on the Drought Management Strategy Plan of the Post Oak Savannah Groundwater Conservation District. The Drought Management Strategy Plans to be considered are as follows: Management Objectives, Performance Standards, Drought Planning, Strategy Elements, Response Goals and Plan Revisions.**

No comment was presented.

**4. Public Hearing on Amendments to the Management Plan of the Post Oak Savannah Groundwater Conservation District. The entire Management Plan is to be considered.**

Comment was presented by General Manager Gary Westbrook, for the District, and Barney Knight, Legal Counsel for the District.

**5. Public Hearing on Amendments to the Rules of the Post Oak Savannah Groundwater Conservation District. The Rules to be considered include, but are not limited to as follows: Section 1- Definitions, Section 4- Spacing Requirements, Section 5- Production Limitations, Section 12- Well Locations, the possible addition of Section 16, and discussion of Rules to be considered for amendment at a subsequent meeting.**

Comment was presented by Barney Knight, Legal Counsel for the District and Gray Westbrook, General Manager for the District.

**6. Adjourn Public Hearing**

Public Hearing adjourned at 5:42 p.m.

## **BOARD MEETING**

**1. Call to Order**

Board President Nathan Ausley called the Board Meeting to order at 5:43 p.m.

**2. Public Comment**

No Public Comment was heard.

**3. Approve Minutes of:**

**May 10, 2005 Board Meeting**

**May 24, 2005 Public Hearings and Rules Committee Meeting**

**May 31, 2005 Rules Committee Meeting**

**June 14, 2005 Public Hearings and Board Meeting**

**June 21, 2005 Rules Committee Meeting**

A motion was made by Director Jim Hodson to approve the minutes for all above listed meetings. The motion was 2<sup>nd</sup> by Director Kerry Starnes. The motion carried unanimously.

**Items 4 through 6 were opened simultaneously**

**4. Amendments to the Management Plan**

General Manager Gary Westbrook presented changes to be considered. Comment was heard from Barney Knight, Legal Counsel for the District. A motion was made by Board President Nathan Ausley to accept the amendments to the management Plan as presented. The motion was 2<sup>nd</sup> by director Robert Ware. The motion carried 7 to 1 with Director Jim Hodson opposed.

**5. Drought Management Strategy Plan. The Drought Management Strategy Plans to be considered are as follows: Management Objectives, Performance Standards, Drought Planning, Strategy Elements, Response Goals and Plan Revisions.**

Comment was heard from General Manager, Gary Westbrook for the District. This item was tabled for further consideration.

**6. Amendments to the Rules. The Rules to be considered include, but are not limited to as follows: Section 1- Definitions, Section 4- Spacing Requirements, Section 5- Production Limitations, Section 12- Well Locations, the possible addition of Section 16**

Comment was heard from John Houchins representing, Fisher/McClain Interest, and comment was heard from Barney Knight, Legal Counsel for the District. A motion was made by Director Robert Ware to approve amendments to the District Rules. The motion was 2<sup>nd</sup> by Director Andy Hovorak. The motion carried unanimously.

**7. Groundwater Well Monitoring Network**

Comment was heard from Gary Westbrook, General Manager for the District. A motion was made by Secretary/Treasurer Kerry Starnes to approve the Well Monitoring Network with amendments to be made in the future at the discretion of the District General Manager and the District Hydrologist. The motion was 2<sup>nd</sup> by Director John Malazzo. The motion carried unanimously.

**8. Historic Use Applications filed prior to, and posted by the District March 24, 2005**

Motion was made by Director Jay Tumlinson to approve the Historical use permits posted on March 24, 2005. The motion was 2<sup>nd</sup> by Director Kerry Starnes. The motion carried unanimously.

**Items 9 through 14 were opened simultaneously**

**9. Consider Amendment to Current Permit for Layne Water Development of Texas, Well designated PW-3 to move the location of the well and to produce an additional amount of groundwater from the well field consisting of PW-1, PW-2, PW-3, PW-4 and W-5, equal to 1,627,200 gallons per day or an additional 1,824 acre-feet per year to be transported out of the district.**

Comment was heard from Ron Freeman of Layne Water Development of Texas, with request to table this item until the next scheduled meeting. A motion was made by Director Robert Ware to table this item. The motion was 2<sup>nd</sup> by Director Jay Tumlinson. The motion carried unanimously.

**10. Consider Drilling and Operation Permit for Layne Water Development of Texas, L.L.C., well designated PW-6 to produce less than or equal to 4,033,440 gallons per day.**

Comment was heard from Ron Freeman of Layne Water Development of Texas, with request to table this item until the next scheduled meeting. A motion was made by Director Robert Ware to table this item. The motion was 2<sup>nd</sup> by Director Jay Tumlinson. The motion carried unanimously.

**11. Consider Drilling and Operation Permit for Layne Water Development of Texas, L.L.C., well designated PW-7 to produce less than or equal to 3,996,000 gallons per day.**

Comment was heard from Ron Freeman of Layne Water Development of Texas, with request to table this item until the next scheduled meeting. A motion was made by Director Robert Ware to table this item. The motion was 2<sup>nd</sup> by Director Jay Tumlinson. The motion carried unanimously.

**12. Consider Drilling and Operation Permit for Layne Water Development of Texas, L.L.C., well designated PW-8 to produce less than or equal to 4,180,320 gallons per day.**

Comment was heard from Ron Freeman of Layne Water Development of Texas, with request to table this item until the next scheduled meeting. A motion was made by Director Robert Ware to table this item. The motion was 2<sup>nd</sup> by Director Jay Tumlinson. The motion carried unanimously.

**13. Consider amendment to current permit that PW-1, PW-2, PW-3, PW-4, PW-5, PW-6, PW-7 and PW-8 be aggregated into a total pumpage amount to produce less than or equal to 30,993 acre-feet per year from all of such wells.**

Comment was heard from Ron Freeman of Layne Water Development of Texas, with request to table this item until the next scheduled meeting. A motion was made by Director Robert Ware to table this item. The motion was 2<sup>nd</sup> by Director Jay Tumlinson. The motion carried unanimously.

**14. Consider amendment to Existing Transport Permit for Layne Water Development of Texas, L.L. C. to its existing Transport Permit for the transport of an additional amount of less than or equal to 15,505 acre feet per year resulting in a total transport amount of 30,993 acre-feet per year from wells PW-1, PW-2, PW-3, PW-4, PW-5, PW-6, PW-7 and PW-8 and to add Bastrop County as an additional place of use, and to seek to authorize that all 30,993 acre-feet of water per year be allowed to be transported to one or more of Travis, Hays, Williamson Caldwell and Bastrop Counties for Municipal Water Use.**

Comment was heard from Ron Freeman of Layne Water Development of Texas, with request to table this item until the next scheduled meeting. A motion was made by Director Robert Ware to table this item. The motion was 2<sup>nd</sup> by Director Jay Tumlinson. The motion carried unanimously.

**15. Receive report from District investment Officer**

General Manager, Gary Westbrook presented letters from Dwayne Jekel, Investment Officer for the District, and J. Dohnalik, Vice President of Citizens National Bank. Mr. Jekel advised the Board that the District assets are secure and the board discussed protection provided by the FDIC and also added protection provided by Citizen's

Nation Bank, the financial institution for the District.

**16. Receive report from District Manager on recent District activities and take appropriate actions.**

**a. Permit applications filed with the District and possible Hearing Dates for those applications**

No Permit Applications requiring hearings have been filed.

**B. Emergency Permits Granted, well recordings, & new well applications**

There was (0) Emergency Permit granted, (11) new well applications, (8) new well applications completed, and (69) exempt well registrations submitted.

**C. Recent and future District presentations and activities**

**1. New District Toll Free Phone Number 800/231-8196**

**2. Consider Letter from URS concerning Groundwater Recharge projects in the District**

A motion was made by Director Kerry Starnes to accept the letter from URS concerning Groundwater Recharge projects in the District. The motion was 2<sup>nd</sup> by Director John Malazzo. The motion carried unanimously.

**17. Bills received and current financial status**

A motion was made by Director Jim Hodson to pay all bills. The motion was 2<sup>nd</sup> by Director Robert Ware. The motion carried unanimously.

**18. Dates, locations, and times of future meetings**

The next scheduled Board Meeting and Hearing will be August 9, 2005 at the District office in Milano, Texas at 5:30 p.m.

**19. Adjourn**

The meeting adjourned at 6:33 p.m.

**THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON JULY 12, 2005 WERE APPROVED AND ADOPTED BY THAT BOARD ON AUGUST 9TH, 2005.**

\_\_\_\_\_  
Nathan Ausley, President

**Attest:**

Kerry Starnes, Secretary/Treasurer \_\_\_\_\_ Date \_\_\_\_\_

A meeting recording of this meeting is available on CD.