

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT**  
**Board of Directors Meeting**

Milam County Courthouse  
100 South Fannin  
Cameron, Texas  
January 13, 2004 - 5:30 P.M.

**MINUTES**

**Members Present**

President Nathan Ausley  
Vice President Dwayne Jekel  
Secretary/Treasurer Kerry Starnes  
Jay Tumlinson  
Jim Hodson  
Carroll Glaser  
Jay Wilder  
John Malazzo  
Bob Ware  
Andy Hovorak

**Entity**

POSGCD  
POSGCD  
POSGCD  
POSGCD  
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POSGCD  
POSGCD  
POSGCD

**Others Present**

Judy Werlinger	Court Reporter
Lourcey Sams	Brazos Valley Water Alliance
L. Lester	Brazos Valley Water Alliance
Patrick Crimmins	Brazos Valley Water Alliance
Scott Carlson	Metropolitan Water Co. LP
Pat Scott	Layne Water Development of Texas
Mark Harkness	Layne Water Development of Texas
Jackie Scott	BRA
Ridge Kaiser	R. W. Hardin & Associates
Ron Freeman	Layne Water Development of Texas
Vance McMann	Citizen
Pat Morgan	Citizen
Dave Turner	Citizen
Nolan Keen	Citizen
Russ Guillette	Land Owner
Becky Booker	KRXT
Gary Westbrook	District Manager POSGCD
Elaine Gerren	Administrative Assistant POSGCD

**1. CALL TO ORDER.**

President Nathan Ausley called the meeting to order at 5:30 p.m.

**2. PUBLIC COMMENTS.**

- a. Pat Scott, Layne Water Development of Texas – Let Record show that a supplemental permit had been presented to the board for an additional 4197 acre feet.

**3. Introduce New Board Member**

President Nathan Ausley introduced new board member Director Andy Hovorak. General Manager Gary Westbrook reported that Mr. Smith elected not to serve another term and the Commissioners Court of Burlason County appointed Mr. Hovorak to serve on the board. The Burlason County Commissioners re-appointed Director Robert Ware and The Milam County Commissioners court met on 01/12/04 and re-appointed Director Dwayne Jekel and Director Carroll Glasser. All new board members have taken their oath of office and are bonded. All terms of office will now be for 4 years.

#### **4. Introduce New Administrative Assistant**

General Manager introduced administrative assistant Elaine Gerren from Rockdale, Texas.

#### **5. Re-Organize the Board of Directors**

Per board policy the table was open by President Nathan Ausley to re-organize the board. Director Carroll Glasser nominated Director Jim Hodson for president and Director Robert Ware nominated Nathan Ausley. President Nathan Ausley called for vote on board president. The vote resulted in a tie count and the General Council Barney Knight advised that the issue of electing a board president needed to be settled. Discussion was held concerning the present board status and a 2<sup>nd</sup> vote was taken, Vice-President Dwayne Jekel nominated Nathan Ausley, and no other nominations were presented. The board voted to retain President Nathan Ausley for current position as board president.

- Board President Nathan Ausley called for nominations for the Vice-President position.
- Vice-President Dwayne Jekel was nominated by Nathan Ausley
- A move to cease nomination and elect by acclamation was made by Mr. Ware.
- The motion carried, Vice-President Dwayne Jekel will retain the current position
- Motion was made by President Nathan Ausley for nominations for Secretary/Treasurer.
- Move to re-elect Secretary/Treasurer Kerry Starnes was made by Director Malazzo
- And the motion was made to cease nominations and Kerry Starnes was elected by acclamation by Nathan Ausley
- The motion carried and Secretary/Treasurer Kerry Starnes will retain his current position

#### **6. Approve Minutes of the December 9, 2003 Meeting**

- Director Jim Hodson moved to approve the minutes of the December 9, 2003 Board Meeting
- Director Robert Ware 2<sup>nd</sup> the motion
- Motion passed to accept the December 9, 2003 minutes.

#### **7. Development of the District Management Plan Content, Process, Procedures and Actions**

General Manager Gary Westbrook stated that the management plan is 99.9% complete. The plan was submitted for pre-certification review with the Texas Water Development Board on 1/02/04. General Manager Gary Westbrook was advised to amend several items. Item # 10-8 was discussed. The Texas Water Development Board advised that it was probably acceptable in the form it was in. The concern was to assess the need for a recharge plan and when the need does arise the district will need to adopt a plan within 1 year. The need to institute practices for brush control, construction of surface ponds and other needs will need to be incorporated into the management plan. After the revisions are made the management plan will be sent back to the Texas Water Development board for their review and pre-certification. At that time the board can arrange to have a hearing on the management plan to proceed with the completed plan.

Item # 15 of the management plan, Estimate of the Existing Useable Groundwater Within the District, was discussed.

Gam # 7 was discussed by General Manager Gary Westbrook. The URS has advised us to use Gam # 8 results. Gam # 8 takes a little less production out of the Carrizo. Production in the Simsboro remains the same, but the Carrizo production was cut by approximately 1/3. The production went from 33,000 acre feet down to 22,107 acre feet.

The only other changes will be wording changes. President Nathan Ausley discussed submittal of the Management Plan with the District Rules for adoption.

The need for a web site with current information was discussed. General Manager Gary Westbrook advised the board that he was currently working with a couple of people to get our own web site. At the present time our information remains on the CTCOG website and we should be able to utilize this site until the time that we have our own website.

#### **8. Draft District Rules and Regulations Content, Process, Procedures and Actions**

A Rules Committee Meeting was conducted December 23, 2003 at the Alcoa Bait House. General Manager Gary Westbrook made a presentation on the limitations on contiguous acreage column. He requested that it be amended from a parameter of 10 foot per gallon per minute of production from the producing well to read 5 foot per gallon per minute, of production from the producing well.

Mr. Ridge Kaiser with the Brazos Valley Alliance presented recommendations to the board to review their rules due to what he considered to be inaccurate parameters from an engineering perspective.

- Vice-President Dwayne Jekel made a motion to adopt the amended rules from the rules committee and work on concerns presented by Mr. Kaiser.
- Motion was 2<sup>nd</sup> by President Nathan Ausley
- Motion was amended by Vice-President Dwayne Jekel to have the data re-evaluated by URS and be brought back to the rules committee.
- The amendment was 2<sup>nd</sup> by President Nathan Ausley.
- Both the amendment and the amended motion passed unanimously.
- .Motion was made by the board to schedule a meeting with POSGCD District manager, POSGCD Legal Council and URS to re-evaluate the current URS work and recommendations as well as to evaluate Mr. Kaiser's work and presentation. The results will then be presented to the rules committee.
- The motion passed unanimously.

#### **9. Report from District manager on State of the District and Declare District Offices**

The District Budget was discussed and the final 2003 budget was 129,542.45. The district's physical address was declared to be 310 E. Avenue C, Milano, Texas 76556. The mailing address is P.O. Box 92, Milano, Texas 76556. The phone number is 512-455-9900 and the fax number is 512-455-9900.

- Motion by Vice-President Dwayne Jekel to accept physical
- Motion 2<sup>nd</sup> by Director Jim Hodson
- Motion carries and physical address is accepted
- Motion by Director Jim Hodson to change office hours from 8 to 4
- Motion 2<sup>nd</sup> by Vice-President Dwayne Jekel
- Motion carries and office hours are changed to 8 to 4

#### **10. Approval of District forms and Permits**

District permit forms are in process and will be adopted when the rules are adopted. After discussion the board decided to table consideration on the district's permit forms.

#### **11. Report on Delinquent Accounts and Possible Action**

Customer accounts that are delinquent will be reviewed and written notice will be given to all past due accounts.

#### **12. Future Stakeholder Meetings**

Potential stakeholders will be contacted to obtain written notice of items to be considered for possible discussion.

**13. Bills Received and Current Financial Status**

General Manager Gary Westbrook presented bills received and current financial status.

- Motion by Director Robert Ware to approve all invoices
- Motion 2<sup>nd</sup> by Director Jim Hodson to approve all invoices
- Motion carries and current invoices are approved for payment

**14. Dates, Locations and Times of Future Meetings**

The next scheduled meeting will be in Caldwell, Texas at the City of Caldwell offices in the City Council Chamber Room on February 10, 2004 at 5:30 P.M.

**15. ADJOURN.**

The meeting adjourned at 7:21 p.m.

**THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON JANUARY 13, 2004 WERE APPROVED AND ADOPTED BY THAT BOARD ON FEBRUARY 10, 2004.**

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Nathan Ausley, President

**Attest:**

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Kerry Starnes, Secretary/Treasurer

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Date

A meeting recording of this meeting is available on tape.