

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
Post Oak Savannah Ground Water District Offices
310 East Avenue C
Milano, Texas 76556
December 12, 2006 – 5:30 p.m.

MINUTES

Members Present

President /Nathan Ausley
Vice-President/Dwayne Jekel
Jim Hodson
Jay Tumlinson
Andy Hovorak
Robert Ware
John Malazzo
Carroll Glaser
Kerry Starnes
Gary Westbrook
Elaine Gerren
Mark Barker
Diana Grainger
Barney Knight

Members Absent

Jay Wilder

Others Present

Dick Burns
Lee Wilson
Paul Pereira
Molly Kaegel
Bill Avrett
Jackie Scott
Dwight Mahoney
Curtis Chubb
Virginia Bunting
Bob Barre
Scott Carlson
Ross Cummings
Frank Summers
Ron Freeman
Ridge Kaiser

Entity

POSGCD
POSGCD
POSGCD
POSGCD
POSGCD
POSGCD
POSGCD
POSGCD
POSGCD District Manager
POSGCD
POSGCD
Barney Knight & Partners
Barney Knight & Partners

POSGCD

Alcoa
Alcoa
Alcoa
Alcoa
Self
Brazos River Authority
Brazos River Authority
The Cameron Herald
Acuscribe Court Reporters
Brazos Valley Water
Metropolitan Water
Blue Water
Self
Layne Water Development of Texas
R.W. Hardin

BOARD MEETING

1. Call to Order Board Meeting

Board President, Nathan Ausley, called the Hearing and Board Meeting to order at 5:30 p.m.

2. Public Hearing on Amendments to District Rules: The Rules to be considered include, but are not limited to as follows: Rule 7.11.1 Well Registration, Rule 7.14.1 and Rule 7.14.3 Historic Use Permits, and Rule 11.2 Meter/Measurement Required

Board President Nathan Ausley asked for discussion on the recommended amendments to the rules to move the deadlines in these rules forward one year. There was brief board discussion. President Ausley then requested public comment. None was heard. The Public hearing was closed at 5:33 p.m.

3. Public comment

President Ausley invited the public to comment to the Board. No public comment was heard

4. Amendments to District Rules: The Rules to be considered include, but are not limited to as follows: Rule 7.11.1 Well Registration, Rule 7.14.1 and Rule 7.14.3 Historic Use Permits, and Rule 11.2 Meter/Measurement Required

A motion was made by Director Dwayne Jekel to amend the rules with the recommended and proposed changes to extend the dates in these rules for one year. The motion was 2nd by Director John Malazzo.

The motion carried unanimously.

5. Approve Minutes of November 14, 2006 Board Meeting

A motion was made by Director Jim Hodson to approve meeting minutes of the November 14, 2006 Board Meeting. The motion was 2nd by Director Kerry Starnes. The motion carried unanimously.

6. Layne Water Development of Texas applications for Amendments and Extensions to existing Drilling and Operating permits

General Manager Gary Westbrook presented applications for amendments to existing LWDT permits. Based on recommendations from General Counsel for the District, Barney Knight, the General Manager recommended approval of the applications because the amendments, as defined in the District Rules, are not considered to be substantial, and therefore did not require a hearing for Board action. A motion was made by Director Robert Ware to approve the application for amendments to the existing Layne Water Development of Texas operating and drilling permits. The motion was 2nd by Director Carroll Glaser. The motion carried unanimously.

7. Amend District 2006 Budget

A motion was made by Director Dwayne Jekel to amend the 2006 budget as presented. The motion was 2nd by Director Robert Ware. The motion carried unanimously.

8. Historic Use Applications filed by ALCOA, Inc. prior to, and posted by, the District on March 9, 2006.

Public comment was heard from Frank Summers, Paul Pereira, Mine Supervisor for Alcoa, Molly Kagel, Legal Counsel for Alcoa, and Barney Knight, Legal Counsel for the District. Since the General Manager of the District had contested certain of these applications, and ALCOA was not in agreement with the contests of the General Manager, it was recommended by Mr. Knight that the Board begin procedural hearings on these applications. A motion was made by Director Robert Ware to appoint Nathan Ausley as hearing administrator to work with Legal Counsel for Alcoa, Legal Counsel for the General Manager, and Legal Counsel for the District to start procedural hearings for the purpose of resolving differences in the Alcoa Historical Applications. The motion was 2nd by Director Dwayne Jekel. The motion carried unanimously.

9. 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

General Manager, Gary Westbrook reported that no applications had been filed with the District that require hearings.

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

General Manager, Gary Westbrook reported that 0 emergency permits had been issued, 26 Exempt Wells were recorded, 8 new well applications were completed, 8 new well applications were received and 0 well closure applications were received.

C. Recent and future District presentations and activities

1. Progress report on requirements of Management Plan

General Manager, Gary Westbrook reported that all management plan requirements had been satisfied for the 2006 year and read a statement into the record of the events and District activities that satisfied each.

2. Joint Planning meeting for GMA #12 of December 12, 2006

General Manager, Gary Westbrook gave a report on the GMA 12 meeting of December 12, 2006.

3. Charting the Course Symposium of November 16-17, 2006

General Manager, Gary Westbrook reported on the presentation he gave at this symposium concerning the GMA progress in the State water planning process in Texas.

4. Dispute Resolution and Cooperative Problem Solving GMA Training of Oct.30-Nov.1, 2006

General Manager, Gary Westbrook reported on the GMA problem solving training of October 30 – November 1, 2006. Both Board President Ausley and the General Manager attended and participated in this training.

10. Bills received and current financial status.

A motion was made by Director Jim Hodson to approve all bills. The motion was 2nd by Director Kerry Starnes. The motion carried unanimously.

11. Dates, locations, and times of future meetings

The next scheduled Board Meeting will be on January 9, 2007 at the District office in Milano, Texas at 5:30 p.m.

12. Adjourn

The meeting adjourned at 6:12 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON DECEMBER 12TH, 2006 WERE APPROVED AND ADOPTED BY THAT BOARD ON JANUARY 9, 2007.

Nathan Ausley, President

Attest:

Kerry Starnes, Secretary/Treasurer _____ Date _____

A meeting recording of this meeting is available on CD.