

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT  
Board of Directors Meeting  
POSGCD District Offices  
310 East Avenue C  
Milano, TX 76556  
August 13, 2013 – 5:30 p.m.

**MINUTES**

**Members Present**

|                |        |
|----------------|--------|
| Jay Wilder     | POSGCD |
| Tommy Tietjen  | POSGCD |
| Jim Hodson     | POSGCD |
| Nathan Ausley  | POSGCD |
| Dwayne Jekel   | POSGCD |
| Lee Alford     | POSGCD |
| Kerry Starnes  | POSGCD |
| Carroll Glaser | POSGCD |
| Robert Ware    |        |

**Entity**

**Board Members Absent**

|               |        |
|---------------|--------|
| Jay Tumlinson | POSGCD |
|               | POSGCD |

**POSGCD Staff**

|                |        |
|----------------|--------|
| Gary Westbrook | POSGCD |
| Elaine Gerren  | POSGCD |
| Bobby Bazan    | POSGCD |

**Others Present**

**Entity**

|                 |                 |
|-----------------|-----------------|
| Dave Barkemeyer | Milam County    |
| Roby Jekel      | D&L Services    |
| Ross Cummings   | Blue Water      |
| Barney Knight   | McKamie Krueger |
| Steve Young     | Intera          |
| Jackie Scott    | BRA             |

## **BOARD MEETING & PUBLIC HEARINGS**

### **1.) Call to Order and establish quorum**

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

### **2 Public Comment**

Board President Nathan Ausley asked for public comment. No Public comment was offered.

### **3 Minutes of April 9, 2013 Meeting**

A motion was made by Director Jim Hodson to approve the minutes of June 11, 2013 Board Meeting. The motion was 2<sup>nd</sup> by Director Kerry Starnes. The motion carried unanimously.

### **4 Request from Tunis WSC for amendments to Groundwater Conservation Grant applications, awards, and contracts with the District**

President Ausley informed the Board the Advisory Committee had recommended that this request be denied pending further information. Following discussion, a motion was made by President, Nathan Ausley, to deny this request from Tunis WSC pending further information, per recommendation from the Advisory Committee. The motion was 2<sup>nd</sup> by Director Dwayne Jekel. The motion carried unanimously.

### **5 Request from North Milam WSC for amendments to Groundwater Conservation Grant applications, awards, and contracts with the District.**

Director Dwayne Jekel recused himself from discussion and voting due to his involvement with North Milam WSC. President Ausley informed the Board that the Advisory Committee had recommended this request be denied. After discussion, a motion was made by Director, Jim Hodson to accept the recommendation from the Advisory Committee and deny this request from North Milam WSC. The motion was 2<sup>nd</sup> by Director Carroll Glaser. The motion carried unanimously.

### **6 Post Oak Savannah Ground Water Conservation District v. Roy David Crush, Jr.; Cause No. 34,979 in the District Court of Milam County, Texas, the 20<sup>th</sup> Judicial District**

General Manager, Gary Westbrook advised the Board that the District had received a judgment against Mr. Crush for \$ 100,000 and that an Abstract of Judgment had been filed in several counties. No action is required at this time.

### **7 Groundwater Management Area 12 (GMA 12) joint planning process and Desired Future Conditions (DFC's), groundwater resources in the District, and future process for evaluating District DFC's and identification of possible necessary changes to District Rules and District Groundwater Management Plan**

General Manager Gary Westbrook presented, for review and discussion, draft work compiled by the District entitled, "POSGCD Resource Summary," comparing Modeled Available Groundwater, Number of Permits, Permitted Amounts, and Reported Production from each formation recognized by the District. The information was discussed, and GM Westbrook asked if the Board had any instructions to the General Manager and District's consultants concerning possible changes to the District's Rules or management of groundwater resources in the District. After discussion the Board agreed that no changes are warranted at this time.

Next, GM Westbrook handed out a document recently distributed by the Texas Water Development Board, titled, "Explanatory Report for Submittal of Desired Future Conditions to the Texas Water Development Board." Dr. Steve Young of Intera, Inc., the District's hydrogeologist, discussed these

requirements and addressed the recent GMA 12 meeting discussions which included each District relying upon its own consultants to compile this report in the GMA/DFC process. This item was discussed and GM Westbrook noted that if any of the other Districts in GMA 12 amended their DFCs those amendments would likely necessitate an amendment to POSGCD DFCs due to the affects of the neighboring Districts actions and production on the conditions of the aquifers in POSGCD. He reminded the Directors of the recent work performed by the District's consultants which indicated that approximately two-thirds of the impacts in the DFC modeling process for the Simsboro Aquifer was the result of modeled pumping in our neighboring Districts. Director Ware asked if all the Districts in GMA 12 were still cooperating in working together in the GMA/DFC process. Both GM Westbrook and Dr. Young indicated that all Districts were working together very closely and well. It was noted by GM Westbrook that work was being performed to identify any necessary changes to POSGCD DFCs and that these recommendations would be ready for a committee to review in the near future.

GM Westbrook then distributed a document entitled "Draft Summary of proposed tasks by GMA-12 districts" which represented a list of tasks, supported by the Districts in GMA 12, to be performed in an effort to improve the Central Queen City/ Carrizo-Wilcox Groundwater Availability Model. He noted this document had been forwarded to the Texas Water Development Board for review and the consultants of the Districts would meet with staff from TWDB in the near future about the process and work needed to accomplish this list of tasks. Dr. Young noted the recent discussion at GMA 12 indicated each of the Districts would individually be responsible for accomplishing the tasks as indicated in the list. This list of tasks was discussed. GM Westbrook noted this work to be performed by POSGCD had been previously approved by the Board in discussions and had been previously budgeted, and part of the work had been accomplished in previous evaluations of permit applications. He then asked if there were any changes to the Board's desire to see this list of tasks completed and included in efforts to improve the current Central Queen City/ Carrizo-Wilcox GAM, including the previously discussed timelines and expenses. All agreed that this work should be continued and completed. GM Westbrook also advised the Board that a correction was needed to a previous report on the due dates for the next round of DFCs. The DFC's are due to be submitted by GMA 12 to TWDB by May 31, 2016. No further action was taken.

## **8 District Education Programs**

GM Westbrook presented the most recent report showing the District's efforts in education utilizing Water Wise products. The report was briefly reviewed. GM Westbrook then asked the Board to consider an amendment to the District's Education Programs to include an additional outreach effort to the general public. He cited estimates for this effort obtained from two sources. After discussion, Director Carroll Glaser moved and Director Dwayne Jekel seconded, to include additional public outreach in the District's 2013 Education budget and programs, and to authorize the General Manager to execute all necessary efforts and documents to carry out this effort between now and the end of the year. The motion passed unanimously.

## **9 2014 Budget and Fees**

GM Westbrook presented the Board with the Draft 2014 Budget and the necessary options for District Fees to support this budget, as recommended by the Advisory Committee. After lengthy discussion, including all aspects of the 2013 Budget as compared to the Draft 2014 Budget, fees necessary to support the Draft 2014 Budget, and projected encumbered amounts to be moved forward, Director Jim Hodson moved, and Director Carroll Glaser seconded to set the Draft 2014 Budget, as recommended and presented, for public hearings by the Board. The motion passed unanimously.

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

**A. Permit applications filed with the District and Hearing Dates; Emergency Permits Granted**

General Manger Gary Westbrook reported no application had been filed which would require hearings, and that no emergency permits had been issued.

**B. Well recordings and registrations, New well applications and completions, Wells plugged**

General Manger Gary Westbrook reported that there were 28 wells registered, 11 new well applications, 10 new wells completed, and 1 well plugged

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

**1.) Texas Managed Aquifer Recharge (ASR) Conference of July 24, 2013**

General Manager Gary Westbrook reported that he and Bobby Bazan had attended the Texas Managed Aquifer Recharge (ASR) Conference of July 24, 2013, and gave a brief report on the topics addressed at the conference.

**2.) Texas Water conservation Association Interim Groundwater Committee**

General Manager Gary Westbrook advised the Board that he had been asked to serve on this committee again to work on possible draft legislation for the next session to address groundwater issues and possible amendments to Chapter 36, Texas Water Code.

**3.) Recent Public Information Request**

General Manager noted this information had previously been sent to the board. General Manager, Gary Westbrook asked if there were any question by the Board. No questions were presented.

**4.) Texas Groundwater Association Drillers School at Cooks Point**

General Manager Gary Westbrook reported that he and Bobby Bazan had attended the Texas Groundwater Association Drillers School at Cooks Point on July 16, 2013 as a resource.

**5.) Brazos Region G Water Planning Group of July 17, 2013**

General Manager Gary Westbrook attended and participated in this meeting and reported on progress in this round of regional water planning.

**6.) Texas Alliance of Groundwater Districts Groundwater Summit of August 26-29, 2013**

General Manager Westbrook reported the Summit will be in San Marcus this year and that he and Bobby Bazan will attend. General Manager, Gary Westbrook will serve as moderator on a panel at the Summit.

**7.) Blue Water Systems, LP Permits**

General Manager, Gary Westbrook reported that Blue Water had signed an agreement with Manville WSC to supply water to MWSC, and the District had received all the required documents and paperwork Blue Water Systems was required to provide the District. He also reported the contract between BWS and MWSC contained language required by the District, as contained in all agreements between BWS and their customers, that the customer maintain an alternative source of water in the event that the District were to curtail BWS's permits and allowable production.

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

After review and discussion of the report of the District’s financial status and current bills, a motion was made by Director Jim Hodson to approve the report and payment of the bills. The motion was 2<sup>nd</sup> Director Carol Glaser. The motion carried unanimously.

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

President Nathan Ausley announced the next regularly scheduled meeting, if needed, would be September 10, 2013, at the District Office at 5:30 p.m.

**13. Adjourn Board Meeting**

President Nathan Ausley adjourned the meeting at 6:34 p.m.

**THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON AUGUST 13, 2013 WERE APPROVED AND ADOPTED BY THAT BOARD ON SEPTEMBER 10, 2013.**

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

**Attest:**

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

Date \_\_\_\_\_

A meeting recording of this meeting is available on CD.