

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Office
310 East Avenue C
Milano, Texas 76556
February 9, 2010 – 5:30 p.m.

MINUTES

Members Present

Dwayne Jekel	<u>Entity</u> POSGCD
Jay Wider	POSGCD
Jay Tumlinson	POSGCD
Robert Ware	POSGCD
Andy Hovorak	POSGCD
Lee Alford III	POSGCD
Nathan Ausley	POSGCD
Jim Hodson	POSGCD

Gary Westbrook	POSGCD
Elaine Gerren	POSGCD
Drew Gholson	POSGCD
Barney Knight	Knight & Partners
Steve Young	U.R.S.

Board Members Absent

Carroll Glaser	POSGCD
Kerry Starnes	POSGCD

Others Present

Scott Carlson	<u>Entity</u> Metropolitan Water
Ken Cooke	Rockdale Reporter
Ken Hall	Southwest Milam WSC
Dave Barkemeyer	Citizen
Ross Cummings	Blue Water
Mike Sutherland	Burleson County Judge
John Landolt	Burleson County Commissioner
Bruce Brinkman	Rancher Burleson County
Curtis Chubb	Central Texas Aquifers Coalition
Bill Graham	

BOARD MEETING

1. Call to Order

Board President, Nathan Ausley called the meeting to order @ 5:33 p.m.

2. Oath of Office for Re-appointed and Appointed Board Members

Oath of Office was administered for reappointed and appointed board members including, Nathan Ausley, Kerry Starnes, Jay Tumlinson, Jay Wilder, Lee Alford, III, and Jim Hodson.

3. Election of Board Officers

A motion was made by Director Robert Ware to retain the current officers in their current positions. The motion was 2nd by Director Jay Tumlinson. The motion carried unanimously.

4. Public Comment

Board President, Nathan Ausley asked for public comment. Public comment was heard from Bruce Brinkman, with concern of lowering permit and transport fees. Mr. Brinkman requested that the Board return the production and transport fees to 2009 levels for the 2011 budget year. Mr. Brinkman also requested that the Board appoint a committee of land owners and board members to explore ways to use the District's Conservation Grants for farmers and ranchers in the District. Public Comment was heard from Curtis Chubb, with the Central Texas Aquifers Coalition who requested that the District establish a policy to define the Managed Available Groundwater, established in the DFC process, as the maximum amount of water which could be permitted by the District.

5. Approve Minutes of December 8, 2009 Board Meeting

A motion was made by Director Dwayne Jekel to approve the minutes of the December 8, 2009 Meeting. The motion was 2nd by Director Jim Hodson. The motion carried unanimously.

6. Consider issues and performance related to the Permits issued to Blue Water Systems

Director, Nathan Ausley recused himself from discussion and turned the meeting over to Vice President Jekel. The District General Manager explained that there are several requirements of Blue Water System's permits that requires certain reporting of contract agreements between Blue Water and their customers, and these requirements had been overlooked. Therefore, Blue Water was in violation of their permit requirements. After discussion by the Board a motion was made by Director Jim Hodson to apply the District rules as recently amended concerning minimum fines on Blue Water Systems for the violations of their permit provisions. The motion was 2nd by Director Jay Tumlinson. The motion carried unanimously.

Board President, Nathan Ausley then directed the Board to go to Agenda Item 11, and open A and B simultaneously.

11. District Groundwater Conservation Grant Program

A. Joint work with United States Department of Agriculture, Natural Resources Conservation Service, to include certain activities to enhance recharge in aquifers in the District and to enhance efficiency of water use in irrigation in the District

B. Inclusion of Private Water Utilities servicing a CCN within the District

General Manager, Gary Westbrook reported on the joint work he had begun as exploration of opportunities between the District and the United States Department of Agriculture, Natural Resources Conservation Service, to include certain activities to enhance recharge in aquifers in the District and to enhance efficiency of water use in irrigation in the District. Burleson County Judge Mike Sutherland and Burleson County Commissioner John Landolt presented a Resolution from the Burleson County Commissioner's Court in support of the District expanding its Groundwater Conservation Grant Program to include private water utilities and

landowners in the District. Additional comment was made by Bruce Brinkman in support of this idea. The Board discussed then discussed the report and will continue to evaluate the progress of this work toward possible inclusion into the District's Management Plan.

10. Board Policies and Procedures

A copy of the Board's Policies and Procedures with recommended amendments was presented to the Board for consideration. Comment was heard from District Attorney, Barney Knight. A recommendation was made to amend Section 1, 7, 8, & 10 of the Board Policies and Procedures, as presented. A motion was made by Director Nathan Ausley to accept the amendments to Section 1, 7, 8, & 10 of the Board Policies and Procedures, as presented. The motion was 2nd by Director Dwayne Jekel. After brief discussion, the motion carried unanimously.

7. Report and discussion on District Stakeholder Meeting of October 13, 2009

District Manager, Gary Westbrook informed the Board that this item was to have appeared on the District's Agenda for the December 8, 2009 meeting, however, the item was listed as a report on a GMA12 Stakeholder Meeting in error. Mr. Westbrook then reported on the District Stakeholder meeting of October 13, 2009: the District publicized the meeting as it would a hearing making the District's intent to receive comments on the GMA and DFC process known. The District gave two presentations at that meeting. The meeting was attended by very few and the District received no comments on the GMA or DFC process.

8. GMA 12 joint planning process and preliminary DFC's, groundwater resources in the District, and future process for evaluating District preliminary DFC's and DFC's and identification of possible necessary changes to District Rules and District Groundwater Management Plan District Well monitoring Program

Received a report Steve Young of U.R.S. concerning the Districts DFCs, including a recommendation to amend the District's previously approved preliminary DFC in the Carrizo aquifer from 120 feet of average drawdown in artesian pressure across the District from the year 2000 to the year 2060, to 70 feet for the same. After brief discussion, a motion was made by Director Jim Hodson to manage per approve the recommendation. The motion was 2nd by Director Robert Ware. The motion carried unanimously. Steve Young of URS then gave a report on the draft Groundwater Availability Model for the Yegua-Jackson Aquifer.

9. Bureau of Economic Geology Carrizo Wilcox Aquifer Study

General Manager, Gary Westbrook gave a report on the recent kick-off meeting for this study, including all requirements of the study for GCDs. The electronic download of required information is due by March 31, 2010.

12. Texas Municipal League Interlocal agreement for employee benefits pool

A motion was made by Director Nathan Ausley to approve the Texas Municipal League Interlocal agreement for employee benefits pool. The motion was 2nd by Director Jay Tumlinson. The motion carried unanimously.

13. Received report from District Manager Report on recent District activities and take appropriate actions.

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

No permits were filed that required hearings.

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

No emergency permits were issued, 13 wells were recorded, 6 new applications for exempt wells were submitted, and 12 exempt wells were completed.

C. Recent and future District presentations and activities

1. Joint Planning meeting for GMA #12 February 11, 2010

General Manager reminded the Board of this meeting.

2. Joint Planning meeting for GMA #8 February 24, 2010

General Manager reminded the Board of this meeting and noted that it would be in the Waco area.

3. Reports to Burleson Co. Commissioner's Court and Milam Co. Commissioner's Court

General Manager reported on his annual reports to the Commissioner's Courts of both counties.

4. 2010 Water Level Well Monitoring Work

General Manager reported that this work of water level measurements was almost complete and that the District would soon pursue bids for cleaning out and perforating abandoned oil wells to be part of the Districts Well Monitor Network

5. District Education Program

General Manager gave an update on the Education Program, as well as a recent article he had written for the Rockdale Reporter.

6. Texas Water Conservation Assoc. Interim Groundwater Committee

General Manager reported his invitation to participate in this committee, as well as reporting on it's goals and first meeting.

7. DFC Conference January 20, 2010, Austin, TX

General Manager reported on his presentation at this conference, including the possible ways to use Managed Available Groundwater from the DFC process in GCD Management Plans. He pointed out that no fewer than 5 times in the previous year the Board had directed the General Manager and URS to continue to develop management strategies to manage to the DFCs when finally approved by GMA 12. He then asked if the Board wished to define Managed Available Groundwater (MAG) as was requested by Mr. Curtis Chubb earlier in the meeting, using it as a "cap" or maximum permit limit. The Board responded unanimously not to use the MAG in that manner, and that the District should continue to manage to the DFCs using it's current rules and management strategies and develop management strategies to use the MAG in the District's Management Plan.

8. Rockdale Rotary January 19, 2010

General Manager reported on his presentation at this meeting.

13. Bills received and current financial status.

A motion was made by Director Jim Hodson to approve payment of the bills as presented. The motion was 2nd by Director Robert Ware. The motion carried unanimously.

14. Dates, locations, and times of future meetings.

President Nathan Ausley announced that the next regularly scheduled meeting would be March 9, 2010, at the POSGCD District Offices at 5:30 p.m.

15. Adjourn Board Meeting

President Nathan Ausley adjourned the meeting at 7:14 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON FEBRUARY 9, 2010 WERE APPROVED AND ADOPTED BY THAT BOARD ON MARCH 9, 2009.

Nathan Ausley, President

Attest:

Kerry Starnes, Secretary/Treasurer

Date_____

A meeting recording of this meeting is available on CD.