

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Office
310 East Avenue C
Milano, Texas 76556
September 13, 2011 – 5:30 p.m.

MINUTES

Members Present

Andy Hovorak	POSGCD
Kerry Starnes	POSGCD
Jay Tumlinson	POSGCD
Lee Alford	POSGCD
Jim Hodson	POSGCD
Nathan Ausley	POSGCD
Robert Ware	POSGCD
Dwayne Jekel	POSGCD
Jay Wilder	POSGCD
Gary Westbrook	POSGCD
Drew Gholson	POSGCD

Board Members Absent

Carroll Glaser	POSGCD
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Others Present

	<u>Entity</u>
Michael J. Simmany	Lost Pines GCD
Travis McPhaul	Lost Pines GCD
Billy Sherrill	Lost Pines GCD
Keith Hansberger	Lost Pines GCD
Fred Russell	22 Hills
Dan Fischer	22 Hills
Dick Burns	ALCOA
Terrill Tomecek	ALCOA
Jackie Scott	BRA
Dave Barkemeyer	Milam County
Steve Box	Environmental Stewardship
Bill Graham	Land Owner
Curtis Chubb	Self
Ken Daughter	Lost Pines GCD
Ted Hubert	Milano

BOARD MEETING

1.) Call to Order and establish quorum

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

2.) Public Comment

Board President, Nathan Ausley asked for public comment. Public comment was heard from Steve Box with Environmental Stewardship concerning Item # 6, ALCOA, Inc. Historic Use Permit # POS-HUP-0330 with concern for the impacts on the Colorado River. He stated that Mr. Westbrook had been helpful in answering questions on Item # 6 prior to the meeting, but that Environmental Stewardship had questions about the ALCOA's Historic Use permit and their requested amendments. He then presented a letter to the District listing these concerns and some questions.

3.) Minutes of July 12, 2011 Meeting

A motion was made by Director, Jay Tumlinson to approve the minutes of the July 12, 2011 Meeting as presented. The motion was 2nd by Director, Jim Hodson. The motion carried unanimously.

4.) Blue Water Systems, L.P., Emergency Interconnect with Manville Water Supply Corp.

General Manger, Gary Westbrook reported that Blue Water Systems (BWS) had completed an agreement for emergency interconnect with Manville WSC (MWSC), and that BWS had complied with all requirements of the District for a procedure of this kind. He also stated that their agreement included language to require MWSC to maintain other water resources for supply in the event that the District were to curtail permits issued to BWS for this water, and that the BWS export permit allows this. No action was required.

5.) Grant of variance and license to ALCOA, Inc., and Milam County, authorizing ALCOA, Inc., to provide water to County for emergency supplies to citizens for drought relief

President Nathan Ausley announced that Director Hodson would be abstaining from discussion on agenda items 5 and 6 due to possible conflicts of interest. Discussion was held on this item between General Manager, Gary Westbrook and the Board of Directors. Comment was heard from the Milam County Judge Dave Barkemeyer stating that this will be brought back to the Commissioners Court for discussion. The Board was unanimously in favor of working with these entities to provide assistance in this effort as identified and discussed. A motion was made by Director, Nathan Ausley to grant a waiver to ALCOA, Inc., or any other permittee of the District, as applied for, to provide water to Milam County for emergency supplies to citizens for drought relief as discussed and to grant authority to General Manager Gary Westbrook to work with the District's attorney to issue waivers as long as Milam and Burleson Counties are listed as being in Exceptional Drought status according to the Texas Water Development Board's definitions. The motion was 2nd by Director, Jay Tumlinson. The motion carried 8 to 0 with Director, Jim Hodson abstaining from voting.

6.) ALCOA, Inc. Historic Use Permit # POS-HUP-0330

President Nathan Ausley reminded the meeting that Director Hodson would be abstaining from discussion on agenda item 6 due to possible conflicts of interest. General Manager, Gary Westbrook presented a request from ALCOA, Inc., to amend their Historic Use Permit # POS-HUP-0330, including the addition of one of ALCOA's registered wells, and six wells to be added to the permit, with six wells to be plugged and replaced. GM Westbrook explained that the permit as issued to ALCOA by the District included the ability for ALCOA to proceed with this action by application, and that they had done so. He further stated that the District's attorney, Mr. Barney Knight, was in agreement that ALCOA had been given this ability in the permit as issued. GM Westbrook further reiterated that the permit terms and limits would not be changed in that ALCOA could only put the new wells and use the water within the footprint of ALCOA property as included in the original permit, and that the use for the water could only be for industrial purposes

on site as listed in the permit, spacing of the new wells would be governed by the District's Rules, and that there was no increase in the amount of water allowed to be produced. A motion was made by Director Robert Ware to approve the application by ALCOA, Inc. to amend ALCOA's Historic Use Permit # POS-HUP-0330. The motion was 2nd by Director, Dwayne Jekel. The motion carried 8 to 0 with Director, Jim Hodson abstaining from vote.

7.) Management Plan and Rules

A report of the Rules Committee Meeting of September 7, 2011 was given by Director, Nathan Ausley, and he stated that the amended drafts of the Rules and the Ground Water Management Plan would be posted to the POSGCD website soon for review.

8.) Minutes of September 7, 2011 Rules Committee Meeting

A motion was made by Director Jim Hodson to approve the Minutes of September 7, 2011 Rules Committee Meeting. The motion was 2nd by Director, Kerry Starnes. The motion carried unanimously.

9.) Board Policies

General Manager, Gary Westbrook presented recommended changes to the Board Policies, written by Barney Knight of Knight and Partners and included in the Board Packets, which reflects the recent changes in statute. A motion was made by Director Nathan Ausley to approve the Board Policies as presented. The motion was 2nd by Director, Jay Tumlinson. The motion carried unanimously.

10.) Direction to General Manager concerning violations of District Rules by Roy Crush, Centerville, Texas

A brief summary of the violations of District Rules by Roy Crush, of Centerville was given by General Manager, Gary Westbrook. A motion was made by Director Lee Alford to proceed with actions against Mr. Crush concerning these violations if Mr. Crush did not respond to the District's notices. The motion was 2nd by Director Robert Ware. The motion carried unanimously.

11.) Monitoring Well Network and report on results of recent monitoring work

A summary report of recent amendments in assignments of wells within the monitoring network, along with maps, was given by Drew Gholson, Water Resource Manager of the District. Following this, a report was given by GM Westbrook on recent monitoring of water levels in wells in the District. A list of these wells, along with a map of locations accompanied the report. Discussion ensued concerning possible locations, as reported by staff, on monitoring wells to be drilled by the District in the very near future. A motion was made by Director, Kerry Starnes to grant a variance from spacing requirements and drill monitoring wells on the District's property at the District Office location for monitoring and educational purposes. The motion was 2nd by Director Jim Hodson. The motion carried unanimously.

12.) 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

There was no Emergency Permits Granted, and no hearings scheduled at this time.

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

There were 58 wells registered, 29 new well applications, 10 new wells completed, and 0 wells plugged

C. Recent and future District presentations and activities

1. Education Program

a. Water Wise

General Manger, Gary Westbrook presented the annual report on the Water Wise Education Program and presented letters from students that were received.

b. Local Water Utility Workshops of September 20 and 22, 2011

General Manger, Gary Westbrook advised that the Workshops will be on September 20th in Milano and September 22nd in Caldwell. We will discuss Grants, POSGCD Rules and Regional Water Planning

c. Other

General Manger, Gary Westbrook advised that we will again begin conducting our educational program in the schools in our District, beginning next month.

2. Director Terms and Appointments

General Manger, Gary Westbrook reported on the Director's terms that will expire this year. Positions for Milam County are Carroll Glaser- At Large, and Dwayne Jekel- Rural Water Supply For Burleson County, Andy Hovorak – Municipal, and Robert Ware-rural Water Supply. GM Westbrook reported that letters had been sent out to the Commissioner's Courts of both counties to advise of these positions and needed appointments on August 1, 2011, in accordance with the District's policies.

3. District Logo and website

General Manger, Gary Westbrook presented 4 draft logos to be considered. The logo with the more conventional Texas and the conventional star will be the new logo for the District.

4. Texas Alliance of Groundwater Districts meetings of August 30-31, 2011

General Manger, Gary Westbrook stated that he attended the Texas Alliance of Groundwater Districts meetings of August 30-31, 2011 and gave a brief summary of the meeting.

13.) Bills received and current financial status.

A motion was made by Director Nathan Ausley to approve the bills. The motion was 2nd by Director Dwayne Jekel. The motion carried unanimously.

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

President Nathan Ausley announced that the next regularly scheduled meeting would be October 11, 2011 at the POSGCD District Offices at 5:30 p.m.

15.) Adjourn Board Meeting

President Nathan Ausley adjourned the meeting 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 SEPTEMBER 13, 2011 WERE APPROVED AND ADOPTED BY THAT BOARD ON OCTOBER 11, 2011.

Nathan Ausley, President

Attest:

Kerry Starnes, Secretary/Treasurer

Date_____

A meeting recording of this meeting is available on CD.