

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

**MINUTES**

**Members Present**

Andy Hovorak	POSGCD
Jay Wilder	POSGCD
Jay Tumlinson	POSGCD
Lee Alford	POSGCD
Dwayne Jekel	POSGCD
Nathan Ausley	POSGCD
Carroll Glaser	POSGCD

**Entity**

Gary Westbrook	POSGCD
Elaine Gerren	POSGCD
Drew Gholson	POSGCD
Barney Knight	Knight & Partners

**Board Members Absent**

Robert Ware	POSGCD
Kerry Starnes	POSGCD
	POSGCD

**Others Present**

**Entity**

Ross Cummings	Blue Water
Jackie Scott	BRA
Travis McPhaul	L.P.G.
Keith Hansberger	L.P.G.
Michael Turco	U.S.G.S.
Janette Odom	U.S.G.S.
Scott Carlson	Metropolitan Water
Steve Young	Intera
Dave Barkemeyer	Milam County Judge Elect

**BOARD MEETING**

**1. Call to Order**

Board President, Nathan Ausley called the public meeting to order @ 5:30 p.m. and reminded all in attendance to sign in.

**2. Public Hearing on District 2011 Budget**

Board President, Nathan Ausley opened the public hearing on the District 2011 Budget, and noted that there were copies of the Draft Recommended Budget available for the public.

General Manger, Gary Westbrook recommended to amend the budget notes which accompany the budget to include recharge studies under the budget item for the well monitoring program. Gary Westbrook also noted that the budget had been prepared by the Finance Committee on September 14, 2010, and reviewed and discussed at the Board meeting on that same date, and that no changes had been made to the Draft 2011 Budget since that time. President Ausley asked for public comment or questions.

No public comment was heard.

**3. Public Hearing on District Production Fees**

Board President, Nathan Ausley opened the public hearing on the District's production fees, and reminded all in attendance that the current District Production Fees are \$.01/1000 gallons permitted. President Ausley asked for public comment or questions.

No public comment was heard.

**4. Public Hearing on District Transport Fees**

Board President, Nathan Ausley opened the public hearing on the District's transport fees, and reminded all in attendance that the current District Transport Fees are \$.04/1000 gallons permitted. President Ausley asked for public comment or questions.

No public comment was heard.

**5. Public Hearing on District Fee Schedule**

Board President, Nathan Ausley opened the public hearing on the District's Fee Schedule, and noted that copies of the District's Fee Schedule were available to the public.

A typographical error was noted in the fee schedule items listing Production Fees and Transport Fees. No changes were recommended to the District Fee Schedule, with the exception of correction of the errors in the listing of the District's Production Fees and Transport Fees.

President Ausley asked for public comment or questions. No public comment was heard.

Closed the Public Hearings at 5:35 and opened the Board Meeting

**6. Public Comment**

Board President, Nathan Ausley asked for public comment. General Manager, Gary Westbrook introduced the Milam County Judge Elect, Dave Barkemeyer. No public comment was offered.

**7. Approve Minutes of September 14, 2010 Board Meeting**

A motion was made by Director Carroll Glaser to approve the minutes of the September 14, 2010 Meeting. The motion was 2<sup>nd</sup> by Director Jay Wilder. The motion carried unanimously.

**8. District 2011 Budget**

A motion was made by Director Nathan Ausley to adopt the 2011 budget with the recommended amendment to the budget notes as discussed in the public hearing on the 2011 Budget. The motion was 2<sup>nd</sup> by Director Jay Tumlinson. The motion carried unanimously.

**9. District Production Fees**

A motion was made by Director Jay Wilder continue the District Production Fees at \$.01/1000 gallons permitted. The motion was 2<sup>nd</sup> by Director Carroll Glaser. The motion carried unanimously.

#### **10. District Transport Fees**

A motion was made by Director Jay Wilder continue the District Transport Fees at \$.04/1000 gallons permitted. The motion was 2<sup>nd</sup> by Director Carroll Glaser. The motion carried unanimously.

#### **11. District Fee Schedule**

A motion was made by Director Dwayne Jekel to adopt the District Fee Schedule with corrections of the errors in the listing of the District's Production Fees and Transport Fees as discussed. The motion was 2<sup>nd</sup> by Director Lee Alford. The motion carried unanimously.

#### **12. District 2010 Budget**

General Manager Gary Westbrook recommended amending the District 2010 Budget by decreasing Professional Fees \$1000 and increasing Dues and Subscriptions \$1000.

A motion was made by Director Carroll Glaser to amend the District 2010 budget moving \$1000 from Professional Fee to Dues and Subscriptions. The motion was 2<sup>nd</sup> by Director Jay Wilder. The motion carried unanimously.

#### **13. Presentation by Michael Turco, United States Geological Survey, on Groundwater Science Cooperative research opportunities with the district**

President Nathan Ausley introduced Michael Turco of the United States Geological Survey. The board received a presentation on their function and the resources they have to offer groundwater conservation districts.

#### **14. District Monitor Well Program**

The Board received a report from Drew Gholson, Water Resource Manager for the District. He reported that 3 abandoned oil and gas wells had been converted to monitor wells in the deep Simsboro Management Zone, and that by the end of the year several shallow monitor wells should be completed.

#### **15. GMA 12 joint planning process and DFCs, groundwater resources in the District, and future process for evaluating District DFCs, and identification of possible necessary changes to District Rules and District Groundwater Management Plan**

General Manager, Gary Westbrook presented the Board with a handout that contained language developed for the Rules Committee to begin working on amending the District Rules and Management Plan. President Ausley stated that he would soon call for a Rules Committee meeting to begin this work.

#### **16. Texas Water Conservation Association Interim Groundwater Committee**

General Manager, Gary Westbrook reported that this committee is looking at language for allowing automatic renewal of permits.

#### **17. Sunset Advisory Commission Staff Report and Recommendations- Texas Water Development Board**

General Manager, Gary Westbrook expressed concern on the manner in which this report was written, concerning recommendations made for changes to the voting membership of GMAs, and the DFC petition process. He reported that in his opinion, if enacted, these recommendations could lead to groundwater management decisions being made by individuals or entities other than locally elected or appointed GCD Boards. He will write comments to file with the Sunset Advisory Commission.

### **18. BEG Carrizo-Wilcox Study**

General Manager, Gary Westbrook reported that we have added a summary of our past studies for Rule Making and Management Plan Amendments to the information already submitted to BEG for this study, to correct possible oversights in the BEG final report on this study. He handed this summary out to the Board and reported that he will send a copy to Senator Ogden.

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

No emergency permits were issued, 32 wells were recorded, 4 new applications for exempt wells were submitted, 11 exempt wells were completed and 2 wells were plugged.

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

##### **1. District Workshops for Local Water Utilities of September 21 and 23, 2010**

General Manager, Gary Westbrook reported that the Workshops for Local Water Utilities were held on September 21, 2010 in Caldwell and September 23, 2010 in Milano with approximately 50 people attending, and that the professional presenters were very well received. The District will continue this program next Spring.

##### **2. Joint Issues Forum on Groundwater Ownership September 22, 2010**

General Manager, Gary Westbrook reported that he and Board President, Nathan Ausley attended the Forum on Groundwater property rights in Bryan, Texas on September 22, 2010 at Producer's Coop, and presented the Board with information from Texas Farm Bureau and Texas and Southwestern Cattle Raisers.

##### **3. Texas Rural Water Association Fall Management Conferences of Oct. 6-7 and Nov. 3-4, 2010**

General Manager, Gary Westbrook reported that his presentations at these conferences was well received and successful, and that a handout of his presentation was included in the Director's packets.

### **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 2<sup>nd</sup> by Director Carroll Glaser. The motion carried unanimously.

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

President Nathan Ausley announced that the next regularly scheduled meeting would be December 14, 2010, at the POSGCD District Offices at 5:30 p.m.

### **15. Adjourn Board Meeting**

President Nathan Ausley adjourned the meeting at 6:18 p.m.

**THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON NOVEMBER 9, 2010 WERE APPROVED AND ADOPTED BY THAT BOARD ON DECEMBER 14, 2010**

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Nathan Ausley, President

**Attest:**

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Kerry Starnes, Secretary/Treasurer

Date\_\_\_\_\_

A meeting recording of this meeting is available on CD.