

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT  
Board of Directors Meeting & Public Hearings  
Milano Civic Center  
120 West Ave. E  
Milano, TX 76556  
November 10, 2015 – 5:30 p.m.

MINUTES

Directors Present:

Nathan Ausley  
Lee Alford  
Robert Ware  
Durwood Tucker  
Bob Wilson  
Steven Wise  
Kerry Starnes

Directors Absent:

Sidney Youngblood  
Tommy Tietjen  
Jay Wilder

POSGCD Staff:

Gary Westbrook  
Elaine Gerren  
Bobby Bazan

Others Present:

Kodi Sawin  
Steven Young  
Neel Deeds  
Robert Jekel  
Barney Knight  
Ross Cummings  
Pat Riley  
James Bene  
Steve Renneker  
Mary Ann Russell  
Fred Russell  
Jack C. Marino Sr.  
Terry Hall  
Sherry Hall  
Jeff Soechting  
Sharon Lefler  
Dave Lefler  
Mike Niclarech  
Jeanne Niclarech  
Tracy Dixon  
Lisa Dixon

Entity:

Sawin Group  
INTERA  
INTERA  
D&L Services  
Knight & Partners  
Blue Water  
Blue Water  
R W Harden  
Abengoa Vista Ridge  
Land Owner 22 Hills  
Land Owner 22 Hills  
Land Owner 22 Hills  
Land Owner 22 Hills  
Land Owner 22 Hills  
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**1. Call to Order and establish quorum**

President Nathan Ausley called the Board Meeting and Public Hearings to order and established a quorum at 5:35pm.

**2. Public Hearing on District 2016 Budget**

President Nathan Ausley presented the Draft 2016 Budget as recommended by the Advisory Committee, and opened the Public Hearing on the District 2016 Budget at 5:35, and asked for public comment or discussion. No public comment was offered. The Public Hearing on the District 2016 Budget was closed at 5:36.

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

President Nathan Ausley opened the Public Hearing on the District Production Fees at 5:36, and stated that currently the production fees were one cent per 1000 gallons permitted and were recommended by the Advisory Committee to remain at that level. He then asked for public comment or discussion. No public comment was offered. The Public Hearing on the District Production Fees was closed at 5:37.

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

President Nathan Ausley opened the Public Hearing on the District Transport Fees at 5:37, and stated that currently the transport fees were six cents per 1000 gallons permitted and were recommended by the Advisory Committee to remain at that level. He then asked for public comment or discussion. No public comment was offered. The Public Hearing on the District Transport Fees was closed at 5:38.

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

President Nathan Ausley opened the Public Hearing on the District Fee Schedule at 5:38, and noted the Advisory Committee recommended there be no change to the Fee Schedule for 2016, and the Fee Schedule be accepted as presented. President Nathan Ausley asked for public comment. No public comment was offered. The Public Hearing on the District Fee Schedule was closed at 5:39.

**6. Public Comment**

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

**7. District 2016 Budget**

General Manager Gary Westbrook explained the recommendations and work of the Advisory Committee for the 2016 Budget. GM Westbrook then presented a request from the Education Committee to amend the Draft 2016 budget by adding \$15,000 to Education. After discussion, a motion was made by President Nathan Ausley to adopt the 2016 Budget as presented with the requested amendment. The motion was 2<sup>nd</sup> by Director Durwood Tucker. The motion carried unanimously.

**8. District Production Fees**

General Manager Gary Westbrook explained the recommendations and work of the Advisory Committee for fees required to fund the 2016 Budget. GM Westbrook then answered questions concerning the District's fees. After discussion, a motion was made by Director Robert Ware to maintain the District Production Fee of one cent per 1000 gallons permitted. The motion was 2<sup>nd</sup> by President Nathan Ausley. Director Steven Wise inquired with regard to what our fees were in comparison to other Districts. General Manager Gary Westbrook provided discussion and explanation. There being no further discussion, the motion carried unanimously.



**9. District Transport Fees**

After discussion, a motion was made by Director Bob Wilson to maintain the District Transport Fee at six cents per 1000 gallons permitted. The motion was 2<sup>nd</sup> by Director Kerry Starnes. The motion carried unanimously.

**10. District Fee Schedule**

After discussion, a motion was made by President Nathan Ausley to approve the District Fee Schedule as presented, noticed, and posted. The motion was 2<sup>nd</sup> by Director Kerry Starnes. The motion carried unanimously.

**11. Minutes of September 8, 2015**

After brief discussion, a motion was made by Director Robert Ware to approve the minutes of September 8, 2015. The motion was 2<sup>nd</sup> by Director Durwood Tucker. The motion carried unanimously.

**12. Amend 2015 Budget**

General Manager Gary Westbrook provided amendments to the 2015 Budget as recommended by the Advisory Committee, and added a request from the Education Committee to move \$10,000 from Professional Fees to Education. After discussion, a motion was made by Director Nathan Ausley to amend the 2015 Budget as recommended with the amendment from the Education Committee. The motion was seconded by Director Starnes. The motion carried unanimously.

**13. Requests for amendments to Groundwater Conservation Grant applications, awards, and contracts with the District**

General Manager Gary Westbrook presented two requests for amendments, and explained each. The General Manager noted that he would confirm that the volume of water to be conserved by each of the applicants was equal to or more than that estimated based on the original work proposed by the grantees. Discussion was held between the board concerning requested amendments to the Gause WSC 2015 Grant. The changes would alter the scope of the work to add purchase of software and reduce the LF of pipe replaced with the money requested remaining the same. The software would enable the WSC to function properly with the new meters being installed. A motion was made by Director Robert Ware to approve the amendments as requested for Gause WSC. The motion was 2<sup>nd</sup> by Durwood tucker. The motion carried unanimously. Discussion was held on the Cade Lakes 2014 Grant for them to increase the amount of pipe to be replaced with utilizing the same grant funds allocated. A motion was made by President Nathan Ausley to accept the Cade Lakes 2014 Grant amendment. The motion was 2<sup>nd</sup> by Lee Alford. The motion carried unanimously.

**14. Presentation from District Landowners on Mitigation**

A presentation was given by Fred Russell of the 22 Hills Subdivision. His presentation was focused on the Abengoa Vista Ridge project and the possible need for mitigation of wells in the District as a result of projects like Vista Ridge.. His presentation also addressed the impacts that pumping may have on the water level in wells owned by landowners in the 22 Hills area and their neighbors. Mr. Russell answered questions during and at the conclusion of his presentation. After the presentation, the Board discussed past actions of the District concerning mitigation requirements applied to permit applications, as well as past discussions by the Board concerning mitigation, and the efforts of the District to prevent the need for mitigation. President Ausley thanked Mr. Russell for his presentation. No action was taken.

**15. Contract with Texas Water Development Board (TWDB) regarding Central Queen City/Sparta-Carrizo Wilcox Groundwater Availability Model**



General Manager Gary Westbrook explained this contract and presented it for Board action. After discussion, a motion was made by President Nathan Ausley to enter into the Inter-local Cooperation Contract with The Texas Water Development Board, and execute this contract. The motion was 2<sup>nd</sup> by Director Kerry Starnes. The motion Carried unanimously.

**16. Meeting with TWDB concerning well assignment to aquifers October 29, 2015**

This item was opened along with Agenda Item # 17

**17. Joint planning process and Desired Future Conditions (DFCs), groundwater resources in the District t and future process for evaluating District DFCs for Groundwater Management Area 12 (GMA 12) and Groundwater Management Area 8 (GMA 8)**

A presentation was given by Dr. Steve Young of Intera addressing both agenda items 16 and 17. During this presentation Dr. Young noted that the he, Dr. Neil Deeds of Intera, General Manager Gary Westbrook, and District Water Resource Management Specialist Bobby Bazan, had met with Larry French, Director of the Groundwater Resources Division of the Texas Water Development Board (TWDB) concerning issues raised previously comparing classification of monitor wells in the District's data base with the classifications of these same wells in the TWDB data base. Dr. Young reported that Mr. French had agreed that TWDB was generally in agreement with the District's methodology for classification of wells, and he would provide an answer to the August 2015 letter from Dr. Young (on behalf of the District) concerning the same, and that moving forward TWDB would support the District in the work of amending classifications of wells in the TWDB data base to match the District's data base, by considering requests from the District, along with supporting documentation, to make these changes.

Next Dr. Young presented a thorough evaluation of the most recent District monitoring information. During this presentation Dr. Young discussed alternate methods of evaluating monitoring results in light of the DFCs and Management Plan of the District. He concluded this part of the presentation by presenting evidence that the District was in compliance with DFCs and the Management Plan, and that no thresholds had been reached at this time except for wells in the Brazos River Alluvium. Dr. Young explained that historically the wells in the alluvium fluctuate across a wide range than the DFC but the wells will recover because of high recharge and the influence of the river. Dr Young did not express a concern over the results in the alluvium wells and suggested that they be omitted from threshold criteria. Director Wise asked if the results evaluated for the shallow Simsboro Aquifer might need to be addressed soon. Discussion ensued, and it was agreed that the DFC Committee would soon meet to discuss all aspects of this report, and provide further information to the Board. No action was taken.

**18. District Building Committee**

Gary Westbrook presented an update from the Building Committee and advised what the next steps will be. No action was taken.

**19. Receive report from District Manager on recent District activities and take appropriate action.**

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

No applications were granted that required Hearings and no Emergency permits were granted.

**B. Well Drilling activities: registrations, applications, completions, plugging, inspections**

27 Wells were registered, 17 new well applications were received, 17 well completions received, 0 wells were plugged and 2 inspections were completed.

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

1. Texas Water Conservation Association meeting of October 14-16, 2015



General Manager, Gary Westbrook reported that he attended this meeting.

2. Evergreen Underwater Conservation District Management Plan Workshop of January 6, 2016

General Manager, Gary Westbrook reported that the Evergreen Underwater Conservation District was also using Steve Young with Intera as their Hydrologist. Dr. Young requested Mr. Westbrook to be present to answer questions about POSGCD Management Zones at a meeting of the Evergreen Board.

3. Bell County Water Symposium of November 19, 2015

General Manager, Gary Westbrook reported that he plans to attend this meeting.

4. Meeting with Railroad Commission of Texas regarding groundwater resources in the District of October 29, 2015

General Manager, Gary Westbrook reported that he and Bobby Bazan had met with representatives of the Railroad Commission of Texas regarding groundwater resources in the District and joined them in an inspection of a Waste Water Injection Well on CR 342 in Milano.

5. Brazos Region G Water Planning Group

General Manager, Gary Westbrook reported that Region G had adopted the regional plan and forwarded it to TWDB at a November 4, 2015 Region G meeting. He also reported the Little River off Channel Reservoir was still in the Plan, mainly because there was nothing in the plan to replace it, but that work was in progress which might lead to its replacement in the next year.

6. Presentation to Texas Ag Council September 30, 2015

General Manager, Gary Westbrook reported that gave a presentation to the Texas Ag Council

7. Inspection of Vista Ridge-Abengoa Wells October 6, 2015

General Manager, Gary Westbrook reported that he, President Ausley, and Bobby Bazan Performed inspections of the two newest Abengoa well sites accompanied by Pat Riley of Blue Water Systems, and James Bene of R.W. Harden, and Associates.

8. Burleson County Farm Bureau Annual Meeting October 20, 2015

General Manager, Gary Westbrook reported that he attended the Burleson County Farm Bureau Annual Meeting and presented a discussion on the District's responsibilities and management.

He

also noted that Director Tietjen was present for that presentation.

9. City of Caldwell Council Meeting October 20, 2015

General Manager, Gary Westbrook reported that he attended the city of Caldwell Council Meeting

and presented a discussion on the District's responsibilities and management. He also noted that Directors Ware, Alford, and Tietjen were present for that presentation. All agreed that the City Council was pleased with the District's efforts.

10. Texas Alliance of Groundwater Districts Executive Committee Meeting December 10-11, 2015

General Manager, Gary Westbrook reported that he plans to attend this TAGD Executive Committee Meeting on December 10-11, 2015.

11. Lecture to capstone student group at Bush School, Texas A&M University, October 26, 2015.

General Manager, Gary Westbrook reported he was invited to present a lecture to the capstone student group at the Bush School, Texas A&M University, concerning groundwater law,

management, and current issues.

12. District Groundwater Conservation Grant Program

General Manager, Gary Westbrook reported Grant packets are set to be sent out during the first week of January, 2016.

13. Meetings with San Antonio Press/Media

General Manager, Gary Westbrook reported he had several requests from radio stations and newspapers in the San Antonio area.

19. Bills received, current financial status, Investment Officer Report.

After discussion of the bills and finances, a motion was made by Director Lee Alford to approve the bills. The motion was 2<sup>nd</sup> by Director Durwood Tucker. The motion carried unanimously.

20. District Bank accounts

A resolution was presented to the Board to add the General Manager as a signatory on the District's checking account. Director Steven Wise and Director Bob Wilson abstained from discussion and voting. A motion was made by President Nathan Ausley to adopt and execute the Resolution. The motion was 2<sup>nd</sup> by Director Durwood Tucker. The motion carried 5 to 0 with 2 abstaining.

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

President Ausley noted the next regular meeting date , if necessary, would be December 8, 2015 @ 5:30 at the District offices

22. Adjourn Board Meeting

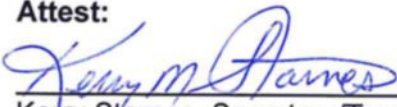
The Board Meeting was adjourned at 7:32 pm

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON NOVEMBER 10, 2015 WERE APPROVED AND ADOPTED BY THAT BOARD ON JANUARY 12, 2016.



Nathan Ausley, President

Attest:



Kerry Starnes, Secretary/Treasurer

Date 1/12/16