

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT**  
**Board of Directors Meeting & Public Hearing**  
**POSGCD District Offices**  
**310 East Avenue C**  
**Milano, TX 76556**  
**January 9, 2018 – 5:30 p.m.**

**MINUTES**

**Directors Present**

Becky Goetsch  
Chris Whittaker  
Bob Ware  
Steven Wise  
Tommy Tietjen  
Lee Alford  
Sidney Youngblood  
Bob Wilson  
Durwood Tucker

**Directors Absent**

Jay Wilder

**Staff Present**

Gary Westbrook  
Bobby Bazan  
Elaine Gerren  
Megan Homeyer  
Ralph Sufientes

**Others Present**

Barbara Boulware  
Dan Fischer  
Blair Parker  
Shan Rutherford  
Pat Riley  
James Bene'  
Judith McGearry  
Nathan Ausley  
Ronney Coleman  
Andy Hovorak, Jr.  
Amy Jurica Hinnant  
Mike Robbins  
Steve Young  
Jevon Harding  
Fred Russell  
Mary Ann Russell

**Entity**

Knight & Partners  
Landowner  
San Antonio Water Sys.  
Terrill & Waldrop  
Blue Water System  
RW Harden  
Landowner  
Landowner  
Landowner  
Landowner  
R.W. Harden  
Intera  
Intera  
Landowner  
Landowner

Michelle Gangnes	SAWDF
Bill Graham	Landowner
Jerry Briggs	Landowner
Herlinda Briggs	Landowner
Clover Cochran	Rancher
Lauren Ice	SOS

## **BOARD MEETING**

### **1. Pledge of Allegiance**

President Youngblood brought the meeting to order at 5:36 pm and asked GM Westbrook to lead the meeting in the pledges to the flags of the United States and Texas, and he did so.

### **2. Invocation**

President Youngblood asked GM Westbrook to offer an invocation, and he did so.

### **3. Call to Order and establish quorum**

The meeting was called to order and a quorum established at 5:40 p.m. by Board President, Sidney Youngblood.

### **4. Oath of Office for Re-appointed and Appointed Board Members**

The Oath of Office was administered by Vice-President Steven Wise to Becky Goetsch, Chris Whittaker, Lee Alford, Durwood Tucker, and Sidney Youngblood.

### **5. Election of Board Officers**

President Sidney Youngblood opened the floor for election of Officers. A motion was made by Director Durwood Tucker to retain the current officers by acclamation. The motion was 2<sup>nd</sup> by Director Bob Wilson. President Youngblood asked for any other discussion. None was offered. The motion carried unanimously.

### **6. Public Hearing on Groundwater Well Assistance Program**

President Sidney Youngblood opened the Public Hearing on the on Groundwater Well Assistance Program at 5:47 p.m. and asked for public comment or discussion. Public Comment was heard from the following people;

Fred Russell:

Mr. Russell expressed his concern for adequate funding of the GWAP and stated that he sees the farmers and small business being excluded. He has talked to Gonzales County GCD concerning their mitigation plan. He is concerned that Steve Young with Intera is not qualified for Mitigation. He states that the amount the District can charge for Transport is well above what is being charged and he feels that the transporters should pay a fee that could be added to fully fund a mitigation plan.

Ronney Coleman:

Mr. Coleman's concern is for the farms whose wells will run dry and the need for community water to these farms. What happens when the wells run dry and there is no water?

Judith McGeary:

Mrs. McGeary stated that she had a concern with the Districts handling of comment feedback and was frustrated with the lack of a process. She states that when a question is asked she feels there should be a reply to the question. She is concerned with the provisions for qualification in the GWAP and said there seems to be lots of ways for people to be denied. She states that there will be mid-scale wells going dry and said even with public water supplies these people will be financially burdened.



Nathan Ausley:

Mr. Ausley stated that the GWAP had been reviewed by a lot of people. I am hearing that the thought is that once it is adopted that it is final. This is not the case, it can re-evaluated and changed by the Board. President Youngblood thanked Mr. Ausley for his service to the Board and for all the work that he has done in the past.

Andy Hovorak:

Mr. Hovorak states that as he read through the GWAP and he sees that to be eligible a well owner has to sign up for the monitoring program. He feels this is not right as most of the people he knows would not want to do that. He also asked if the gas & oil well companies have submitted their usage for 2017 states he would be interested in seeing those numbers compared to what Vista Ridge will produce.

The Public Hearing closed at 6:16 p.m.

## **7. Public Comment**

President Sidney Youngblood asked for public comment.

Judith McGeary stated she would like to see the Liaison Committee back in force as it has gone stale for a while and she feels that community involvement is crucial. She also feels that the District should look at the Hydrology of the District and advises that an Independent Hydrologist Auditor should be retained to do an audit on Mr. Young's analysis since Mr. Young is the one who created the model, there should be a 2<sup>nd</sup> set of eyes to review it.

Michelle Gangnes commented on the litigation in the Lost Pines District and stated that the End-Op permit had been reversed and the process will have to be redone to include all affected landowners. She states this is a new day for landowner rights.

No further comments were heard.

## **8. Minutes of December 5, 2017**

After brief discussion, a motion was made by Director Tommy Tietjen to approve the minutes of the December 5, 2017 Board Meeting as presented. The motion to approve the board meeting minutes was 2<sup>nd</sup> by Bob Wilson. The motion carried unanimously.

## **9. Consider Adoption of Groundwater Well Assistance Program**

Mr. Youngblood stated that this has been before the DFC Committee many time and has been open to the public. After discussion by the Board a motion was made by Vice President Steven Wise to adopt the Groundwater Well Assistance Program as posted. The motion was 2<sup>nd</sup> by Director Alford. Directors Becky Goetsch and Chris Whittaker asked for clarification of the process and qualifications for inclusion in the program. Director Whittaker stated there should be additional consideration for the concerns raised. The motion passed unanimously. Director Lee Alford left the meeting.

## **10. State of the District**

President Sidney Youngblood opened this item and gave an overview of the accomplishments of the District for 2017. Included in his report was recognition of accomplishments by the committees of the Board, completion of remodel of the District's offices, establishment of the GWAP, Addition of 2 new Board Members and 2 new staff members. A vast improvement to the Educational Program including 21 educational locations, newsletters and the website. The addition of the District



Committee Dashboard in efforts to be transparent, and the addition of over 50 new monitoring wells. No action was taken on this item.

#### **11. Request from Milam County Commissioner's Court for funding for hazardous waste collection event.**

President Youngblood opened this item and asked for comment from Commissioner precinct #1, Opey Watkins. Commissioner Watkins stated the County was going to host a county wide clean up with the location to be in Thorndale, Texas. He stated this type of cleanup will usually cost around \$27,000 per event. The County has \$20,000 donated already and they are looking for donations from other sources. President Youngblood asked the general manager and the Board's attorney if this activity fell under the District's charges. Both stated that prevention of contamination to the groundwater resources of the District did qualify. After discussion by the Board a motion was made by Director Robert Ware to participate in the amount of \$ 5,000. The motion was 2<sup>nd</sup> by Director Tommy Tietjen. Comment was given by Director Chris Whittaker with concerns to how this motion could affect the budget. General Manager, Gary Westbrook stated that this would fall under conservation programs and noted that \$50,000 is budgeted for these activities, and that the District has not exceeded that part of the budget in past years and this expenditure should not cause the Budget to be exceeded. The motion carried unanimously.

#### **12. Amend Board Policies**

General Manager Gary Westbrook stated that recommended changes to Section # 5 had been presented to, and reviewed by the Advisory Committee and the District Legal Counsel. After discussion, a motion was made by Bob Wilson to amend the Board Policies. The motion was 2<sup>nd</sup> by Director Chris Whittaker. Director Whittaker asked for clarification on protocol for comments made during the Board meeting and for clarification on the process for Agenda items being allowed. President Sidney Youngblood stated that any Board Member can contact the general manager or himself to get an item added to the agenda. Comment was heard from Judith McGeary opposing the limit of 10 people commenting during public comment at a Board Meeting. Dan Fisher commented that he agreed with Judith McGeary and felt that this is why it is hard to work with the District, and asked, "Why have a cut off if you are trying to work with the public?" President Youngblood reminded all that the chair of the meeting still had flexibility under the Board Policies to extend that number if advantageous to the purpose of the meeting. Director Goetsch asked for clarification on the policies being considered under this item, noting the handout identified portions of Section 5, when it appeared more appropriate to be considered as Section 9. General Manager, Gary Westbrook clarified that Director Goetsch was correct. The question was called, and the motion carried 7 to 1 with Director Becky Goetsch opposing.

Later in the meeting, GM Westbrook asked for clarification. Direction from the District's Legal Counsel was to revisit this item to clarify the motion and action taken. President Youngblood reopened this item for consideration. After brief discussion, a motion was made by Director Bob Wilson to amend the Board Policies as corrected, with the information listed in error as Section 5 on the handout clarified to apply to Section 9. The motion was 2<sup>nd</sup> by Director Whittaker. The motion carried 7 to 1 with Director Goetsch opposing.

#### **13. Resolution to name signatures for District accounts**

President Sidney Youngblood opened this item and stated that a resolution had been prepared to add Directors Bob Wilson and Chris Whittaker to the Bank signature cards, in place of retiring Directors Ausley and Starnes. After discussion, a motion was made by Director Durwood Tucker to adopt the Resolution. The motion was 2<sup>nd</sup> by Director Bob Wilson. The motion passed unanimously.



**14. Megan's Minutes – Report from Education Coordinator**

Megan Homeyer, District Education Coordinator, presented an update on the Districts Educational Activities. No action was taken.

**15. Adopt Desired Future Conditions for aquifers of the District approved by GMA 12 and GMA 8**

General Manager, Gary Westbrook stated that we needed to formally adopt the DFC's of both GMA 8 and GMA 12. He stated these DFCs had been posted according to the requirements of statute, and this would be the final adoption for this round of Joint Planning as required. After discussion by the Board a motion was made by Director Steven Wise to adopt both sets of DFCs as posted. The motion was 2<sup>nd</sup> by Director Durwood Tucker. Comment was made by Director Chris Whittaker with regard to how often this was reviewed. General Manager Westbrook stated the GMAs are required to adopt DFCs every 5 years, and that we are technically 2 years into the next round of planning already, with the next deadline in 2021. The motion passed unanimously.

**16. Joint planning process and Desired Future Conditions (DFC's), groundwater resources in the District and future process for evaluating District DFC's for Groundwater Management Area 12 (GMA 12) and Groundwater Management Area 8 (GMA 8)**

General Manager, Gary Westbrook advised the Board that there was no formal report at this time.

**17. 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 Manager, Gary Westbrook reported no applications were filed which require a hearing and no emergency permits had been granted.

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

General Manager, Gary Westbrook reported 6 registrations, 4 new applications, 6 completions, 0 plugging, 0 wells inspected since the last meeting.

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

**1. Annual Report from General Manager**

General Manager Gary Westbrook stated that he had emailed the Annual Report to the Directors. He made one correction stating that 20 transducers had been installed instead of the 19 reported. After discussion, a motion was made by Director Tommy Tietjen to adopt the Annual Report. The motion was 2<sup>nd</sup> by Director Becky Goetsch. The motion passed unanimously.

**2. Well Monitoring Network and Water Level Well Monitoring Work**

A report was given by Bobby Bazan stating that 2 of the shallow monitoring wells had been completed and that a 3<sup>rd</sup> one would be completed by the end of this week and that 6 could be complete by the end of next week. He reported the District had sampled 2 wells in the Rockdale area for benzene, with results due back soon.

He reported he and Ralph Sifuentes will begin the annual static well measurements in the next couple of weeks.

**3. GMA 12 Voting Representative**

President Sid Youngblood stated that he is designating General Manager Gary Westbrook to be the District's voting representative on GMA 12.

**4. District Groundwater Conservation Grant Program**

General Manager, Gary Westbrook stated that the Grant packets had been mailed out on January 3, 2018 and that they are due back on Friday, March 9, 2018.

**5. Texas Groundwater Association meeting of January 24-26, 2018**

General Manager, Gary Westbrook stated that he, Bobby and Ralph will attend this meeting.

**6. Texas Alliance of Groundwater Districts meeting of January 29-30, 2018**

General Manager, Gary Westbrook stated that he, Bobby and Megan will attend this meeting. He also stated that Megan one of the leaders in the TAGD groundwater education collaboration.

**18. Remodeling, finishing, and improvements of recently purchased building for use as District office**

General Manager, Gary Westbrook stated that he had received the official letter stating that we are compliant with the TDLR and had satisfied all requirements for the building completion.

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

After discussion by the board, a motion was made by Director Tommy Tietjen to approve payment of bills and accept the financial report. The motion was 2<sup>nd</sup> by Director Steven Wise. The motion passed unanimously.

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

President Youngblood announced the next regularly scheduled meeting would be February 6th, 2018 at 5:30 pm located at the District Office.

**21. Board Training on Gov. Code Section 155**

Board Training on Gov. Code Section 155 was presented by Barbara Boulware, legal counsel for the District.

**22. Adjourn Board Meeting**

President Youngblood adjourned the meeting at 8:40 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON JANUARY 9, 2018 WERE APPROVED AND ADOPTED BY THAT BOARD ON FEBRUARY 6, 2018.

  
Sidney Youngblood, President

Attest:

  
Tommy Tietjen, Secretary/Treasurer

Date 2/6/2018