

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting & Public Hearing
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
September 11, 2018 – 5:30 p.m.

MINUTES

Directors Present

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

Directors Absent

None

Staff Present

Gary Westbrook
Bobby Bazan
Elaine Gerren
Ralph Sifuentes
Doug Box
Jacklyn Robertson
Laurence Lin

Others Present

Barbara Boulware-Wells
Pat Riley
Dan Fisher
Nathan Ausley
Gabriel Ramthum
Jocelyn Ramthum
Kolby Dague
Liz Ferry
Shan Rutherford

Entity

The Knight Law Firm, LLP
Blue Water System
Landowner
Land Owner
Texas 4-H Water Ambassador
Texas 4-H Adult Leader
Texas 4-H Water Ambassador
R.W. Hardin & Associates
Terrill & Waldrop

BOARD MEETING

1. Pledge of Allegiance

President Youngblood brought the meeting to order at 5:30 pm and asked Director Steven Wise to lead the meeting in the pledges to the flags of the United States and Texas, and he did so.

2. Invocation

President Sidney Youngblood asked GM Gary Westbrook to lead the invocation and he did so.

3. Call to Order and establish quorum

The meeting was called to order and a quorum established at 5:34 p.m. by Board President, Sidney Youngblood.

4. Minutes of August 7, 2018

After brief discussion, a motion was made by Director Lee Alford to approve the minutes of the August 7, 2018 board meeting as presented. The motion to approve the board meeting minutes was 2nd by Director Durwood Tucker. The motion carried unanimously.

5. Receive Award of Recognition and Appreciation from Texas 4-H Water Ambassador Program

Gabriel Ramthun and Kolby Dague of the Texas 4-H Water Ambassadors presented a recognition plaque to Board President Sidney Youngblood for the District's Advocate Sponsorship of this program.

6. Introduction of Interns

GM Gary Westbrook introduced the 2 new Interns, Laurence Lin & Jaclyn Robertson. Laurence Lin will be assisting Bobby Bazan with the data entry for the well monitoring network and also with field work. Jaclyn Robertson is a Volunteer Intern and she will assist Doug Box with the District's Educational program so that she may gain knowledge of groundwater and experience in her degree field.

7. Review and discussion of the Post Oak Savannah Aquifer Conservancy Program

A. PACP Ambassador Program

An overview of the POSGCD Aquifer Conservancy Program (PACP) and the PACP Ambassador's program, as well as the progress on the program was given by GM Gary Westbrook. Mr. Westbrook noted that the PACP had been publicly reviewed at both Commissioner's Courts, 4 Board Meetings, and 4 Public Townhall meetings, including the most recent Milam and Burleson Counties Groundwater Summit. He also noted the surveys received to date, and changes made to the program by the Board which had been based on public input. He then asked the Board for any further input on the PACP or the PACP Ambassador's Program, and if there were none, to approve the current draft information to publish and move forward. After discussion by the Board a motion was made by Director Lee Alford to approve the new draft of information and for this information to replace all previous information, and that the District reserves the right to make edits as needed. The motion was 2nd by Director Tommy Teitgen. After further discussion by the Board, President Youngblood invited comment or questions from the public in attendance. Dan Fisher stated that he liked the program and likes the way it is being rolled out. Andy Hovorak asked if the price of water increases during the term of agreement would the payout also increase. The Board stated that this was a good question and that this would be looked at further. Comment was made by Director Steven Wise that this is a budget

driven program. President Youngblood then called for a vote on the motion. The motion passed unanimously.

B. Early Interest & Response

GM Gary Westbrook reported that the PACP had been well received at both TWCA and TAGD meetings, and that legislators he had spoken with also remained supportive of the program. He then noted that approximately 100 landowners had responded to the program with a total of approximately 15,000 Acres.

8. Review and action on Application to Dispose of Oil and Gas Waste by Injection, number 1186984, filed by Wildhorse Resources Management Company, LLC

GM Gary Westbrook asked for an update from Barbra Boulware with Knight & Partners, LLC. Mrs. Boulware stated that she was preparing closing statements. Once the closing statements are finished the applicant will have 1 week for response and then we will wait for a decision.

9. Asset Retirement

GM Gary Westbrook advised the Board that 5 chairs that are broken needed to be replaced. Replacement have been purchased and the chairs were donated to the Milano VFD Auxiliary.

10. Cause Number 18-002181-CV-272; Post Oak Savannah Groundwater Conservation District, by and through Texas Municipal League Intergovernmental Risk Pool as Subrogee v. Christy Nasha Jones; in the 272nd Judicial Court of Brazos County, Texas

GM Gary Westbrook advised the Board that TML had filed suit against Ms. Jones, an uninsured motorist, for her involvement in the automobile wreck in late 2016 involving the District pickup. He advised the Board that nothing is required of us at this time.

11. Community Outreach

GM Westbrook advised the Board that the first Community Outreach Committee had been on April 24, 2018 and advised them that he has scheduled the next on Tuesday, October 23rd. Board members shared ideas for increasing public participation.

12. Report from Board Members and Staff in attendance at the Texas Groundwater Summit of August 28-30, 2018

President Sidney Youngblood gave an overview of the conference and noted the respect from others which the District and its staff enjoyed at the conference. He asked for comment from the other Directors. Director Becky Goetsch said she was impressed with the conservation opportunities and opportunity to learn from other GCDs. She also stated that she was glad to get to see the Wellntell booth and understand more about this process. Director Chris Whittaker stated that the entire conference was very enlightening and informative, and discussed the opportunities for education, including permitting, management zones, sessions on staff and board training, and recommended the District consider development of an App for water conservation. GM Westbrook thanked the past and present Board for the support necessary to gain and maintain the respect of others, and advised the Board that staff member Bobby Bazan was part of the Summit planning committee.

13. Board Dashboard, Committee Updates on task for 2018, and Projected Task for 2019

GM Westbrook reviewed all committees and their progress to date for 2018. President Youngblood then charged each committee chair to begin consideration of work to be carried forward into 2019.

14. Cast Ballot for Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

GM Gary Westbrook stated that there were 4 places on the Ballot. He stated that Director Bob Wilson was up for one of the places. He asked the Board for direction on the other 3 places. After discussion by the Board a motion was made by Director Chris Whittaker to vote for Director Wilson for Place 12 and for GM Gary Westbrook to review the other places and to choose a candidate. The vote was 2nd by Director Jay Wilder. The vote carried unanimously.

15. Well Monitoring Network and Water Level Well Monitoring Work

A. Work with Deanville WSC on Water level monitoring

Bobby Bazan provided an update on this situation. He stated that he will acquire another reading on the Deanville Well later this week and that installation of real-time water level monitoring devices will be achieved by the end of the week.

B. Update on availability of public interface for monitoring information.

Bobby Bazan update the Board on the progress with the public interface and stated that Laurence Lin will be adding well information to get all records into the system and correct any mis-information.

C. Well Educated Water Quality Testing Program

Bobby Bazan updated the Board on the process of the water testing kits that were given out at the Summit and stated that Burleson County results meeting had been completed on earlier in the day, Tuesday, and that the Milam County results meeting would be on Wednesday, September 12, at the District Offices.

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

GM Westbrook noted that the next meetings for GMA 8 or GMA 12 have been scheduled yet.

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

GM 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

GM Gary Westbrook reported 8 registrations, 6 new applications, 4 completions, 0 plugging, 0 wells inspected since the last meeting.

C. Recent and future District presentations and activities

1. Texas Water Conservation Association Interim Groundwater Committee

GM Westbrook reported he had attended the initial meeting of this committee Friday, September 7, 2018 in Austin. He then reviewed the information discussed at that meeting, and noted he would sign up for several of the subcommittees later this week. He also reminded he would discuss issues with the Legislative Committee as necessary.

2. Milam and Burleson Counties Groundwater Summit of August 15, 2018

GM Gary Westbrook stated that presentations from the Summit were now available on the District's website.

3. Update on work by Halff and Associates with regard to automated assignment of permit numbers

GM Westbrook advised the Board that some permits have multiple wells assigned to them and with the new database now in use, there may be a need to assign each well its own number. He noted that even though this is an administrative action and requires no action by the Board, he felt the need to report this item for complete transparency as some of the permits which might be affected were high profile.

4. Recent work by Brazos Region Water Planning Group with respect to Little River Off Channel Reservoir

GM Westbrook reported that the Little River Off Channel Reservoir had been removed as a recommended strategy for Region G for the next round of regional planning which will result in the plan adopted in 2021.

5. Local Water Utility Workshop of October 25, 2018

GM Gary Westbrook stated that the Local Water Utility Workshop would be at the District Office on October 25, 2018 and that this was always a well-attended workshop.

6. Recent Activities concerning Wildhorse Resources Management Company, LLC use of permitted water.

GM Gary Westbrook reviewed the situation, and stated that this had been discussed in the Advisory Committee meeting and the committee stated that even though this had been corrected, the rules of the District had been violated due to the well being permitted for Frac use and not for irrigation, and that the committee recommended a fine to be assessed. GM Gary Westbrook stated that he would get with the District Legal Counsel to review the District's Rules for this infraction and proceed.

7. Milam County Farm Bureau Annual Meeting of September 17, 2018

GM Gary Westbrook stated that the District had been invited to attend and that Staff will be there should there be any questions on the POSGCD Aquifer Conservancy Program.

8. Burleson County Farm Bureau Annual Meeting of October 9, 2018

GM Gary Westbrook stated that the District had been invited to attend and that Staff will be there should there be any questions on the POSGCD Aquifer Conservancy Program.

9. District Rainwater Harvesting Classes of October 9, 2018

GM Gary Westbrook reported that the next rainwater harvesting class will be on October 9, 2018 at the District Offices.

10. 2018 Water Wise Report

GM Gary Westbrook stated that this report is posted on the Website in electronic form and copies were also distributed to the Board.

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

After discussion by the board, a motion was made by Director Jay Wilder to approve payment of bills and accept the financial report. The motion was 2nd by Director Tommy Tietjen. The motion passed unanimously.

19. Public Comment

President Youngblood invited public comment.

Public Comment was heard from Andy Hovorak with concern as to why the Zboril Frac pond could not have been treated in lieu of the water being pumped out on the ground? He also asked what are the option for recycling frack water.

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

The next scheduled meeting will be on October 9, 2018 at the District Office @ 5:30 pm GM Gary Westbrook commented about the appreciation letter from Barney Knight, Legal Counsel for the District.

21. Adjourn Board Meeting

President Youngblood adjourned the meeting at 7:52 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON SEPTEMBER 11, 2018 WERE APPROVED AND ADOPTED BY THAT BOARD ON OCTOBER 2ND, 2018.

Sidney Youngblood, President

Attest:

Tommy Tietjen, Secretary/Treasurer

Date _____