

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
July 2, 2019 – 5:30 p.m.

MINUTES

Directors Present

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

Directors Absent

Jay Wilder
Ed Savage

Staff Present

Gary Westbrook
Bobby Bazan
Elaine Gerren
Ralph Sifuentes
Doug Box

Others Present

<u>Others Present</u>	<u>Entity</u>
Gabbo Goetsch	Landowner
Pat Reilly	Blue Water System
Ross Cummings	Blue Water Systems
Barbara Boulware-Wells	The Knight Law Firm, LLP
Jaelyn Robertson	Self
Judith McGeary	Self
Blaire Parker	SAWS
Curtis Chubb	Self
Shan Rutherford	Terrill & Waldrop
James Bene	Harden & Assoc
Amy Jurica Hinnant	Burleson County Land Owner
Nathan Ausley	Landowner
Patty Miller	Self

BOARD MEETING

1. Pledge of Allegiance

President Sidney Youngblood asked Ralph Sifuentes to lead the pledges to the flags of the United States and Texas and he did so.

2. Invocation

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

3. Call to Order and establish quorum

The board meeting was called to order and a quorum established at 5:38 p.m. by President Sidney Youngblood.

4. Peer Review Process for Technical Support

GM Westbrook reviewed the Peer Review Process for Technical Support document, and noted it had been reviewed and recommended by the Rules Committee. After discussion by the Board a motion was made by Director Chris Whittaker to adopt the Peer Review Process for Technical Support document as presented and recommended. The motion was 2nd Director Tommy Tietjen. President Youngblood asked for public comment on the recommended document. Judith McGeary stated support of the process and document, but recommended removing the word “independent” from the document since the review will be performed within the same company. Curtis Chubb questioned the point of keeping the review within the same company. After further discussion by the Board, the motion carried unanimously.

5. Consider Rules tabled and any modifications suggested by Rules Committee:

- a. Substantive Changes to the Rules to be considered include: Rule 1.1, Definitions and Concepts; Rule 4.2, Exceptions to Spacing Requirements; Rule 7.1, General Permit; Rule 7.4, Applications; Rule 7.5, Notices/Hearing; Rule 7.10, Exempt Well Status; Rule 7.12, Drilling Permit; Rule 7.13, Drilling/Altering Well; Rule 7.15, Operating Permits; Rule 7.16, Operating Permit; Rule 7.18, Hydraulic Fracturing; Rule 9.8, Accounting Fee; Rule 12, Well Location; Rule 14.2, Hearing Notice; Rule 14.5, Contested Case Hearing; Rule 16.2, Management Zones; 16.3, Monitoring; Rule 16.4, Actions and Rule 16.6, Adjusting.**
- Director Becky Goetsch presented a brief review of the process the Rules Committee had undertaken since the public hearing held on June 6, 2019. An overview of the recommended changes to the substantive amendments based on comments received at the public hearings as well as recommendations from District staff was given by GM Gary Westbrook. President Youngblood congratulated the Chair and members of the Rules Committee for all the effort and work which had gone into development of the recommendations. He further encouraged the Chair and members of the Rules Committee to continue to meet and work on the Rules moving forward through both workshops and committee meetings. After discussion by the Board, supported by comments from the District’s General Counsel, a motion was made by Director Tommy Tietjen to adopt the recommended changes to the substantive amendments to the Draft Rules as presented. The motion was 2nd by Director Chris Whittaker. The motion carried unanimously.

- b. Non-Substantive Changes within the Rules above are considered to clarify counting of days, Rule references, improve the Rule's clarity; and reletter or renumber Rule text, and grammatical changes.**

A review of the recommended changes to the non-substantive amendments to the Rules based on

comments received at the public hearing as well as recommendations from District staff, were given by GM Gary Westbrook. After discussion by the Board a motion was made by Director Tommy Tietjen to adopt the changes to the non-substantive amendments as recommended. The motion was 2nd by Director Becky Goetsch. The motion carried unanimously.

Director Steven Wise noted that the rules have and will continue to be re-visited as there will always be changes that need to be made. After further discussion by the Board a motion was made by Director Bob Wilson to adopt the entire package of recommended substantive and non-substantive amendments to the Rules. The motion was 2nd by Director Tommy Tietjen. The motion carried unanimously.

6. Minutes of June 6, 2019 Board Meeting

After brief discussion a motion was made by Director Durwood Tucker to approve the minutes of the June 6, 2019. The motion was 2nd by Director Becky Goetsch. The motion carried unanimously

7. Update on Water Level Monitoring Work and areas of focus

a. 22 Hills

GM Gary Westbrook reported that we continue to work on this area. Bobby Bazan Water Resource Manager presented information on water levels in monitoring wells in the area and reported that we are still evaluating the changes and that this will be brought back to the DFC Committee.

b. Deanville WSC

Bobby Bazan Water Resource Manager presented information on water levels in monitoring wells in the area and reported that we have not identified the cause of the decline in water levels from early 2018. Per direction from the Board, Bobby will check on the cost to drill a monitoring well close to this well to obtain better data on the activity in this area.

c. FM 908/Blackjack

Bobby Bazan Water Resource Manager reported that there is no new update on this area due to limited access to the well. GM Westbrook noted that we also have no recorded history on the well and this may take some time to evaluate.

8. Board Dashboard, Committee Reports and Recommendations

Board President acknowledged the newly appointed Burleson County Judge, Keith Schroeder and thanked him for his attendance at this meeting and asked for updates from the Committees. There were no updates and no action was taken.

9. Aquifer Conservancy Program Update

a. Ambassador Website assistance

b. Effective Dates June 1- August 31

c. Public sign-up preferences

d. Response to recent mailout/newsletter

GM Westbrook requested to open Items 9 & 10 together. He then reviewed the District's website resources which are available to Ambassadors of the Aquifer Conservancy Program. He also reminded that the Aquifer Conservancy Program went live on June 1, 2019, and landowners could sign up online on the District Website or come in to the District offices and make use of a stand alone computer to sign up during office hours with assistance from the District's staff.

He noted the effective dates for the Sign-Up incentive will be from June 1, 2019 – August 31, 2019.

Education Coordinator Doug Box stated that the 9000-piece mailout on the ACP had been mailed last week, and that District staff would begin a series of appearances at different locations in the two counties to assist landowners with signing up for the program. He posted and handed out the locations with dates and times which had been selected to date. He then gave an overview of the response so far to the ACP and the preferred sign up preferences, noting that 98 % of participants chose the 20 year term. Doug stated that he had given a program at the Chrismas Center and that he has scheduled for 4 places to go and do a meet and greet to try and get information on the ACP out. No action was taken.

10. Review of Recent Education Efforts and Activities

Mr. Box next reviewed a handout containing information on use of the District's website, as well as recent education activities.

11. Consider closing District Office July 5, 2019

After discussion by the Board a motion was made by Director Lee Alford to approve closing the District offices on the Friday after the 4th of July Holiday with the Staff taking a personal day for the day off. The motion was 2nd by Director Bob Wilson. After discussion by the Board, the motion passed with 6 voting in favor, and to 2 against. Directors Chris Whittaker and Tommy Tietjen voted against.

12. 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 (GMA12) and Groundwater management Area 8 (GMA8)

GM Gary Westbrook stated that the next GMA 8 meeting will be on July 26th at Cleburne and that the Next GMA 12 meeting will be on August 2, 2019 at the district offices. No further action was taken.

13. 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

1 Emergency Permits application was filed, but not approved. No applications were complete which require hearings.

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

There were 34 wells registered, 12 new well applications, 10 wells completed, 1 wells plugged and 2 well inspection.

C. Recent and future District presentations and activities

1. Legislative Update

GM Westbrook briefly discussed the legislative bills that passed and how the session affected the District. The district employees will now have to attend Cyber Training if over 25% of their job requires computer interaction. This will include all of our employees. HB 1806, discussed during public comment at the June 6 Board meeting was vetoed by the Governor. There had been concern this bill, which would have allowed San Antonio Water Systems to sell water produced from the Edwards Aquifer into neighboring counties, would have an affect on the amount of water produced from the Carrizo-Wilcox Aquifers under the Vista Ridge permits. Although this was not necessarily the case, the bill was vetoed.

The Texas Water Development Board was successful in their request for funding from the legislature to hire additional employees which will improve the science available to groundwater conservation districts.

No action was taken.

2. Conference Call with Director of Water Resources, State of Mississippi Department of Environmental Quality

Bobby Bazan Water Resource Manager had a conference call with the Director of Water Resources, State of Mississippi Department of Environmental Quality and Drew Gholson to obtain information on the District's use of the Well Intell Monitoring Program.

3. Texas Alliance of Groundwater Districts Meeting of June 3-4, 2019

GM Gary Westbrook stated that he, Bobby Bazan and Doug Box attended this meeting, and gave a brief summary of the events.

4. Texas Aquifer Conference of June 12-13, 2019

GM Gary Westbrook stated that he and Mr. Bazan attended this conference, and he discussed comments on GCDs made by Chairman Charles Perry, and a presentation given Dr. Robert Mace on groundwater-surface water interaction.

5. Texas Water Conservation Association Conference of June 19-21, 2019

GM Gary Westbrook noted that he attended this conference and served as a Director of TWCA representing the TWCA Groundwater Panel. He then briefly reviewed some of the presentations given there.

6. Region G Meeting of July 10, 2019

GM Gary Westbrook stated that he planned to attend this meeting.

7. Discussion of conjunctive use with Brazos River Authority

GM Westbrook noted he believed pressure on groundwater resources would continue to grow as the population of Texas continues to grow. He noted that after recent discussions with legislators and water professionals, he believed conjunctive use of groundwater and surface water to compliment each other, thereby improving efficiency of use and conservation of both, would be one of the next areas of focus in development of water policies and law in this State. He stated he would meet with officials of the Brazos River Authority to discuss this issue, as well as use of surface water to recharge aquifers in the District.

8. Southern Region Water Conference of July 23-25, 2019

GM Gary Westbrook stated that he will be attending this conference along with Bobby Bazan, Doug Box, Jaclyn Robertson and 4 directors that have signed up

9. Milam and Burleson Counties Groundwater Summit of August 14, 2014

GM Gary Westbrook stated that the onscreen lineup was complete.

10. Texas Groundwater Summit of August 20-22, 2019

GM Westbrook stated that he, Bobby Bazan, Doug Box, Ralph Sifuentes, Jaclyn Robertson and several Directors will attend this summit.

11. Update on District Website transparency concerning Coal Combustion Residual Regulations

Mr. Box reviewed the District's website which now includes a page dedicated to all applicable information on this topic so the Board and members of the public can be

appropriately informed. Mr. Box showed links to the regulations and requirements of the Texas Commission on Environmental Quality and the Environmental Protection Agency, as well as a link to the Luminant website. All of this information can be located under the “News” tab in the menu near the top of the page.

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

After review and discussion of the financial report and status by the board, a motion was made by Director Bob Wilson to approve payment of bills and accept the financial report. The motion was 2nd by Director Tommy Tietjen. The motion passed unanimously. GM Westbrook then noted that both he and Director Wise had recently completed the required training to be compliant with requirements to serve as the District’s Financial Officers.

15. Public Comment

President Sidney Youngblood invited public comment. No public comment was offered.

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

The next scheduled regular meeting will be on August 6, 2019 at the District Office at 5:30 pm.

20. Adjourn Board Meeting

President Sidney Youngblood adjourned the meeting at 7:12 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON JULY 2, 2019 WERE APPROVED AND ADOPTED BY THAT BOARD ON AUGUST 6, 2019.

Sidney Youngblood, President

Attest:

Tommy Tietjen, Secretary/Treasurer

Date _____