

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
December 3, 2019 – 5:30 p.m.

MINUTES

Directors Present

Durwood Tucker
Lee Alford
Becky Goetsch
Sidney Youngblood
Jay Wilder
Tommy Tietjen
Ed Savage
Steven Wise

Directors Absent

Chris Whittaker
Bob Wilson

Staff Present

Gary Westbrook
Bobby Bazan
Elaine Gerren
Ralph Sifuentes
Doug Box

Others Present

Barbara Boulware-Wells
Blaire Parker
Shan Rutherford
Scott Carlson
Judith McGeary
Curtis Chubb
Fred Russell
Steve Young
Nathan Ausley
Ross Cummings
Jarden Hudspith
Mike Robin
Dan Fischer
Andy Hovarak
Bill Graham

Entity

The Knight Law Firm, LLP
SAWS
Terrill & Waldrop
Metropolitan Water
Landowner
Central Texas Aquifer Coalition
Landowner
Intera
Landowner
Blue Water
KMIL
R.W. Harden
Landowner
Landowner
Landowner

Board Meeting

1. Pledge of Allegiance

President Sidney Youngblood asked GM Gary Westbrook to lead the pledges to the flags of the United States and Texas and he did so.

2. Invocation

President Sidney Youngblood asked Dan Fischer to lead the invocation and he did so.

3. Call to Order and establish quorum

The board meeting was called to order at 5:45 p.m. by President Sidney Youngblood.

4. Public Comment

Fred Russell commented on Items # 8, 9, & 15 stating that he had submitted questions to be answered and that he had received no response. Judith McGeary requested to speak during Item # 8 and Curtis Chubb asked to speak during Item # 9.

5. Minutes of November 5, 2019 Board Meeting

After discussion by the Board a motion was made by Director Jay Wilder to approve the minutes of the November 5, 2019 Board Meeting. The motion was 2nd by Director Ed Savage. The motion passed unanimously.

6. Amend District 2019 Budget

GM Gary Westbrook presented an overview of the 2019 budget and budget items to be amended, with some items to be encumbered into the next year. After discussion by the Board a motion was made by Director Jay Wilder to approve the amendments to the 2019 Budget as presented. The motion was 2nd by Director Tommy Tietjen. The motion passed unanimously.

7. Adopt Texas Counties and Districts Retirement System rate for 2020 of 3.59%

GM Gary Westbrook stated that the rate changes yearly and we need Board approval to set the new rate. After Discussion by the Board a motion was made by Director Steven Wise to adopt the TCDRS rate for 2020 of 3.59%. The motion was 2nd by Director Tommy Tietjen. The motion passed unanimously.

8. Response to comments received from public to Staff and or/Board, during public meetings

GM Gary Westbrook gave an overview of questions and comments received by the District, and responses on behalf of the District to those comments and questions. He noted the responses would be posted on the District's website and a handout of the responses to questions was made available. Fred Russell stated concern that the District is over permitted according to the MAG. Judith McGeary addressed the Board concerning the District charges for public information and that there should be an independent Hydrologist to overview the permitting. Curtis Chubb noted that he learned House Bill 2840 allows for public comment at any time during the meeting. No further comments were received.

9. Response to inquiries to overcharges to citizens for public information

GM Gary Westbrook stated that as advised by the Board he went back 2 years on any charges for Public Information Request. No request involving over charges were found. He then went back to the beginning of the District and found 2 instances in 2013 where citizens were charged more than the

rules of the Attorney General allowed. He stated he had ordered checks to be issued to these two landowners for the overcharges in the amounts of \$4 and \$28. He asked the Board to approve this action and issue the checks. Board President Youngblood stated he had already delivered the checks to the landowners as they were present at the meeting. Curtis Chubb stated that he did not know that the Public Information Act (PIA) dealt with charges. He then asked about the PIA rule concerning over charges and the applicant receiving three times the amount of the over charge as reimbursement. Judith McGeary asked how many instances had occurred where citizens did not take the information, they had requested due to the charges. GM Westbrook stated there had been only one instance. Fred Russell asked what compensation would be given to those that did not get their information by being deterred by the charges. No further action was taken

10. Update on recessed hearings of October 3, 2019

President Sidney Youngblood asked for an update from the Districts Legal Counsel, Barbara Boulware-Wells, Knight Law Firm. She stated that she had received the executed contract back today and all paperwork had been confirmed. She is waiting on SOAH to contact her regarding a date for the Hearing and will advise staff at that time. No further action was taken.

11. Discussion and possible action to amend Board Policies and dates of monthly Board meetings.

GM Gary Westbrook stated that he would like the Board to consider amending the Board Policies to change the regular Board Meeting date back to the 2nd Tuesday of the month. He stated that the date was previously changed to accommodate schedules of our consultants. The commitments for the consultants have changed and would allow us to go back to the 2nd Tuesday of the month. After discussion by the Board a motion was made by Director Ed Savage to amend the Board Policies to reflect the Board meetings to be moved back to the 2nd Tuesday of each month. The motion was 2nd by Director Steven Wise. The motion carried unanimously.

12. Request from Southwest Milam WSC to amend scope of work, application, and contract for 2019 Groundwater Conservation Grant

GM Gary Westbrook advised the Board that the Grant Committee had met prior to the Board Meeting and that their recommendation was to approve the request with the stipulations that the additional work outlined in the request was for the same purpose as the original application, the amount of the District's commitment will not increase, and the amount SWMWSC will expend will not decrease. After discussion by the Board a motion was made by Director Lee Alford to approve the request from Southwest Milam WSC to amend scope of work, application, and contract for 2019 Groundwater Conservation Grant as stated by GM Westbrook. The motion was 2nd by Director Durwood Tucker. The motion carried unanimously.

13. Board Dashboard, Committee Reports

President Youngblood asked for updates to the Dashboard. He then stated that there were no new updates for the Advisory Committee. The Building Committee verified winterization of the building. Director Steven Wise stated he would give a report from the DFC Committee on the next agenda item. Director Alford advised the Grant Committee had met to consider the request from Southwest Milam WSC for the amendment to the 2019 Grant, and the 2020 Grant Packets will be mailed out after the first of January. President Sidney Youngblood advised the Board he believed the purpose of the Community Outreach Committee had been fulfilled and other educational efforts by the District had recently been more successful in accomplishing opportunities for public interaction with the District. He then stated that due to lack of participation from the public he intended to dissolve the Community Outreach Committee. He asked if any directors disagreed. There was no discussion offered. No action was taken.

14. Report from DFC Committee on District Monitoring Network and monitoring results

Director Steven Wise stated that the DFC Committee had reviewed three issues earlier this day in a workshop, and he gave an update on each. First, they had reviewed the Draft Groundwater Well Assistance Program Annual Needs Assessment. He noted it is near completion. Second, they discussed progress to date in monitoring and understanding the recent water level changes in the Deenville area, as well as ongoing efforts to add additional monitoring wells and devices in the area. Lastly, they had discussed options for consideration of DFCs in the current round of GMA 12 planning, and he reported the committee will meet again soon to discuss options to bring back to the full Board to deliberate and upon which to take action. Director Wise then invited Bobby Bazan, Water Resource Management Specialist to provide an update and a yearend review on monitoring. No action was taken.

15. Aquifer Conservancy Program ACP update

GM Gary Westbrook stated that more than 37,000 acres and more than 500 parcels are enrolled in the program. GM Westbrook stated that all information is still being compiled and we should have an accurate count closer to year end as verifications were continuing. The sign-up period for 2020 will be April through October. No action was taken.

16. Review of Recent Educational Efforts and Activities

Educational Coordinator Doug Box presented a report on the recent educational efforts and activities. He stated that we had just had a rainwater harvesting class and that Bobby Bazan had attended the Burleson County Safety Day. He gave an update on the internet and stated that it is close to completion. No action was taken.

17. 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 Westbrook provided a brief update on the recent GMA 8 meeting. Then he and Director Wise reported on the recent GMA 12 meeting. They noted hesitancy for some of the districts in GMA 12 to adopt more conservative DFCs and noted differences in the new model as part of the issue.

18. 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 Westbrook stated that no emergency permits had been issued.

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

There were 3 wells registered, 13 new well applications, 19 wells completed, 1 well plugged and no formal well inspections.

C. Recent and future District presentations and activities

1. Presentation to Burleson County Commissioner's Court November 12, 2019

GM Gary Westbrook stated that he had given his annual report on the District to the Burleson County Commissioner's Court November 12, 2019

2. Brazos G Regional Water Planning Group Meeting of November 20, 2019

GM Gary Westbrook gave a brief overview of this meeting.

3. Discussion of Groundwater with staff members of Senator Charles Schwertner

GM Gary Westbrook reported that we had hosted staff members of Senator Charles Schwertner office to discuss groundwater. He stated that the meeting was very beneficial and informative for both the District and the Senator’s staff. He also passed around the thank you note from the Senator’s staff for review.

19. 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 Jay Wilder to approve payment of bills and accept the financial report. The motion was 2nd by Director Tommy Tietjen. The motion passed unanimously.

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

The next scheduled regular meeting will be on January 14 at the District Office at 5:30 pm.

19. Adjourn Board Meeting

A motion was made by Director Lee Alford to adjourn the meeting. The motion was 2nd by Director Jay Wilder. President Sidney Youngblood adjourned the meeting at 7:00 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON DECEMBER 3, 2019 WERE APPROVED AND ADOPTED BY THAT BOARD ON JANUARY 14, 2020.

Sidney Youngblood, President

Attest:

Tommy Tietjen, Secretary/Treasurer

Date_____