

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT**  
**Board of Directors Meeting**  
**POSGCD District Offices**  
**310 East Avenue C**  
**Milano, TX 76556**  
**September 8, 2020 – 5:30 p.m.**

**MINUTES**

**Directors Present**

Sidney Youngblood- in person  
Lee Alford- in person  
Becky Goetsch- in person  
Steven Wise- via online  
Dana McClaren- via phone  
Bob Wilson- via online  
Tommy Tietjen- via online  
Ed Savage- via phone  
Jay Wilder- via phone  
Ward Roddam at 5:56 pm – via phone

**Directors Absent**

None

**Staff Present**

Gary Westbrook- in person  
Doug Box- in person  
Bobby Bazan- via online  
Elaine Gerren- via online

**Others Present**

Steve Young - via online  
Liz Ferry – via online  
Linda Curtis – via online  
Amy Hinnant -via online  
Shan Rutherford - via online  
Paul Terrill  
James Bene` - via online  
Barbara Boulware-Wells - via online  
Ross Cummings -via online  
Andy Wier – via online  
Jacklyn Robertson - via online

**Entity**

Intera  
  
League of Independent Voters  
Burleson County Landowner  
Terrell Law Firm  
Blue Water Systems  
  
The Knight Law Firm, LLP  
Blue Water  
  
Texas A&M AgriLife

## **Board Meeting**

President Youngblood welcomed everyone and thanked them for their attendance. He stated the meeting was being recorded and the recording would be available on the District's website.

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

Becky Goetsch led the pledges to the flags of the United States and Texas.

### **2. Invocation**

Sidney Youghblood gave the invocation.

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

The board meeting was called to order at 5:38 p.m. by President Sidney Youngblood. He proceeded to call the roll of the Board and he declared a quorum had been established, with directors verified by general counsel and staff to be in attendance either in person, by telephone or online.

### **4. Oath of Office for Appointed Board Member**

President Sidney Youngblood welcomed Ward Roddam as the new Board member appointed to the Board by the Milam County Commissioners Court to represent municipal interests. President Sidney Youngblood stated that Mr. Roddam was officially sworn in and is anxious to get started.

### **5. Public Comment**

President Youngblood invited public comment. Linda Curtis asked to speak on behalf of the League of Independent Voters. She thanked the District once again for getting to the bottom of the water discharged by the Vista Ridge/SAWS project. She expects Post Oak to protect all water users. She does not believe anyone intends to do harm on purpose. Her full written comments were provided after the meeting and are posted on the District website.

### **6. Minutes of August 11, 2020 Board Meeting**

After brief discussion, a motion was made by Director Lee Alford to approve the minutes of August 11. The motion was 2<sup>nd</sup> by Director Tommy Tietjen. The motion passed unanimously.

### **7. Wrap-up for 2020 Enrollment in Aquifer Conservancy Program**

GM Westbrook stated that August 31, 2020 was the close for enrollment in the Aquifer Conservancy Program (ACP) FOR 2020 to qualify for the enrollment incentive. He stated this year the District had received applications for 94 parcels covering 6537 acres by that date. He stated these applications would give the District an updated total of between 44,000 and 45,000 acres total. President Youngblood expressed appreciation to the landowners who applied and to District staff for their efforts in working so diligently to successfully close out this year's campaign.

### **8. Update from District Hydrologist in Vista Ridge production and changes in water levels**

Dr. Steve Young with Intera gave a presentation on Vista Ridge production in the Carrizo and Simsboro aquifers since December 2019, and changes in water levels in aquifers documented by the District over that same period of time. He noted that Vista Ridge has 18 Wells in production, with 9 in the Carrizo and 9 in the Simsboro, with approximately 70% of the pumping coming from the Simsboro Aquifer. GM Gary Westbrook stated that he had confirmation Ward Roddam had joined the meeting at 5:56 p.m. Dr. Young summarized there had been no surprises in changes in water levels and all results were about the same or less than predicted by the groundwater availability model (GAM). GM Gary Westbrook reminded all that this presentation is on the website. Dr. Young noted there will be additional information coming from Vista Ridge which will help in more thorough evaluations and he stated that it will take another 3-4 months to have a more full understanding of the impacts to the aquifers.

**9. Update on current process of adoption of Desired Future Conditions for aquifers in the District in Groundwater Management Area 12 and Groundwater Management Area 8**

GM Gary Westbrook stated that GMA 8 is scheduling their next meeting for mid to late October. GMA 12 just had their last meeting July 24 and the next meeting is scheduled for September 18<sup>th</sup>. The GMA is discussing the 9 factors in Chapter 36.108(d) that the GMA are required to discuss, and the next two to be covered September 18 are property rights and environmental impacts. He also stated GMA 12 had submitted information to the Texas Water Development Board to update the GAM, and GMA 12 would be considering DFC runs using the updated GAM at the meeting. He encouraged all to attend virtually and stated the agenda is on the District's website.

**10. Report on recent activities of groundwater level monitoring from Water Resource Management Specialist**

A presentation was given by Bobby Bazan, Water Resource Manager, with updates on the monitoring network. Bobby Bazan stated the fall measurement campaign has begun and that we will collect water level measurements from all monitoring wells this month thru October. We have added 6 additional Monitoring wells for a total of 241 active wells. He also discussed recent work by staff and Intera to verify information on the District's monitor wells. He reminded that the District endeavors to provide transparency and clarity and to communicate and coordinate efficiency through streamlined datasets. We also noted the ability for the public to access large amounts of information from numerous wells on the District's website.

**11. Review of Recent Education Efforts and Activities**

Education Coordinator Doug Box provided an update on the District's educational efforts. He stated that we have been busy with the ACP this month. There was also quite a bit of activity on the Website during this month due to the ACP sign up and COVID. We are working with a new company to send out the water conservation packets to the schools.

**12. Discuss and Consider Action on Chapter 11 Bankruptcy notices concerning Chesapeake Energy Corporation**

District General Counsel, Barbara Boulware-Wells, advised the Board on this and stated she is monitoring progress. The court will advise the District on next steps. Director Wise asked if these are fees for permits issued. GM Westbrook stated that some fees are for frac permits. Ms. Boulware-Wells advised to take no action and wait for the bankruptcy court to take action, since any action by the District could change the District's standing. President Youngblood asked if there was any other oil and gas companies that we have exposure to? GM Gary Westbrook stated no that we did not have any other, and there are no other producers that are in arrears to that extent.

**13. Executive Session- The Board will convene into Executive Session pursuant to Section 551.071, Texas Government Code and 1.05 Texas Disciplinary Code to consult with Legal Counsel on the following:**

- a. **Consider enforcement actions due to violation of District Rules in waste of groundwater**  
President Youngblood convened the Board into Executive Session at 6:30 p.m. and stated no action will be taken in Executive Session.

**14. Reconvene into Open Session- The Board will reconvene into Open Session to take any action deemed necessary and desired, if any, concerning matters discussed in Executive Session:**

- a. **Consider enforcement actions due to violation of District Rules in waste of groundwater**  
President Youngblood reconvened the Board into open session at 7:07 p.m. He noted that no action had been taken in Executive Session. He stated the District had issued two requests for information and responses will be collected and discussed at a future meeting.

**15. Update and status of discharge of water by San Antonio Water Systems into Mud Creek**

GM Westbrook stated we have received, and posted to the website, a response to request for the amounts of water discharged by SAWS into Mud Creek. He also stated he had written requests for information from SAWS and from TCEQ, and those requests and all correspondence for this issue are current on our website at <https://posgcd.org/vista-ridge-discharge/>

**16. 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 stated that there were no applications received which require a hearing and no emergency applications granted.

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

GM Westbrook stated that there were 16 registrations, 5 new applications, 0 well completions, 0 wells plugged, and 2 well inspection.

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

1. GM Westbrook stated that the Texas Alliance of Groundwater Districts (TAGD) Groundwater virtual Summit of September 1- 3 was successful and very informative. District staff participated and observed each session. He thanked Directors who had attended and stated for other Directors there would also be recordings available of the sessions if any of the Board Members would like to view those.

**2. Office staffing, protection of staff and public, social distancing**

GM Gary Westbrook stated that staff is still social distancing and that we continue to service the public with continuing to maintain social distancing guidelines while alternating staff in the office, as well as working remotely.

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

After discussion by the Board, a motion was made by Director Lee Alford to approve the bills and current financial statement. The motion was 2<sup>nd</sup> by Director Jay Wilder. The motion passed unanimously.

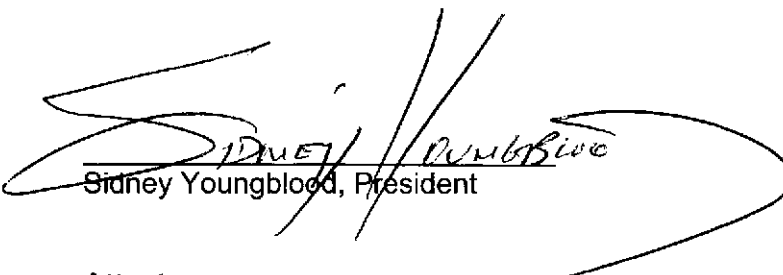
**18. Dates, locations, and times of future meetings**

The next meeting will be October 13, 2020 @ 5:30 at the District Offices and held virtually.

**19. Adjourn Board Meeting**

A motion was made by Director Lee Alford to adjourn the meeting at 7:14 p.m.

**THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON SEPTEMBER 8, 2020 WERE APPROVED AND ADOPTED BY THAT BOARD ON OCTOBER 13, 2020.**

  
Sidney Youngblood, President

**Attest:**

  
Gary Westbrook, Assistant Board Secretary

Date 10-13-20