

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Public Hearing & Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
January 12, 2021 – 5:30 p.m.

MINUTES

Directors Present

Sidney Youngblood-in person
Lee Alford-in person
Becky Goetsch-in person
Steven Wise-in person
Dana McClaren-in person
Bob Wilson-in person
Tommy Tietjen-in person
Ed Savage- via online
Ward Roddam-via online
Jay Wilder-in person

Directors Absent

None

Staff Present

Gary Westbrook- in person
Doug Box- in person
Bobby Bazan – via online
Jordan Aldridge – via online
Craig Andrews – via online
Elaine Gerren - via online

Others Present

Steve Young- in person
Barbara Boulware-Wells- in person
Others via online or telephone
Jaclyn Robertson
Liz Ferry
James Bene`
Ross Cummings
Shan Rutherford
Blair Parker
Amy Hinnant
Judith McGeary
Alan Day
Dan Fisher

Entity

Intera
The Knight Law Firm, LLP

TAMU AgriLife
R.W. Harden & Associates
R.W. Harden & Associates
Blue Water
Terrell & Waldrop
SAWS
Burleson County Citizen
Milam County Landowner
Brazos Valley GCD
Milam County Landowner

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

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

2. Invocation

Director Steven Wise gave the invocation.

3. Call to Order and establish quorum

The Board meeting was called to order at 5:37 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. Election of Board Officers

President Sidney Youngblood opened the floor for Board Officer nominations. A motion was made by Lee Alford to retain the current Board Officers. The motion was 2nd by Director Jay Wilder. President Sidney Youngblood stated that it is an honor to serve on the Board and acknowledges that there are many qualified directors. President Youngblood invited discussion. No discussion was offered. The motion carried unanimously.

5. Public Comment

President Youngblood asked General Manager, Gary Westbrook if anyone had requested to speak under this agenda item or on any of the items posted for public hearings. GM Westbrook stated he had received no requests to speak on any item of the agenda.

President Youngblood asked GM Westbrook if this meeting and all hearings notices had been properly posted. GM Westbrook stated they had.

6. Public Hearing on Proposed Desired Future Conditions for aquifers in the District for GMA 8

President Youngblood opened this Public Hearing at 5:42 p.m. GM Westbrook stated that no public comment had been requested. With no public comment requested or offered, GM Westbrook stated that the GMA process requires each District to have a 90-day comment period and hold one public hearing on proposed DFCs. This hearing is for proposed DFCs for our District only for GMA 8. He gave an overview of the DFCs for the aquifers for GMA 8. President Youngblood closed the public hearing at 5.44 p.m.

7. Proposed Desired Future Conditions for aquifers in the District for GMA 8

GM Westbrook asked the Board if they wanted to approve the Desired Future Conditions now or bring them back at a later date for consideration. President Youngblood asked if there was a benefit to wait. GM Westbrook stated the 90-day comment period had not completed yet and the Board could wait until the next meeting to vote on this item. This item was tabled to be brought back at a later date.

8. Minutes of November 3, 2019 Board Meeting

GM Westbrook asked to table this item due to the meeting date being incorrect. After brief discussion

the Board asked if this could be approved with making note to the correction of the date that needed to be made. A motion was made by Director Steven Wise to approve the Minutes with the date being corrected to read November 10, 2020. The motion was 2nd by Director Tommy Tietjen. The motion passed unanimously.

9. State of the District

President Sidney Youngblood presented an overview of the past year. President Youngblood thanked the new board members for their service and participation and stated that there is a lot of work being done and still a lot of work that needs to be done.

10. Final Amendments to the 2020 Budget

GM Westbrook presented an overview of the final amendments that are needed for the 2020 Budget. After brief discussion a motion was made by Director Jay Wilder to approve the final amendments to the 2020 Budget. The motion was 2nd by Director Ed Savage. Director Ward Roddam commended Gary and the District Staff for their efforts to keep everything going and keeping everyone safe during this time. The motion carried unanimously.

11. Appointments of Committees

GM Westbrook presented the current committees and asked for nominations for the 2021 committees. President Sidney Youngblood stated he and GM Westbrook would have a meeting and make calls to prospective Directors to appoint members to committees.

12. Legislative Update from Shera Eichler and Robby Cook

Robby Cook introduced himself and gave a brief overview of his career. Shera Eichler introduced herself and gave an overview of her career and provided a Legislative update. Robby Cook gave an overview of their operating procedures and relationships with regard to providing Legislative updates. Mr. Cook gave an overview of the Legislative process. No further action was taken.

13. Continued Participation in the Texas A&M Agri-life Texas 4-H Water Ambassador Program

President Youngblood reviewed the levels of participation. Comment was given by Director Steven Wise stating that he thinks it is a good program. A motion was made by Director Steven Wise to support the Texas A&M Agri-life Ambassador program with continuing at the \$2500 legacy level. The motion was 2nd by Director Ed Savage. The motion carried unanimously.

14. Participation in Amicus Brief Filing by Texas Alliance of Groundwater Districts

GM Westbrook stated that Neches and Trinity Valley GCD is involved in a lawsuit over requirement of permits. District general counsel, Barbara Boulware-Wells, provided a brief overview of the issue and stated she feels the District should participate in the Amicus Brief. GM Westbrook then reviewed the policies of the Texas Alliance of Groundwater Districts with respect for funding TAGD Amicus Briefs and recommended participation at \$250. After brief discussion, a motion was made by Director Wise to approve participation at the recommended level. The motion was 2nd by Director Ed Savage. The motion carried unanimously.

15. Review of updates and improvements to website and Recent Education Efforts and Activities

Doug Box, Education Coordinator, provided an overview of the current website and a version of the new website and explained that things were cleaned up to make the website work faster and more efficiently. He then provided a review on the activity on the website and social media for the past year.

16. Report from DFC Committee on recommendations for adoption of DFC's in GMA 12

President Youngblood turned this over to Committee Chair Steven Wise. Director Wise ask GM Westbrook to provide a summary overview. GM Westbrook stated there is a GMA 12 meeting Friday the 15th. DFC's and model run will be discussed. He asked Dr. Steve Young with Intera to provide a brief explanation titled, "Summary of S-8 Pumping Scenario for GMA 12", that summarized the work in that model run. GM Westbrook explained the recommendation from the DFC Committee and ask the Board to approve the model

run to and results as recommended by the DFC Committee. Director Steven Wise stated the recommendation from the DFC Committee is to present results of the PS-8 GAM run to GMA 12 on January 15, 2021 for replacement of the currently considered S-7 GAM run.

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 (GMA 12) and Groundwater Management Area 8 (GMA 8)

After discussion of the recommendation from the DFC Committee, a motion was made by Director Becky Goetsch to present S-8 for adoption to GMA 12 on January 15, 2021. The motion was seconded by Ed Savage. The motion passed unanimously.

18. 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
No action will be taken in Executive Session.**

The Board convened into executive session at 7:11 p.m.

19. 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:

The Board reconvened into Open Session at 8:20 p.m.

- a. Consider enforcement actions due to violation of District Rules in waste of groundwater**

President Sidney Youngblood asked Barbara Boulware-Wells, Legal Counsel for the District for recommendation. She recommended to direct herself and GM Westbrook to take action on items discussed in executive session. President Youngblood asked the Board for action. A motion was made by Director Jay Wilder to direct Ms. Boulware-Wells and GM Westbrook to take action on items discussed in executive session based on the recommendation from District Legal Counsel. Director Tommy Tietjen 2nd the motion. The motion passed unanimously.

20. Receive General Manager's report on compliance with reporting associated with 2020 amendments to Vista Ridge permits, and associated direction to General Manager

GM Westbrook stated that when the District approved permits last February for Vista Ridge, the approval carried four contingency requirements and 3 of the 4 requirements have been met, and they are 95% compliant with 100% expected by the end of the month.

21. 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 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 12 registrations, 20 new applications, 21 well completions, 0 wells plugged, and 14 well inspections.

C. Recent and future District presentations and activities

1. Annual Report from General Manager

GM Westbrook provided an overview of the Annual Report and recommended not to approve the Annual Report at this time, but to bring it back for final consideration in February. This overview included calling attention to previous work completed under the District's Groundwater Well Assistance Program with all activity listed on page 46.

2. Payments for Aquifer Conservancy Program for 2020 participation

Payments for the first year's participation will go out later this week and next week.

3. Texas Alliance of Groundwater Districts meeting of January 26-27, 2021

This will be completely virtual, and several staff members will attend.

4. Brazos G Nominations for voting members representing Water District Interests and Municipalities Interests

GM Westbrook stated that there are opening in both interest spots if anyone is interested, they can go to Brazos G website and apply

5. 2021 Groundwater Conservation Grants applications and filing deadline

The packets have been mailed out and the deadline for submission will be March 19, 2021.

6. 2021 Water Level Monitoring work

Staff will begin annual Spring water level monitoring work. We have been continuously monitoring water levels in the area in and around the Vista Ridge well field almost a year.

7. Services for Monitoring and Verification: introduction of Jordan Aldridge

GM Westbrook introduced Jordan Aldridge as an independent contractor who will assist the District in monitoring work. Ms. Aldridge thanked the Board for the opportunity to work with the District

8. Update on pending work to develop conservation programs for brush control and irrigation

GM Westbrook stated that we have started investigating opportunities for grants in brush control and improvements in efficiency in irrigation. Texas A&M is still in a no face-to-face meetings due to COVID. When this restriction is lifted, we will resume the in-person meetings and resume work on these programs.

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

After discussion by the Board, a motion was made by Director Tietjen to approve the bills and current financial statement. The motion was 2nd by Director Wilson. The motion passed unanimously.

26. Dates, locations, and times of future meetings

The next regular meeting is scheduled for February 9, 2021 @ 5:30 District Offices & Virtual

27. Adjourn Board Meeting

A motion was made by Director Lee Alford to adjourn the meeting at 8:34 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON JANUARY 12, 2020 WERE APPROVED AND ADOPTED BY THAT BOARD ON FEBRUARY 9, 2021.

Sidney Youngblood, President

Attest:

DRAFT