

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
April 13, 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
Ward Roddam- via online
Jay Wilder-in person

Directors Absent

Ed Savage

Staff Present

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

Others Present

Steve Young- via online
Barbara Boulware-Wells- in person
Others via online or telephone
James Bene`- via online
Shan Rutherford- via online
Blair Parker- via online
Amy Hinnant- via online
Stefan Schuster- via online
Jaclyn Robertson-via online
Jordan Aldridge
Jennifer Windscheffel
Paul

Entity

Intera
The Knight Law Firm, LLP
R.W. Harden & Associates
Terrell & Waldrop
SAWS
Burleson County Citizen
EPCOR
TAMU
Self
SAWS
Unknown

1. **Pledge of Allegiance**

Doug Box led the Pledge of Allegiance to the United States and Texas flags.

2. **Invocation**

GM Gary Westbrook gave the invocation.

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

The Board meeting was called to order at 5:35 p.m. by President Sidney Youngblood. He declared a quorum had been established, with directors verified by general counsel and staff to be in attendance either in person or by telephone.

4. **Public Comment**

President Youngblood asked GM Westbrook if anyone had requested to speak under this agenda item. GM Westbrook stated that no one had requested public comment. President Youngblood then asked if anyone online would like to address the Board. No one responded.

5. **Minutes of February 9, 2020 Board Meeting**

GM Westbrook stated there was one typo which had been corrected under item 6. A motion was made by Director Becky Goetsch to approve the Minutes of January 12, 2021. The motion was seconded by Director Tommy Tietjen. The motion passed unanimously.

6. **Report from Legislative Committee on current legislation pending in the 87th Legislature**

GM Westbrook stated the Legislative Committee had met recently and briefly discussed legislation. He updated the Board on progress of CSSB 152 by Chairman Perry. He then stated the committee had also discussed a resolution to support legislation concerning expanded use of the District's fees. He stated there were no recommendations from the committee at this time.

7. **A Resolution in support of Legislation**

President Youngblood recognized Burlison County Judge Keith Schroeder to discuss this Resolution. After lengthy discussion, President Youngblood recommended the general manager put together a list of questions and concerns from the Board and even from the public which would then be sent to the Legislative Committee for evaluation, and the committee then bring a recommendation to the Board. After brief discussion all agreed.

8. **Request from Tunis WSC to amend the application, award, and contract for 2019**

Groundwater Conservation Grant and request for extension of time to complete the projects

GM Westbrook presented two requests from Tunis WSC.

First, Tunis WSC is requesting an extension of three months to complete work on this grant. After brief discussion, a motion was made by Director Ward Roddam to approve the extension of time. The motion was seconded by Director Teitjen. The motion passed unanimously.

Next, GM Westbrook presented the second request from Tunis WSC to use funds left over after completion of the original scope of work to purchase additional materials for future use. After brief discussion, a motion was made by Director Steven Wise to deny this request. Director Roddam seconded the motion. The motion passed unanimously.

9. **Award 2021 Groundwater Conservation Grants**

President Youngblood recognized Director Lee Alford, Chair of the Grant Committee. Director Bob Wilson abstained from discussion and voting. Director Alford presented a recommendation for award from the Grant Committee as follows:

<u>Local Water Utility Name</u>	<u>Amount Requested</u>	<u>Use of Funds</u>
Milano WSC	\$ 10,750.00	Replace obsolete water meters
Milano WSC	\$ 40,000.00	Replace obsolete water lines
Southwest Milam WSC	\$198,854.20	Replace obsolete water lines
<u>City of Rockdale</u>	<u>\$200,000.00</u>	Replace obsolete piping in plant
Totals	\$449,604.20	

After brief discussion, a motion was made by Director Steven Wise to award as recommended. Director Jay Wilder seconded the motion. The motion passed 9-0 with Director Wilson abstaining.

10. **Additional filings for 2021 Groundwater Conservation Grants**

Director Alford then presented a recommendation from the Grant Committee that a second opportunity for applications be published, just this one time, to receive applications to be considered to award the remaining \$550,395.80 which had been budgeted for 2021 for Groundwater Conservation Grants for Local Water Utilities. After brief discussion, during which it was agreed the applicants who had been successful during the first round of applications could not file during the second offering, a motion was made by Director Wilder, and seconded by Director Goetsch to approve the recommendation. The motion passed unanimously.

11. **Aquifer Conservancy Program: Sign-up dates and sign-up incentive for 2021**

GM Westbrook reported the Advisory Committee recommended the dates for the Aquifer Conservancy Program sign up period to be the same as last year, which June 1st through August 31st, and that the \$10 dollar sign up incentive be offered again for 2021. After brief discussion, a motion was made by Director Tietjen to approve the recommendations from the Advisory Committee. The motion was seconded by Director Wilson. The motion passed unanimously.

12. **Agreement for groundwater- surface water science work with Texas Water Development Board, Lower Colorado River Authority, and Brazos River Authority**

GM Westbrook presented this agreement, with explanation, and requested the Board authorize he and President Youngblood to execute the agreement on behalf of the District. After brief discussion, a motion was made by Director Wise to authorize the general manager and the Board President to execute the agreement on behalf of the District. The motion was seconded by Director Wilder. The motion passed unanimously.

13. **Report from DFC Committee on Draft Management Strategies Report**

President Youngblood recognized Director Wise, Chair of the DFC Committee, who then introduced Dr. Steve Young of Intera, the District's hydrogeologist, to present this report. Dr. Young presented a report entitled, "Update on GANA, Compliance, and Management Strategies Reports." Director Wise noted that no decisions had been made to date on the Management Strategies Report, but that the committee desired the Board to have this update, and the DFC Committee would continue to develop this report and return it in the future to the Board for future updates and considerations.

14. **2019 and 2020 Groundwater Well Assistance Program Annual Needs Assessments**
 GM Westbrook stated these two reports were ready for Board consideration and requested approval. After brief discussion, a motion was made by Director Goetsch to approve both the 2019 and 2020 GANAs. The motion was seconded by Director Wilder. The motion passed unanimously.
15. **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. **Receive advice from general counsel and Ad Hoc Committee concerning matters related to resolution of actions involving SAWS, Vista Ridge and EPCOR.**
 - b. **Receive advice from general counsel on matters concerning joint planning within GMA 12. No action will be taken in Executive Session.**
- President Youngblood convened the Board into Executive Session at 7:09 pm.
 Director Roddam left the meeting at 7:15 pm.
 Director Alford left the meeting at 7:39 pm.
16. **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. **Receive advice from general counsel and Ad Hoc Committee concerning matters related to resolution of actions involving SAWS, Vista Ridge and EPCOR.**
 - b. **Receive advice from general counsel on matters concerning joint planning within GMA 12**
- President Youngblood reconvened the Board into open session at 7:52 pm and announced that no action was taken by the Board during Executive Session.
17. **A Resolution Of The Board Of Directors Of The Post Oak Savannah Groundwater Conservation District, Approving A Resolution Agreement In Connection With Discharges From The Agua Vista And Bitters Pump Stations; Authorizing The President And Secretary To Execute All Documents And Take All Actions Necessary To Implement Resolution Of The Dispute; Finding The Resolution To Have Been Considered Pursuant To The Laws Governing Open Meetings; Providing A Severability Clause; And Establishing An Effective Date**
 President Youngblood reported the recommendations from the Ad Hoc Committee and presented a resolution for consideration by the Board. After brief discussion of the pending resolution, a motion was made by Director Wilder, and seconded by Director Tietjen, to adopt the resolution and authorize the Board President and Secretary/Treasurer to sign the resolution of the Board of Directors as presented. The motion passed unanimously.
18. **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 presented a brief update on this item and encouraged all to attend the next GMA 12 meeting of April 20 virtually.
19. **Review of Recent Education Efforts and Activities**
 District Education Coordinator presented a report on this item.
20. **Receive report from General 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 11 registrations, 12 new applications, 17 well completions, 0 wells plugged, and 11 well inspections not related to GWAP.

C. Groundwater Well Assistance Program (GWAP) Update: investigations and corrective actions taken

Water Resource Management Specialist Bobby Bazan presented this report and answered questions.

D. Recent and future District presentations and activities

1. Texas Water Conservation Association Conference of March 3-5, 2021

GM Westbrook reported he had virtually attended this event.

2. 2021 Texas Water Foundation Water Leaders Program

GM Westbrook briefly discussed this program and reported Bobby Bazan would apply.

3. 2021 Water Level Monitoring work

GM Westbrook reported the Winter/Spring work had been completed.

4. Sponsorship for Texas Groundwater Summit of August 31-September 2, 2021

GM Westbrook reported the Board had tentatively approved this at a previous meeting and asked the Board to authorize him to execute the agreement on behalf of the Board. After brief discussion, a motion to approve this request was made by Director Wise and seconded by Director Wilson. The motion passed unanimously.

5. Milam and Burleson Counties Groundwater Summit August 12, 2021

GM Westbrook reminded all of this upcoming event and noted that all state legislators representing Milam and Burleson County had been invited to speak.

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

After brief discussion a motion was made by Director Tietjen to approve payment of the bills and the Investment Officer Report. The motion was seconded by Director Wise. The motion passed unanimously.

22. Dates, locations, and times of future meetings

President Youngblood stated the next regularly scheduled meeting would be May 11, 2021.

23. Adjourn Board Meeting

The meeting was adjourned at 8:07 pm

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON APRIL 13, 2020 WERE APPROVED AND ADOPTED BY THAT BOARD ON MAY 11, 2021.

Sidney Youngblood, President

Attest:

Gary Westbrook, Assistant Board Secretary

Date _____