

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Public Hearings & Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
February 15, 2022 – 5:30 p.m.**

MINUTES

POSGCD Board Members Present

Sidney Youngblood
Steven Wise
Becky Goetsch
Dana McClaren
Bob Wilson
Jay Wilder
Tommy Tietjen
Ed Savage - online

Board Members Absent

Ward Roddam
Lee Alford

POSGCD Staff Present

Gary Westbrook
Doug Box
Courtney Gentry
Bobby Bazan (online)
Craig Andrews (online)
Jeff Fisher (online)

POSGCD Consultants

Barbara Boulware-Wells

Public Attendance

Stefan Schuster EPCOR

Public Attendance via online

Amy Hinnant	Landowner
Jaclyn Robertson	TAMU
James Benè	R.W. Harden
Andy Weir	SAWDF
Shan Rutherford	Terrill & Waldrop

Blair Parker
Judith McGeary
Roger Nevola
Alan
210-602-2220
512-560-8280
512-810-3584
512-924-1239
979-777-3338

SAWS

Board Meeting

1. Pledge of Allegiance

Dana McClaren led the pledges to the flags of the United States
And Texas

2. Invocation

Steven Wise gave the invocation.

3. Call to Order and establish quorum

Sidney Youngblood called the meeting to order at 5:34 p.m. and noted that seven directors were present in person and one online.

4. Public Comment

No public comments were made by anyone attending in person or online.

5. Public Hearings on Rules: Section 1.1, Definition of Terms; Section 1.1.2, Ownership Interest Conflict or Question; Section 4.3, Monitoring Requirements; Section 7.1, General Permit and Registration Provisions; Section 12, Well Location and Completion; Section 16.4, Actions Based on Monitoring Results

President Youngblood noted that the Rules Committee had requested that amendments to the Rules, Section 7.1 be withdrawn from public hearing and action. He then opened agenda item 7 a). After brief discussion, Director Becky Goetsch moved to table Section 7.1, General Permit and Registration Provisions. This motion was seconded by Tommy Tietjen. The motion passed unanimously. President Youngblood then moved back to agenda item 5 and opened the Public Hearing at 5:39 p.m. He then requested public comment on the draft amendments to the Rules. Andy Weir, representing the Simsborro Aquifer Water Defense Fund, stated he was speaking in support of all of the proposed Rule changes. There was no further public comment offered. The Public Hearing was closed at 5:41 p.m.

6. Consent Agenda

All of the following items on the Consent Agenda are considered to be self-explanatory by the Board and will be enacted with one motion. There will be no separate discussion of these items unless a Board Member requests.

- a) Minutes of January 11, 2022 Board Meeting**
- b) Interlocal Agreements with Milam and Burleson Counties**
- c) Cleaning services for District offices**
- d) Bills received, current financial status, Investment Officer Report**
- e) Review of Recent Education Efforts and Activities**
- f) Annual Report for 2021**
- g) Asset Retirement**
- h) Water Well Monitoring Update: Number of wells and frequency of measurements**
- i) Receive report from General Manager on recent District activities and take appropriate actions**
 - 1. Permit applications filed with the District and Hearing Dates; Emergency Permits Granted**
 - 2. Well Drilling activities: registrations, applications, completions, plugging, inspections**
 - 3. Groundwater Well Assistance Program (GWAP) update: investigations and corrective actions taken**
 - 4. Recent and future District presentations and activities**
 - a. Participation on Groundwater Panel at Texas Land Trust Council of March 2-4, 2022**
 - b. Groundwater Management Area 12 Explanatory Report**
 - c. Texas Alliance of Groundwater Districts meeting of February 8-9, 2022**
 - d. 2022 Groundwater Conservation Grants published and due March 25, 2022**
 - e. Texas Land Conservation Conference of March 2-4, 2022**
 - f. Texas Water Conservation Association meeting of March 9-11, 2022**

A motion was made by Director Bob Wilson to approve the consent agenda. The motion was seconded by Director Jay Wilder. The motion passed unanimously.

7. Regular Agenda

- a) Discussion and possible action on Amending the Rules: Section 1.1, Definition of Terms; Section 1.1.2, Ownership Interest Conflict or Question; Section 4.3, Monitoring Requirements; Section 7.1, General Permit and**

Registration Provisions; Section 12, Well Location and Completion; Section 16.4, Actions based on Monitoring Results

Rules Chair Becky Goetsch briefly reviewed the recommended amendments to the Rules and made the motion to adopt the amendments as presented and discussed with the exception of draft amendments to Section 7.1 as discussed. The motion was seconded by Director Tommy Tietjen. President Youngblood asked how many times these draft Rules had been discussed in open meetings. GM Gary Westbrook noted all of the recommended amendments had been discussed at least three times in previous public meetings of the Rules Committee and Board. Director Steven Wise asked questions for clarification. GM Westbrook answered and discussed. With no further discussion offered President Youngblood called for the vote. The motion passed unanimously.

b) Discussion and possible action on Recommendation from Education Committee concerning Participation in Texas A&M AgriLife Texas 4-H Water Ambassadors Program

GM Westbrook outlined recommendations from the Education Committee concerning this item and noted this recommendation was posted on the website. After discussion regarding agenda item 7b), Jay Wilder moved to approve the changes made to the 4-H Water Ambassadors program. This was seconded by Becky Goetsch. The decision was unanimous.

c) Terms, compensation and amendments to Aquifer Conservancy Program

GM Westbrook stated the Board had tasked him at the previous meeting to evaluate the Aquifer Conservancy Program and develop additional terms and compensation levels to be considered by the Board at this meeting. He then reviewed this work, including the possibility of two new terms of 30 years and 50 years with compensation values of \$15 per acre and \$25 per acre, respectively, as well as estimates of possible numbers of acres previously enrolled which might convert to longer terms. GM Westbrook noted that in his work he had chosen a date of October 1, 2022 for the evaluation, and that date represented the point at which any land enrolled for the year 2022 could be enrolled into a longer term and be compensated at the higher corresponding rate for the entire year of 2022, but any property which would be enrolled into a longer term after that date would remain at the current level for 2022 and be enrolled in the longer term effective January 1, 2023. He also briefly discussed the need to amend the budget for this item later this year to account for any additional compensation to be paid out. Director Wilson asked to clarify for the public the intention of the possible amendments to the ACP. GM Westbrook noted a desire of the Board to increase the number of acres enrolled and length of time for the commitments.

GM Westbrook also confirmed that all new enrollments would be eligible for all five levels upon approval by the Board. After further discussion and clarification Director Wilson moved to approve and adopt the new terms, compensation levels, and effective dates, with the new terms available effective immediately. The motion was seconded by Director Tietjen. The decision was unanimous.

d) Discussion of recommendations from Rules Committee

Rules Committee Chair Goetsch asked GM Westbrook to discuss recommendations from the Rules Committee. He stated that amendments to Section 15 were ready for hearing and consideration for amendment at the March 8 Board meeting, and the Rules Committee would have additional Rules Committee meetings to continue to discuss Section 7.1 in the near future.

e) Proposals for Auditing services for 2021

GM Westbrook stated that two firms had responded to the District's requests for qualifications and the Advisory Committee, as directed by the Board at the January Board meeting, recommends Ede & Company to be engaged by the District for the 2021 auditing services. After discussion Director Wise moved to accept the recommendation and Director Wilson seconded the motion. The decision was unanimous.

8. Executive Session – *Closed session in accordance with Texas Government Code, Section 551.071 (Advice of Counsel) and Section 551.072 (Real Estate), and Section 1.05 Texas Disciplinary Rules of Professional Conduct regarding:*

- a) Discussion concerning future needs of the District's property and/or buildings**
- b) Receive advice concerning the possible violations of District's Rules concerning production and reporting requirements.**
- c) Regional production**
- d) Rules**

President Youngblood recessed the Board into Executive Session at 6:17 p.m. and stated that no decisions would be made during Executive Session.

9. Reconvene – *Reconvene into regular open session and consider action, if any, on items discussed in executive session*

The Board reconvened into regular open session at 7:04 p.m. No action was taken during Executive Session. President Youngblood stated that well PW-2 of the Blue Water I-130 Project was now in compliance with the Rules of the District.

10. Dates, locations, and times of future meetings

The next Board Meeting will take place on March 8, 2022 at the Post Oak Savannah GCD office.

11. Adjourn Board Meeting

The Board meeting was adjourned at 7:06 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON FEBRUARY 15, 2022 WERE APPROVED AND ADOPTED BY THAT BOARD ON MARCH 8, 2022

Sidney Youngblood, President

Attest:

Gary Westbrook, Assistant Board Secretary
Date _____