

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
April 12, 2022 – 5:30 p.m.**

MINUTES

POSGCD Board Members Present

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

Board Members Absent

Lee Alford

POSGCD Staff Present

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

POSGCD Consultants

Barbara Boulware-Wells
Steve Young

The Knight Law Firm
Intera

Public Attendance

Roy Sanders
Robert Mace
Andy Wier
Shan Rutherford
Stefan Schuster

Burleson County Tribune
The Meadows Center
SAWDF
Terrill & Waldrop
EPCOR

Public Attendance via online

Blaire Parker	SAWS
James Bené	RW Harden
Jennifer Windscheffel	SAWS
210-602-2220	
512-694-7001	

Board Meeting

1. Pledge of Allegiance

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

2. Invocation

Director Ward Roddam gave the invocation.

3. Call to Order and establish quorum

Board President Sidney Youngblood called the meeting to order at 5:36 pm with nine out of ten directors present in person.

4. Public Comment

Andy Wier, with SAWDF, requested to make public comment. Mr. Wier would like the Board to provide guidance to the General Manager for the upcoming GMA 12 meeting to expand consideration of property rights similar to that achieved in GMA 8 as part of the considerations of the nine factors in setting DFCs. This is part of the difficult challenge of balancing maximum production with those who wish to conserve their groundwater in place. Mr. Wier believes this was lacking in this last round in GMA 12.

There were no other public comments offered.

5. 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 March 8, 2022 Public Hearings and Board Meeting**
- b) Bills received, current financial status, Investment Officer Report**
- c) Update on Aquifer Conservancy Program enrollments and amendments to terms**
- d) Review of Recent Education Efforts and Activities**

- e) **Water Well Monitoring Update: Number of wells and frequency of measurements**
- f) **Receive report from General Manager on recent District activities and take appropriate actions**
 - 1.
 - 2. **Emergency Permits Granted**
 - 3. **Well Drilling activities: registrations, applications, completions, plugging, inspections**
 - 4. **Groundwater Well Assistance Program (GWAP) Update: investigations and corrective actions taken**
 - 5. **Recent and future District presentations and activities**
 - a. **Master Naturalists Water Resources Management Class of March 31, 2022**
 - b. **Texas Water Conservation Association Groundwater Committee Meeting of April 20, 2022**

President Youngblood asked if there were any questions regarding the consent agenda before he requested a motion and a second. Director Goetsch asked why the groundwater well assistance numbers increased in March compared to previous months. Water Resource Specialist, Bobby Bazan, stated the reason was because there were several wells where the pumps were already at a lower depth previously and the water levels with drawdown are now getting closer to those wells and the depths of the pumps were adjusted. Some were also wells we had no information for and we've now been notified of issues with these wells. Director Goetsch asked if we expect this number to continue or level back out. Bobby stated we will probably be at the same amount in April as March.

With no further discussion, Director Steven Wise moved to approve the Consent Agenda. Director Tommy Tietjen seconded this motion. The approval was unanimous.

6. Regular Agenda

a) Report from Rules Committee on Rules: Section 1, Definitions of Terms; Section 14, Hearings; and, Section 15, Investigations and Enforcement

Director Goetsch asked General Manager Gary Westbrook to provide an update regarding the Rules. GM Westbrook stated the Rules Committee met in a workshop to consider comments received at the last Board meeting and Public Hearings on the draft Rules under consideration at that hearing and developed draft of language they believe will address questions and concerns that were raised. He noted the draft language was on the website under the meeting information for this meeting. This notice and draft language was also placed on our

website last week and a hearing has been set for the May Board Meeting on May 10th, 2022.

b) Award 2022 Groundwater Conservation Grants

Director Jay Wilder gave an overview of the Grant Committee recommendations for award of this year's grants. The Grant Committee suggested to award 6 of these applications with the possibility of awarding another grant application dependent upon a FEMA application by Marlow WSC. The total recommendation is \$1,013,324.00. President Youngblood asked if there were any questions. After discussion, Director Roddam moved to accept the recommendation from the Grant Committee as proposed. Director Goetsch seconded the motion. The approval passed unanimously with the exclusion of Director Bob Wilson who abstained from discussion and voting.

c) Approve filing of application for Bureau of Reclamation WaterSmart-Applied Science Grant

GM Westbrook provided a brief presentation regarding the WaterSmart-Applied Science Grant application being prepared for submission by the District to the Bureau of Reclamation. He noted the application was begun with a recommendation from the Advisory Committee, with approval to file the application is required by the Board. After discussion, Director Roddam moved to approve the recommendation by the Advisory Committee to apply for this grant. Director Wilder seconded the motion. The approval was unanimous.

d) Interlocal Agreements with Milam and Burleson Counties for efforts in groundwater protection/conservation

GM Westbrook stated the minor edits and amendments requested by Burleson County have been addressed and updated and the agreements have been returned, and these edits and amendments will also be added to the agreement with Milam County.

e) Texas Groundwater Summit of August 30 – September 1, 2022

GM Westbrook gave a reminder of the dates of the Texas Groundwater Summit and encouraged the Board to notify District Staff of their intention to attend so that they may get them registered for the Summit.

f) Milam and Burleson Counties Groundwater Summit of August 18, 2022

GM Westbrook reviewed the dates and times for the Milam and Burleson Counties Groundwater Summit. It will be held from 9-4 at the Civic Center in Caldwell. The

Education Committee will review the topics for the Summit this year. Speakers will be finalized at a later date.

g) Update on Groundwater Management Area 12 meetings and processes

GM Westbrook reviewed information included in the board packet and posted online that outlined what a meeting between GMA 12 Districts and all of their Boards might look like. This outline has been shared with the other GMA 12 general managers and will be discussed at the next GMA 12 Meeting on April 22, 2022.

7. 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) Discussion concerning Petition for Inquiry filed against the District by Curtis Chubb with Texas Commission on Environmental Quality

c) Discussion concerning litigation over water rights and ramifications on permits issued by the District

President Youngblood moved The Board into executive session at 6:09 pm. He stated there would be no action taken during the executive session.

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

The Board reconvened at 7:17 pm. For agenda item 7.a), Director Roddam moved to proceed with purchasing additional property for future use of the District. The motion was seconded by Director Ed Savage. This motion passed unanimously. No actions were taken on agenda items 7.b) and 7.c) under recommendation of Barbara Boulware-Wells, General Counsel.

9. Dates, locations, and times of future meetings

The next Board Meeting and Public Hearing will be held on May 10th, 2022 at 5:30 pm.

10. Adjourn Board Meeting

The Board Meeting was adjourned at 7:21 pm.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON APRIL 12, 2022 WERE APPROVED AND ADOPTED BY THAT BOARD ON MAY 10, 2022

Sidney Youngblood, President

Attest:

Gary Westbrook, Assistant Board Secretary
Date _____

DRAFT