

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
January 10, 2023 – 5:30 p.m.**

MINUTES

POSGCD Board Members Present

Ward Roddam
Jay Wilder
Tommy Tietjen
Steven Wise
Becky Goetsch
Bob Wilson
Kit Worley
John Redington
Buster Evers

Board Members Absent

Ed Savage

POSGCD Staff Present

Gary Westbrook
Doug Box
Courtney Gentry
Michael Redman
Kelli Timmerman
Gregory Perry

POSGCD Consultants Present

Barbara Boulware-Wells
Dr. Steve Young
The Knight Law Firm
Intera

Public Attendance

Shan Rutherford
Stefan Schuster
Jennifer Sitton
Jaclyn Wise
Nancy McKee
Kirk Rhum
Jose Mendiola
Heath Cargill
Ronnie McKee
Terrill & Waldrop
EPCOR
Goodwin-Lasiter-Strong
TWRI/AgriLife
Landowner
Landowner
Landowner
Southwest Milam WSC
Landowner

Andy Wier

SAWDF

Public Attendance via online

James Bené

RW Harden

Ross Cummings

Jeff Fisher

POSGCD

Amy

Board Meeting

1. Pledge of Allegiance

Board President Ward Roddam 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

President Roddam called the meeting to order at 5:33 p.m. Director Kit Worley introduced the new General Member for Southwest Milam WSC, Heath Cargill.

4. Election of Board Officers

Director Worley moved to keep the current officers in their positions by acclamation. He was seconded by Director Wise. The motion passed unanimously.

5. Public Comment

Nancy McKee, landowner from Lee County, made public comment regarding water level loss in her well as a result of Vista Ridge pumping. She expressed concerns for the drops in water levels in Burleson and Lee counties as a result of the SAWS/Vista Ridge project and the penalties assessed by POSGCD being placed in the District's Well Assistance, thereby excluding wells outside of POSGCD's jurisdiction. She also commented about POSGCD rejecting a proposed interlocal agreement with Lost Pines. Mrs. McKee stated she felt the situation was handled unjustly and hopes members of GMA 12 will join forces to bring about legislation that will strengthen the GCDs in their efforts to protect groundwater resources and citizens from further losses. President Roddam thanked Mrs. McKee for her comment.

No additional comment was offered.

6. Introduction of Gregory Perry as Water Resources Management Specialist

GM Westbrook introduced Gregory Perry as new Water Resources Management Specialist. Gregory spoke about his background and his passion for conservation efforts. The Board welcomed him and thanked him for attending the Board Meeting. MR. Westbrook noted Mr. Perry will begin working at the District January 17, 2023.

7. 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 November 15, 2022 Board Meeting and Public Hearings**
- b) Final amendments to 2022 Budget**
- c) Amend 2023 Budget**
- d) Draft 2022 Annual Report**
- e) Execute Contract with Riceland Consulting for Legislative services for 2023**
- f) Execute Contract with Ede and Company for Auditing Services for 2022**
- g) Issue Debit Cards for District Expenses for Gregory Perry and Michael Redman**
- h) Update on Aquifer Conservancy Program (ACP) enrollments**
- i) Water Well Monitoring Update: Number of wells and frequency of measurements**
- j) Groundwater Well Assistance Program (GWAP) Update: Investigations and corrective actions taken**
- k) Bills received, current financial status, Investment Officer Report**
- l) Review of Recent Education Efforts and Activities**
- m) 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. Invited Testimony before Senate Committee on Water, Agriculture, and Rural Affairs Nov. 16, 2022**
 - b. Groundwater Conservation Grant Packets mailed out January 3, 2023**
 - c. Panel Participation on Groundwater Availability at Water for Texas Conference of Jan. 23-25, 2023**

5. Reschedule Public Hearings for SLR Property I, LP from January 10, 2023 to January 19, 2023 to wit:

- a. October 14, 2022 Application by SLR Property I, LP (SLR) for a new 15,000 AF/Yr Simsboro Operating Permit**
- b. October 14, 2022 Application by SLR Property I, LP (SLR) for a new 9,000 AF/Yr Simsboro and Hooper Drilling and Operating Permit**

GM Westbrook noted that due to technical difficulties, the Annual Report was not posted on the website. He requested to remove that from the Consent Agenda. Item 7. d) was struck from the Consent Agenda.

President Roddam asked for a motion to approve the Consent Agenda without 7.d). Director Jay Wilder moved to approve the Consent Agenda and was seconded by Director Tommy Tietjen. Approval of the Consent Agenda was unanimous.

8. Regular Agenda

a) Consider Report and Recommendations from Rules Committee concerning Draft Rules for posting for public hearings, including but not limited to Section 1.1 Definition of Terms, Section 4.1 Required Spacing, Section 4.3 Monitoring Requirements, Section 5 Production Limitations, Section 7.1 General Permit and Registration Provisions, Section 7.4 Application Requirements for All Permits, Section 7.7 Permits Issued by the District, Section 7.12 Drilling Permits, Section 7.15 Operating Permits, Section 8.5 Exempt Wells and Discharges Under State Permits, Section 12 Well Location and Completion, Section 13.1 Waste, Section 16.4 Actions Based on Monitoring Results, Section 16.5 Reductions Required by Regulatory Action, New Section 16.5 Five Year Reviews, Section 16.6 Adjusting Maximum Production Permitted, Section 16.7 Permit Limitations and Reductions

Director Goetsch stated there was a Rules meeting at 4 p.m., but some work was still needing to be done on the Rules amendments before they will be presented to the District and placed for hearings. GM Westbrook gave a brief summary of the proposed amendments to the Rules as discussed at the earlier Rules Committee meeting. GM Westbrook stated there would be another Rules Committee Meeting before returning draft amendments to the Board.

b) Consider Report and Recommendations from Building Committee concerning discussions/negotiations/execution with Goodwin-Lasiter-Strong for a Professional Architect/Engineering and Service Agreement for Architectural/Engineering and Construction Phase Services for the new POSGCD offices, education and meeting center.

Director Buster Evers gave a report from Building Committee and shared the Committee's recommendation to move forward with GLS. Director Worley

expressed concern with moving forward at this time and noted he and Director Redington were new to the Board and had not had an opportunity to fully study this situation. After lengthy discussion, Director Worley moved to lay aside the Building Committee's recommendation with a 90-day moratorium on action for that item. He was seconded by Director Redington. After discussion, the motion failed with 2 for and 7 against. Director Worley asked President Roddam for a role call vote. Voting against the motion were Directors Evers, Tietjen, Wilson, Wise, Roddam, Goetsch, and Wilder. Voting for the motion were Directors, Worley and Redington. The motion failed.

Director Evers noted that the Building Committee would like to negotiate further on several items listed in the estimates provided, specifically mentioning the Topographic Survey as submitted by GLS, but that the committee was confident in its recommendation to move forward with execution of a contract with GLS. After discussion, Director Wise moved to empower the Building Committee to negotiate and execute an agreement on behalf of the District with GLS for Architectural/Engineering and Construction Phase Services for the new POSGCD offices, education and meeting center. Director Tietjen seconded the motion. The motion passed with 7 voting for and Directors Redington and Worley voting against.

c) Review GWAP Annual Needs Assessment (GANA)

Dr. Steve Young presented slides 1-8 regarding the Groundwater Well Program Annual Needs Assessment 2022 (GANA 2022). He and GM Westbrook answered questions from the Board Members.

d) Review and discussion of Driller Guidance Document for drilling wells and eligibility for GWAP

Dr. Young then reviewed slides 9 and 10 from that presentation and discussed the Guidance Document for drilling wells which had been developed by the District as a resource and guide considering impacts predicted to happen in the future. Dr. Young and GM Westbrook then answered questions. The Driller's Guidance Document was designed to let drillers and the public know what expected future water levels are and to advise drillers and landowners on construction of wells and pump depths to avoid issues due to pumping later. The Drillers Guidance Document will be included in the interactive map on the POSGCD website in the future.

9. Dates, locations and times of future meetings

President Roddam noted the next meeting will be the Public Hearing to be held on January 19, 2023.

10. Adjourn Board Meeting

The Board Meeting adjourned at 6:59 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON JANUARY 10, 2023 WERE APPROVED AND ADOPTED BY THAT BOARD ON _____

Ward Roddam, President

Attest:

Gary Westbrook, General Manager

Date _____

DRAFT