

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

MINUTES

POSGCD Board Members Present

Ward Roddam
Steven Wise
Becky Goetsch
Ed Savage
Bob Wilson
Kit Worley
John Redington
Buster Evers

Board Members Absent

Jay Wilder
Tommy Tietjen

POSGCD Staff Present

Gary Westbrook
Doug Box
Courtney Gentry
Bobby Bazan
Jeff Fisher
Michael Redman

POSGCD Consultants Present

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

Public Attendance

Bridgett Meyer	Terrill & Waldrop
Stefan Schuster	EPCOR
Bill Ballard	
Jennifer Sitton	Goodwin-Lasiter-Strong
John Rusk	Goodwin-Lasiter-Strong
Jaclyn Wise	TWRI/AgriLife

Public Attendance via online

Blaire Parker	SAWS
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Andy Wier
James Bené
Philip Webster

SAWDF
RW Harden
RWH & A

Board Meeting

1. Pledge of Allegiance

Director Ed Savage led the pledges to the flags of the United States and Texas.

2. Invocation

General Manager Gary Westbrook gave the invocation.

3. Call to Order and establish quorum

Board President Ward Roddam called the meeting to order at 5:30 pm. President Roddam noted that there was a quorum of 8 Directors present.

4. Public Comment

President Roddam asked if there were any comments from anyone attending online or in person. No comments were offered.

5. Public Hearing on District Management Plan

President Roddam opened the Public Hearing on the District Management Plan at 5:33 pm. GM Westbrook noted the District is required by Chapter 36 of the Texas Water Code to adopt a Management Plan every five years. The Management Plan has been properly posted for over a month. No written comments were received.

President Roddam asked for questions from the Board. No questions were asked. President Roddam officially closed the Public Hearing on the District Management Plan at 5:34 pm.

6. Public Hearing on District 2023 Budget

President Roddam opened the Public Hearing on the District 2023 Budget at 5:34 pm. GM Westbrook stated the Draft Budget for 2023 was discussed at the October 11, 2022 Board Meeting and has been posted on the website. The Fees and Balance Sheet were also included in the posting. No comments were received.

President Roddam asked for any questions or comments. There were no questions. President Roddam officially closed the Public Hearing on the District 2023 Budget at 5:35 pm.

7. Public Hearing on District Production Fees

President Roddam opened the Public Hearing on the District Production Fees at 5:36 pm. GM Westbrook stated that there were no changes recommended to the District Production Fees. The District Production Fees remain at 1.3 cents per 1,000 gallons permitted. Agriculture has always been exempt and will remain exempt from Production Fees.

President Roddam asked for questions or comments. Director John Redington asked GM Westbrook when the last increase to Production Fees occurred. GM Westbrook stated he believed the Production Fee was changed 3 years ago. It was previously 1 cent prior to changing the Production Fee to 1.3 cents. There were no further questions or comments.

President Roddam officially closed the Public Hearing on District Production Fees at 5:37 pm.

8. Public Hearing on District Transport Fees

President Roddam opened the Public Hearing on District Transport Fees at 5:37 pm. GM Westbrook advised that Transport Fees are collected on permitted amounts of water leaving the District. The Transport Fee of 10 cents per 1,000 gallons of permitted amounts of water is imposed on all entities that transport water outside of Burleson and Milam counties.

Director Redington asked when the last time Transport Fees were increased. GM Westbrook stated he believed that change took place three years ago. Later in the meeting GM Westbrook noted the Transport Fees were last changed in 2018. To balance the presented budget, fees were recommended to be maintained at current levels. Should the budget be amended, fees would need to be addressed as well.

President Roddam officially closed the Public Hearing on the District Transport Fees at 5:39 pm.

9. Public Hearing on District Fee Schedule

President Roddam opened the Public Hearing on the District Fee Schedule at 5:39 pm. GM Westbrook stated the fee schedule has not been changed in recent years and it was recommended to remain the same into 2023. The Fee Schedule has been properly posted and noticed.

President Roddam asked for any questions or comments. There were no questions. President Roddam officially closed the Public Hearing on the District Fee Schedule at 5:40 pm.

10. 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 October 11, 2022 Board Meeting**
- b) Adoption of Resolution authorizing Investment Officers to manage, withdraw or transfer District funds**
- c) Set District Holiday schedule to close District offices from December 23-26, 2022**
- d) Completion of Employee Annual Evaluations**
- e) Update on Aquifer Conservancy Program (ACP) enrollments and amendments to terms**
- f) Water Well Monitoring Update: Number of wells and frequency of measurements**
- g) Groundwater Well Assistance Program (GWAP) Update: investigations and corrective actions taken**
- h) Bills received, current financial status, Investment Officer Report**
- i) Review of Recent Education Efforts and Activities**
- j) District Investment Policy**
- k) 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 November 16, 2022**
 - b. Groundwater Management Area 12 Meeting of November 18, 2022**
 - c. Texas Water Conservation Association Board of Directors Meeting of December 2, 2022**

President Roddam asked if there were any questions on any items in the consent agenda. He stated if there were none, he would entertain a motion to approve the items in the Consent Agenda. Director Kit Worley moved to approve the Consent

Agenda and was seconded by Director Savage. Approval of the Consent Agenda was unanimous of all present.

11. Regular Agenda

a) District Management Plan

President Roddam asked for any questions or discussion regarding the District Management Plan. There was none. President Roddam asked for a motion to adopt the District Management Plan. Director Steven Wise moved to adopt the District Management Plan and was seconded by Director Becky Goetsch. President Roddam asked if there were any additional questions or discussion. There was none. Adoption of the District Management Plan was unanimous of all present.

b) Amend Board Policies

GM Westbrook reviewed the amendments to the Board Policies and answered questions from Directors. After discussion, President Roddam asked for a motion to amend the Board Policies. Director Goetsch moved to amend the Board Policies as presented and was seconded by Director Buster Evers. President Roddam asked if there were any additional questions or discussion. There was none. Approval of amending the Board Policies was unanimous of all present.

c) District 2023 Budget

GM Westbrook noted highlights to the budget. Staff Development was included for the first time. The Texas A&M AgriLife line is now a stand-alone budget line item. Rainwater Harvesting and Education were reduced by amounts equal to the TAMU AgriLife item. Most budget items stayed consistent with last year's budget with the exception of the Groundwater Well Assistance Program being recommended to increase from \$200,000 to \$400,000 for 2023.

GM Westbrook answered questions from the Board regarding the District 2023 Budget.

After discussion, President Roddam asked for a motion to adopt the District 2023 Budget. Director Savage moved to adopt the District 2023 Budget and was seconded by Director Bob Wilson. President Roddam asked if there were any additional questions or discussion. There was none. Approval to adopt the District 2023 Budget was unanimous of all present.

d) District Production Fees

GM Westbrook answered questions from the Board. After discussion, President Roddam asked for a motion to adopt District Production Fees. Director Goetsch moved to approve the District Production Fees and was seconded by Director Wilson. President Roddam asked if there were any additional questions or discussion. There was none. Approval of the District Production Fees was unanimous of all present.

e) District Transport Fees

Director Evers asked how District Transport Fees are derived. GM Westbrook stated transport permits which are issued by the District are broken down into 1,000 gallon units. Then amounts of income are derived by multiplying by fees in place at the time with the intent of raising income of all sources to satisfy balancing the budget. Currently this fee is 10 cents per 1,000 gallons. After discussion, President Roddam asked for a motion to approve the District Transport Fees. Director Redington moved to approve the District Transport Fees and was seconded by Director Goetsch. President Roddam asked if there were any additional questions or discussion. There was none. Approval of the District Transport Fees was unanimous of all present.

f) District Fee Schedule

President Roddam asked if there were any questions regarding the District Fee Schedule. No questions were asked. Director Wilson moved to adopt the District Fee Schedule and was seconded by Director Redington. President Roddam asked if there were any additional questions or discussion. There was none. Approval of the District Fee Scheduled was unanimous of all present.

g) Presentation from Goodwin-Lasiter-Strong on their response to the District's Request for Qualifications (RFQ) seeking Architectural/Engineering Services for new POSGCD offices, education and meeting center.

John Rusk, the Branch Manager for Goodwin-Lasiter-Strong, gave a presentation and discussed the history and qualifications of Goodwin-Lasiter-Strong. He then asked the Board if they had any questions.

Director Evers spoke to Mr. Rusk about the Board's desire to move forward with Goodwin-Lasiter-Strong to design and build the new POSGCD office, education and meeting center. Mr. Rusk then answered questions from the Board and GM Westbrook.

h) Discussion and possible action authorizing the Building Committee to enter into discussions/negotiations 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 Evers moved to approve authorizing the Building Committee to enter into discussion and negotiations with Goodwin-Lasiter-Strong for a Professional Architect/Engineering and Services Agreement for Architectural/Engineering and Construction Phase Services for the new POSGCD offices, education and meeting center. The motion was seconded by Director Goetsch. President Roddam asked if there were any additional questions or discussion. There was none. Approval of the motion was unanimous of all present.

i) Report from DFC Committee on Compliance with Desired Future Conditions/Protective Drawdown Limits

Bobby Bazan reviewed slides 1-3 of a summary report of the annual Report on Compliance with DFCs and PDLs. The DFC Committee had reviewed the presentation entitled Desired Future Conditions Committee Update that was given by Dr. Steve Young earlier in the day at the DFC Committee Meeting. He stated all of the District's management zones are currently in compliance with the DFCs and PDLs. For clarification, he noted that the negative value input for the Yegua-Jackson is actually rebound rather than drawdown in that formation.

GM Westbrook stated the DFC Committee reviewed the entire report and they recommend the Board approve for this year.

Mr. Bazan answered questions from the Board. President Roddam asked for a motion to approve the report as recommended by the DFC Committee. Director Worley moved to approve the report and was seconded by Director Wise. President Roddam asked if there were any additional questions or discussion. There was none. Approval of the report from the DFC Committee/Intera was unanimous of all present.

j) Report from DFC Committee on Guidance Document for drilling wells and eligibility for Groundwater Well Assistance Program (GWAP) and GWAP Annuals Needs Assessment (GANA)

Mr. Bazan reviewed slides 4-7 of the abbreviated slideshow and GM Westbrook reviewed slides 7-10. They then answered questions from the Board.

k) Report on administratively complete applications filed by Sandow Lakes Ranch, Property I, LP

Michael Redman reviewed timelines and applications filed by Sandow Lakes Ranch as well as ALCOA. Mr. Redman then answered questions from the Board.

l) Set dates for Public Hearings for applications filed by Sandow Lakes Ranch, Property I, LP

President Roddam asks for thoughts or comments regarding setting the Public Hearings for January 10, 2023. No comments were offered. Director Evers moved to set the Public Hearing for applications filed by Sandow Lakes Ranch date for January 10, 2023. He was seconded by Director Savage. President Roddam asked if there were any additional questions or discussion. There was none. Approval of the Public Hearing being set for January 10, 2023 was unanimous of all present.

m) Report and Recommendations from DFC Committee

GM Westbrook stated there were no further reports or updates.

12. Dates, locations and times of future meetings

There will be a Christmas gathering for the Staff and Board of Directors on December 13, 2022 where no District business will be discussed. The next regular Board meeting will be held on January 10, 2023 at 5:30 pm.

13. Adjourn Board Meeting

The Board Meeting adjourned at 7:07 pm.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON NOVEMBER 15, 2022 WERE APPROVED AND ADOPTED BY THAT BOARD ON JANUARY 10, 2023



Ward Roddam, President

Attest:



Gary Westbrook, General Manager

Date 1/10/2023