



**Board Meeting
September 12, 2023 – 5:30 p.m.
Post Oak Savannah GCD Offices
310 East Ave. C
Milano, Texas
Agenda Preview**

Hello Directors,

Here is an Agenda Preview for our September 12 meeting. The “Consent Agenda” includes items not normally needing discussion. All items to be considered under the Consent Agenda have been reviewed by staff and appropriate consultants, as well as one of the District’s committees where appropriate.

As usual my comments are in ***bold italics where necessary***. I will leave no comment in cases where information in the Board Packet is self-explanatory or where comment is not needed. For those items a full report will be given at the meeting. Any necessary supporting documents are posted under the meeting date and may be found on our website at <https://posgcd.org/agendas-minutes/posgcd-agendas-minutes/>. Some information may not be available until after a respective committee meeting or will be presented at the meeting.

Please see instructions below concerning attendance for the meeting. Please call with any questions.

Respectfully,

Gary Westbrook

Notice is hereby given that the Board of Directors of the Post Oak Savannah Groundwater Conservation District will hold a regular meeting on September 12, 2023, at 5:30 pm.

In compliance with the Open Meetings Act, the District Offices are open, however, members of the public who wish to attend virtually and listen, observe, or actively participate during the public comment portion may join this meeting from their computer, tablet or smartphone at:

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/704914581>

You can also dial in using your phone.

Access Code: 704-914-581

United States: +1 (224) 501-3412

To actively participate with virtual public comment in the meeting, please email the General Manager with your name and the topic or agenda item you wish to address at gwestbrook@posgcd.org by 3:00 pm, September 12, 2023. Please remember Public Comment is limited to 3 minutes per person.

The subjects to be discussed or considered, or upon which any formal action may be taken, are as listed below. Items may or may not be taken in the same order as shown on this meeting notice.

1. Pledge of Allegiance
2. Invocation
3. Call to Order and establish quorum
4. Public Comment
5. Administer Oath of Office for Director Clayton Lee Pelzel
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 August 8, 2023 Board Meeting
- b) Update on Aquifer Conservancy Program (ACP) enrollments
- c) Water Well Monitoring Update: Number of wells and frequency of measurements
- d) Groundwater Well Assistance Program (GWAP) Update: investigations and corrective actions taken
- e) Bills received, current financial status, Investment Officer Report.
- f) Review of Recent Education Efforts and Activities
- g) 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
There have been no applications filed requiring a hearing and no Emergency Permits issued.
 2. Well Drilling activities: registrations, applications, plugging, inspections
There have been 13 registrations, 5 applications, 0 plugging, and 0 inspections

3. Recent and future District presentations and activities
 - a. Milam and Burleson Counties Groundwater Summit August 17, 2023
A little more than 300 persons attended this event. All videos of the event are now available on our website at <https://posgcd.org/groundwater-summit/>
 - b. Groundwater Management Area 12 meeting of August 24, 2023
 - c. Texas Groundwater Summit of August 29 – 31, 2023
We had 7 staff and 2 Board members in attendance at this year's summit.

7. **Regular Agenda**

- a) Report from Rules Committee on Rules amendments required by recent legislation
There were several bills which passed and which may require some amendments to our Rules. Among these bills were HB1971, HB2443, SB1746, HB3059, HB3278, and HB3440. The required language to be included in the Rules is fairly specific in requirement and straightforward. Also, our Management Plan will require a very minor amendment this year. The Rules committee will continue to develop language for the Rules and Management Plan to be placed for public hearings at the November 14 Board meeting. That language has not been finalized yet, but should be ready within the next three weeks.
 - b) Report from EPCOR on recent events and activities concerning Vista Ridge Pipeline and Permits
Stefan Schuster of EPCOR will provide an update as before and discuss the results of the recent temporary amendment. To date there has been no permanent amendment filed as required by the temporary permit. Please see the email exchange between Mr. Schuster and myself in the Board packet. This item is also included in Executive Session for discussion as well.
 - c) Asserted Violation of Rules and fines assessed thereunder to Deep Water Holdings, Inc., doing business as Big Creek Marina
The Advisory Committee reviewed this issue and directed staff to assess one fine and production fees. That letter is included in the Board packet. Mr. Bart White of Big Creek Marina will address the Board concerning these fines and fees. This item is also included in Executive Session for discussion as well.
 - d) Report from staff concerning progress on work on new POSGCD offices, education and meeting center
We will give a complete report at the Board Meeting on this item.
8. **EXECUTIVE SESSION:** Pursuant to Section 551.071, Texas Government Code, the Board will consider receiving legal advice or Section 551.074, Texas Government Code, Personnel on the following matters:
- a. Pending SOAH Docket Nos. 965-23-21218 and 965-23-21219, Application of SLR Property I, LP for a new 9,000 acre-foot per year Simsboro and Hooper Drilling and Operating Permit and Application of SLR Property I, LP for a new 15,000 acre-foot per year Simsboro Operating Permit- Discussions concerning Legal Services for the Board.
 - b. Temporary Amendment to Vista Ridge Permit and Vista Ridge Permits.
 - c. Deep Water Holdings, Inc., dba Big Creek Marina- Discussions about asserted violations of Rules and possible fines assessed thereunder.
9. **RECONVENE FROM EXECUTIVE SESSION:** Take action on matters discussed in Executive Session:
- a. Pending SOAH Docket Nos. 965-23-21218 and 965-23-21219, Application of SLR Property I, LP for a new 9,000 acre-foot per year Simsboro and Hooper Drilling and Operating Permit and Application of SLR Property I, LP for a new 15,000 acre-foot per year Simsboro Operating Permit- Discussions concerning Legal Services for the Board.
 - b. Temporary Amendment to Vista Ridge Permit and Vista Ridge Permits.
 - c. Deep Water Holdings, Inc., dba Big Creek Marina- Discussions about asserted violations of Rules and possible fines assessed thereunder.
10. Dates, locations, and times of future meetings
The next regularly scheduled meeting will be October 10, 2023.
11. Adjourn Board Meeting