

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
November 28, 2023 – 5:30 p.m.**

MINUTES

POSGCD Board Members Present

Ward Roddam
Jay Wilder
Lee Pelzel
Becky Goetsch
Bob Wilson
Ed Savage
Tommy Tietjen
Kit Worley
John Redington
Buster Evers

Board Members Absent

None

POSGCD Staff Present

Gary Westbrook
Doug Box
Courtney Gentry
Michael Redman
Kelli Timmerman
Jaclyn Wise
Gregory Perry
Jeff Fisher – online
Craig Andrews – online

POSGCD Consultants Present

Steve Young	Intera
Barabara Boulware-Wells	The Knight Law Firm

Public Attendance

Stefan Schuster	EPCOR
Bill Whitemire	Milam County Judge
Dan Fischer	Landowner
Alan Gardenhire	SLR
Collier Perry	Landowner

Peggy Perry

Landowner

Public Attendance via online

Amanda

Libby

203-321-9286

203-918-1067

Board Meeting

1. Pledge of Allegiance

Board President Ward Roddam 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

President Roddam called the meeting to order at 5:33 p.m.

4. Public Comment

No comments were offered.

5. Public Hearing on District 2024 Budget

President Roddam opened the Public Hearing on the District 2024 Budget at 5:33 p.m. for comment. GM Westbrook noted that this draft 2024 Budget and associated fees were discussed at the October Board Meeting and has been on the website since. No comments regarding the District 2024 Budget have been received prior to the meeting or at this time. President Roddam closed this Hearing at 5:34 p.m.

6. Public Hearing on District Production Fees

President Roddam opened the Public Hearing on District Production Fees at 5:34 p.m. for comment. District Production Fees are currently at 1.3 cents per 1,000 gallons of water assessed on permitted amounts. The proposed change would make District Production Fees 1.8 cents per 1,000 gallons of water assessed on permitted amounts. Director Becky Goetsch stated she had no desire to increase District Production Fees. Director Kit Worley agreed with Director Goetsch. No other comments regarding the District Production Fees have been received prior to the meeting or at this time. President Roddam closed this Hearing at 5:37 p.m.

7. Public Hearing on District Transport Fees

President Roddam opened the Public Hearing on District Transport Fees at 5:37 p.m. for comment. District Transport Fees are currently at 10 cents per 1,000 gallons of water assessed on permitted amounts. The proposed change would make District Transport Fees 12 cents per 1,000 gallons of water assessed on

permitted amounts. No comments regarding the District Transport Fees have been received prior to the meeting or at this time. After brief discussion, President Roddam closed this Hearing at 5:39 p.m.

8. Public Hearing on District Fee Schedule

President Roddam opened the Public Hearing on the District Fee Schedule at 5:40 p.m. GM Westbrook noted the only changes recommended to the Fee Schedule were those concerning Production Fees and Transport Fees as discussed in the previous agenda items and hearings. President Roddam closed this Hearing at 5:40 p.m.

9. 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 10, 2023 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 25-26, 2023**
- d) Completion of Employee Annual Evaluations**
- e) Update on Aquifer Conservancy Program (ACP) enrollments**
- 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) Permit issued to City of Thorndale under Rule 5.5 for 250 gallons per minute and 172.46 acre feet per year for Municipal Use**
- 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, plugging, inspections**
 - 3. Groundwater Well Assistance Program (GWAP) Update: investigations and corrective actions taken**
 - 4. Recent and future District presentations and activities**
 - a. District Local Water Utility Workshops of October 18 & 19, 2023**
 - b. Brazos Region G Water Planning Group meeting of October 20, 2023**

- c. Roundtable meeting of October 25, 2023 at Bureau of Economic Geology with cooperators and GCD stakeholders to discuss results of pilot program of the Well Performance Model**
- d. Groundwater Management Area 12 Meeting of October 26, 2023**
- e. Texas Water Conservation Association Fall Conference of November 1-3, 2023**
- f. District Agriculture Irrigation Workshop of November 10, 2023**
- g. Texas Water Conservation Association Board of Directors Meeting of December 7-8, 2023**

After discussion, Director Jay Wilder moved to approve the Consent Agenda as presented and was seconded by Director Tommy Tietjen. Approval of the Consent Agenda as presented was unanimous of all present.

10. Regular Agenda

a) District 2024 Budget

President Roddam opened this item and invited questions or discussion. There was no further discussion on this agenda item. Director Tietjen moved to approve the District 2024 Budget and was seconded by Director Bob Wilson. The motion passed unanimously of all present.

b) District Production Fees

President Roddam opened this item and invited questions or discussion. There was no further discussion on this agenda item. Director John Redington moved to approve the District Production Fees beginning January 1, 2024 at 1.8 cents per 1,000 gallons of water assessed on permitted amounts as recommended, and was seconded by Director Tietjen. The motion passed with 8 Directors voting in favor and Directors Goetsch and Worley voting against.

c) District Transport Fees

President Roddam opened this item and invited questions or discussion. There was no further discussion on this agenda item. Director Ed Savage moved to approve the District Transport Fees beginning January 1, 2024 at 12 cents per 1,000 gallons of water assessed on permitted amounts, and was seconded by Director Lee Pelzel. The motion passed unanimously of all present.

d) District Fee Schedule

President Roddam opened this item and invited questions or discussion. There was no further discussion on this agenda item. Director Redington moved to approve the District Fee Schedule as recommended and was seconded by Director Wilson. The motion passed with 9 Directors voting in favor and Director Goetsch voting against.

e) Amenda Board Policies

GM Westbrook stated this item was on the agenda in case any changes were made to the draft 2024 Budget which might necessitate an amendment to the Board Policies. Since no changes were made to the draft 2024 Budget, no amendments to the Board Policies were necessary. No action was taken on this agenda item.

f) Report on recent events and activities concerning Vista Ridge Pipeline and Permits

Stefan Schuster gave an update on the Vista Ridge Pipeline. He also stated an application was submitted in October to make their temporary amendment permanent.

He stated Vista Ridge has put together a work group to ensure a consolidated approach. They continue to monitor the project and are currently collecting bids and costs for altering production capabilities on some Simsboro wells. He had no issues to report on operations.

He reminded the Board that the annual pipeline shutdown has been moved from December 2023 to February 2024. He answered questions from the Board.

GM Westbrook made note that Vista Ridge did file their application in a timely manner and POSGCD consultants and staff are currently processing and reviewing it for administrative completeness.

g) Meeting of October 11, 2023 between representatives of Brazos Valley GCD, Post Oak Savannah GCD, and Lost Pines GCD to discuss regional impacts of production and possible cooperative work among the districts concerning maintaining the operability of water wells as set out in Section 36.207, Texas Water Code, as amended by HB3059 of the 88th Texas Legislature

GM Westbrook stated discussion on this topic began during the GMA 12 meetings due to consideration of impacts and DFCs. Following the amendment to Section 36.207, TWC, this item has since moved forward to meetings between these three districts outside of the GMA process. Care was taken to ensure DFCs were not discussed at this meeting and will not be discussed at any future meetings of this group. He stated that no decisions were made at this meeting, and any decisions would need to be made following discussion by the Board of the District in an open and public meeting. He believed progress was made and hopes to continue discussions with these districts on this topic in the future. He answered questions of clarification from the Board.

h) Discussion and possible action on Grant criteria and scoring mechanism for 2024 Groundwater Conservation Grants

GM Westbrook overviewed the changes to the Grant criteria and scoring mechanism for the 2024 Groundwater Conservation Grants. He requested the Board give the Grant Committee authority to finalize these changes. He answered questions from the Board. Director Redington moved to approve the changes as written and was seconded by Director Worley. The motion passed unanimously of all present.

i) Employment of Jaclyn Wise as Education Coordinator

GM Westbrook stated that Jaclyn Wise has been on staff in this capacity since November 15, 2023. He reviewed the extensive process followed to fill this position. He noted that due to the staff already having an established working relationship with Ms. Wise, and to ensure transparency and an openness to all applicants, Board President Roddam and Board Vice-President Wilder were selected by the Advisory Committee to review the resumes submitted for this position, select interviewees, conduct interviews, and made the final decision on filling this position. Ms. Wise was the clear choice. The board welcomed Ms. Wise to the staff.

j) Discussion and possible action authorizing the Advisory Committee to review and publish the District's Banking, Depository and Investment RFP and from response received select an entity to be the District's Banking, Depository and Investment entity as well as secure possible loans that may be needed to assist with payment of the new POSGCD Education Center and offices

After discussion, Director Wilson moved to approve authorizing the Advisory Committee to review and publish the District's banking, depository and investment RFP and from responses received select an entity to be the District's banking, depository and investment entity as well as secure possible loans that may be needed to assist with payment of the new POSGCD Education Center and offices. He was seconded by Director Tietjen. The motion passed unanimously of all present.

k) Discussion and possible action authorizing Goodwin-Lasiter-Strong to proceed with taking all necessary actions related to advertisement for competitive sealed proposals and all associated documents and information for the new POSGCD Education Center and offices

Director Buster Evers, as chair of the Building Committee, gave an update regarding the Building Committee's latest meetings. He noted his concerns with the current building design exceeding the preliminary estimates of 10,000 square feet by an additional 2,000 square feet. He is also concerned about exceeding the originally discussed estimated cost of the building of \$4 million. He noted there would be additional costs on the property as well. He then stated the committee had reviewed the most recent work completed by GLS and had recommended to add additional language to the agreements and requirements to be published by GLS which would provide additional protection for the District, and would ensure the ability of the District to have flexibility in negotiations with

any contractor who was selected during the process. He was very complementary of staff member Gregory Perry for his part in these efforts. He noted the only way to get an accurate cost on the project would be to proceed with soliciting the sealed proposals from contractors so those proposals could be evaluated. He stated the Building Committee had recommended the Board proceed with taking all necessary actions related to advertisement for competitive sealed proposals and all associated documents and information for the new POSGCD Education Center and offices. After discussion, Director Evers moved to approve authorizing Goodwin-Lasiter-Strong to proceed with taking all necessary actions related to advertisement for competitive sealed proposals and all associated documents and information for the new POSGCD Education Center and offices. He was seconded by Director Goetsch. The motion passed unanimously of all present.

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

GM Westbrook overviewed and summarized a report from Dr. Young that was given at the earlier DFC Committee Meeting. He noted the report was a first draft and that the DFC Committee will meet again when the report is finalized. The report will be brought back to the Board in January for final adoption. GM Westbrook and Dr. Young answered questions from the Board.

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

GM Westbrook overviewed and summarized a report from Dr. Young that was given at the earlier DFC Committee Meeting. GM Westbrook and Dr. Young answered questions from the Board.

11. Dates, locations, and times of future meetings

The next Public Hearings and Board Meeting will be held on December 12th, 2023 at 5:30 p.m.

12. Adjourn Board Meeting

The Board Meeting was adjourned at 6:37 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON NOVEMBER 28, 2023 WERE APPROVED AND ADOPTED BY THAT BOARD ON December 12, 2023


Ward Roddam, President

Attest:



Gary Westbrook, General Manager

Date 12-10-23