**Post Oak Savannah Groundwater Conservation District**

**Public Hearings & Board of Directors Meeting**

**POSGCD District Offices**

**310 East Avenue C**

**Milano, TX 76556**

**December 12, 2023 – 5:30 p.m.**

**MINUTES**

**POSGCD Board Members Present**

Ward Roddam

Lee Pelzel

Becky Goetsch

Bob Wilson

Ed Savage

Tommy Tietjen

Kit Worley

John Redington

**Board Members Absent**

Buster Evers

Jay Wilder

**POSGCD Staff Present**

Gary Westbrook

Courtney Gentry

Michael Redman

Kelli Timmerman

Jaclyn Wise

Gregory Perry

Jeff Fisher

**POSGCD Consultants Present**

Steve Young Intera

Barabara Boulware-Wells The Knight Law Firm

**Public Attendance**

Alan Gardenhire SLR

Bill Ballard Landowner

**Public Attendance via online**

Andy Wier SAWDF

Amy Ochello

Blaire Parker SAWS

Shan Rutherford Terrill & Waldrop

**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 5:37 p.m.

**4.** **Public Comment**

Andy Wier thanked the Board for their work this year. He commended the DFC and Rules Committees for their hard work on difficult topics. He noted that in the new year, GMA 12 will be looking at considering the DFCs adopted in the last round and applying the 9 factors required in 36.108, TWC. He stated this would be an opportunity to introduce sustainable DFCs.

**5. Public Hearing on District Management Plan**

President Roddam opened the Public Hearing on the District Management Plan at 5:41 p.m. GM Westbrook clarified that both amendments to the Management Plan and Rules have been on the website since October and were reviewed at the October Board Meeting. President Roddam invited discussion or questions on this agenda item.

Alan Gardenhire made comment regarding a set of comments submitted by Molly Cagle on behalf of SLR on November 13th. He noted that the numbers provided in the 2022 State Water Plan are outdated and requested the Board Consider that when considering amendments to the Management Plan. Mr. Gardenhire also asked the Board to consider moving away from using PDLs and only implementing DFCs, as he has concerns that PDLs will be incompatible with DFCs. Mr. Gardenhire answered questions from the Board.

Andy Wier stated that he is looking forward to sustainability being defined by the District and GMA 12. He commented regarding the State Water Plan. He also made comment regarding Mr. Gardenhire’s request that the Board only use DFCs moving forward. He noted that District had the authority to adopt PDLs.

GM Westbrook answered questions from the Board regarding DFCs and PDLs and information required to be included in the Management Plan.

President Roddam closed the Public Hearing on the District Management Plan at 6:04 p.m.

**6. Public Hearing on District Rules: Section 2.3 Quorum, Section 2.4 Conflict of Interest, Section 9.1 Water Use and Other District Fees and Charges, Section 14.2 Notice and Scheduling of Hearings on Applications, Section 14.3 General Procedures for Hearings on Applications, Section 14.7 Final Decisions and Appeal for Permits and Applications, and Section 14.8 Rulemaking Hearings Procedures and Public Hearings**

President Roddam opened the Public Hearing on District Rules at 6:04 p.m. He invited discussion or questions on this agenda item.

Mr. Gardenhire asked that the Rules Committee consider in the future the suggestions made in the comments submitted by Molly Cagle on behalf of SLR.

Mr. Wier asked for clarification on Rules Section 14.8.

President Roddam closed the Public Hearing on the District Rules at 6:10 p.m.

**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 28, 2023 Board Meeting and Public Hearings**

**b) Update on Aquifer Conservancy Program (ACP) enrollments and amendments to terms**

**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**

**2. Well Drilling activities: registrations, applications, completions, plugging, inspections**

**3. Recent and future District presentations and activities**

**a. Presentation to the Cameron Rotary Club on December 6, 2023**

**b. Texas Water Conservation Association Board of Directors Meeting December 7-8, 2023**

Item 7c was removed from the Consent Agenda and moved to the first item on the Regular Agenda. Director Kit Worley moved to approve the Consent Agenda as presented with item 7c being moved from the Consent Agenda to the Regular Agenda. He was seconded by Director Ed Savage. The motion passed unanimously of all present.

**8. Regular Agenda**

**a) Item 7c from Consent Agenda - Water Well Monitoring Update: Number of wells and frequency of measurements**

Director Worley asked for a report on the request he had made at the last Board Meeting to develop a dashboard on the water well monitoring. Dr. Steve Young and GM Westbrook answered questions and discussed with the Board the information desired and how that information would be available to the Board and public. The possible cost was also discussed. It was estimated that something could be developed by late Spring 2024 under development of the DFC Committee. Future reports on progress will be brought back to the Board.

**b) Amend the District Management Plan**

Director Tommy Tietjen moved to amend the District Management Plan as recommended and presented and was seconded by Director Becky Goetsch. The motion passed unanimously of all present.

**c) Amend the District Rules: Section 2.3 Quorum, Section 2.4 Conflict of Interest, Section 9.1 Water Use and other District Fees and Charges, Section 14.2 Notice and Scheduling of Hearings on Applications, Section 14.3 General Procedures for Hearings on Applications, Section 14.7 Final Decision and Appeal for Permits and Applications, and Section 14.8 Rulemaking Hearing Procedures and Public Hearings**

Director John Redington moved to amend the District Rules as presented and was seconded by Director Lee Pelzel. Director Worley requested clarification on recommended Rule 2.4. After brief discussion, the motion passed unanimously of all present.

**d) Discussion on groundwater management in the District and preparation for 5-year reviews**

Dr. Young overviewed a presentation entitled “Overview of the 5-Year Review Process & Discussion of Results from Compliance Report.” Dr. Young and GM Westbrook discussed the information in this report and answered questions from the Board concerning historical development of the District’s management strategies and Rules, and how this information would be used by the Board in future management decisions. Recent questions concerning the District’s management of aquifers and the DFC process were also discussed.

**9. Dates, locations, and times of future meetings**

The next Board Meeting will be held on January 9th, 2024 at 5:30 p.m.

**10. Adjourn Board Meeting**

The Board Meeting was adjourned at 7:43 p.m.

**The above minutes of the meeting of the Board of Directors of the Post Oak Savannah Groundwater Conservation District held on December 12, 2023 were**

**approved and adopted by that board on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2024**

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Ward Roddam, President

**Attest:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Gary Westbrook, General Manager

Date\_\_\_\_\_\_\_\_\_