

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
August 13, 2024 – 5:30 p.m.

MINUTES

POSGCD Board Members Present

Jay Wilder
John Redington
Lee Pelzel
Becky Goetsch
Kit Worley
Ed Savage
Jeffrey Zgabay
Robert Jekel

Board Members Absent

Buster Evers

POSGCD Staff Present

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

POSGCD Consultants Present

Barabara Boulware-Wells	The Knight Law Firm
Steve Young	Intera

Public Attendance

Collier & Peggy Perry	Landowners
Bill Whitmire	Milam County Judge
Eric Ede	Ede & Co.
Kevin Ede	Ede & Co.
Kelsey Ede	Ede & Co.
Alan Gardenhire	SLR
Stefan Schuster	EPCOR
Steve Thoreson	Laguna Water Supply

Public Attendance via online

(979) 587-9426

Andy Wier

Blaire Parker

Casey Cooper

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

Vice-President John Redington called the Board Meeting to order at 5:34 p.m. and confirmed a quorum was present.

4. Accept resignation of Ward Roddam from Board

Vice-President Redington noted the Board's appreciation for Mr. Roddam's outstanding service to the District. Director Kit Worley moved to accept Mr. Roddam's resignation from the Board and was seconded by Director Jeffrey Zgabay. The motion passed unanimously of all present.

5. Oath of Office for Appointed Director Brian Wallis

Vice-President Redington administered the Oath of Office to newly appointed Director Brian Wallis.

6. Election of Board President and other Officers, if necessary

Vice-President Redington noted that Mr. Roddam had been Board President until his resignation and an election of Board President was in order.

Director Worley moved to open nominations for Board President. The motion was seconded by Director Zgabay. The motion passed unanimously of all present.

Director Worley nominated Director Redington as the Board President. Director Robert Jekel nominated Director Jay Wilder as the Board President. There were no more nominations and Vice-President Redington called for the vote.

The Directors voted for Board President as follows: Director Worley, Director Redington, and Director Zgabay voted for Director Redington. Directors Wallis, Pelzel, Savage, Goetsch, and Jekel voted for Director Wilder. Director Wilder was elected as the Board President.

7. Public Comment

No public comments were offered.

8. 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 June 11, 2024 Board Meeting**
- b) **Update and adopt District Records Retention Schedule**
- c) **Adopt resolution to appoint Office Manager as Records Retention/Management Officer**
- d) **Update on Aquifer Conservancy Program (ACP) enrollments**
- e) **Water Well Monitoring Update: Number of wells and frequency of measurements, and wells plugged**
- f) **Water Well Drilling activities: applications filed, registrations issued, and inspections performed**
- g) **Groundwater Well Assistance Program (GWAP) Update: investigations and corrective actions taken**
- h) **Report on property inspections received under Interlocal Agreement with Milam and Burleson Counties**
- i) **Bills received, current financial status, Investment Officer Report**
- j) **Review of Recent Education Efforts and Activities**
- 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. **Recent and future District presentations and activities**
 - a. **Milam and Burleson Counties Groundwater Summit of July 18, 2024 Topics and Speakers**
 - b. **Water Management presentation to El Camino Real Master Naturalists of August 8, 2024**
 - c. **Texas Alliance of Groundwater Districts Groundwater Summit of August 20-22, 2024**
 - d. **POSGCD Real Estate Seminar of September 19, 2024**
 - e. **Groundwater Management Area 8 Meeting of September 5, 2024**
 - f. **Workshop on Brazos River Groundwater-Surface Water Interactions of December 9, 2024**

Director Redington moved to approve the Consent Agenda as presented and was seconded by Director Goetsch. The motion passed unanimously of all present.

Director Worley made comment regarding the 2024 POSGCD Groundwater Summit, congratulating staff on a great job and successful Summit.

9. Regular Agenda

a) Receive and accept 2023 Audit

Kevin Ede, Ede & Co., presented the 2023 financial audit to the Board. He noted the audit result was as good as can be achieved and he congratulated the Board and Staff. He and GM Westbrook answered questions from Directors. During these discussions, Director Zgabay requested the Board consider amending the Board Policies with respect to several items, including sick time and long and short-term disabilities. GM Westbrook will prepare information for consideration. Director Jekel moved to accept the 2023 financial audit report and was seconded by Director Zgabay. The motion passed unanimously of all present.

b) Review of results of surveys on District Programs and direction to staff

- 1. Aquifer Conservancy Program**
- 2. Fire Department Reimbursement Program**
- 3. Groundwater Well Assistance Program**
- 4. Groundwater Conservation Grants for Local Water Utilities**

GM Westbrook overviewed the District Program survey results for each program and answered questions from the Board.

After discussion of the terms and compensation of the Aquifer Conservancy Program (ACP), Director Jekel moved to increase the ACP sign-up incentive to \$50 per acre effective immediately and task the Advisory Committee with further discussions on possible changes to the ACP. He was seconded by Director Goetsch. The motion passed unanimously of all present.

After discussion of the Fire Department Reimbursement Program, Director Worley moved to remove limits on the Fire Department Reimbursement Program and charge the Grant Committee with further discussions on possible changes to the Fire Department Reimbursement Program. He was seconded by Director Savage. The motion passed unanimously of all present.

No action was taken regarding the Groundwater Well Assistance Program.

After discussion it was agreed the Grant Committee would evaluate feedback and recommend possible changes to Groundwater Conservation Grants for Local Water Utilities.

c) Update on Groundwater Management Area 12

GM Westbrook provided an overview of discussions at the most recent GMA 12 Meeting of July 31, 2024. He thanked Directors Goetsch and Worley for their attendance. He noted that the discussions included a request from Lost Pines GCD (LPGCD) to change from Desired Future Conditions (DFCs) of average drawdown to DFCs of a percentage of artesian pressure remaining. Also, Brazos Valley GCD (BVGCD) and LPGCD both stated they desired to update their pumping files used in the last round of DFC planning and return that information in a new GAM run to the GMA. Mr. Westbrook reminded the GMA that the POSGCD Board desired to continue to evaluate the current DFCs using the nine factors of 36.108, Texas Water Code, and review results before considering any changes to the current DFCs.

An action list was brought forward by the LPGCD Board President, Elvis Hernandez, and was discussed. BVGCD representative Alan Day noted that BVGCD sees DFCs as a regulatory requirement.

Mr. Westbrook reiterated the explanation he gave to the GMA concerning the way DFCs should be developed and adopted based on the characteristics and capabilities of the aquifers as well as the balancing language and consideration of impacts to existing users as described in Statute. He stated this is the practice which POSGCD has always desired, but has not been the practice followed in the last two rounds of joint planning. He asked if the Board was in agreement. There was agreement from the Board with Mr. Westbrook's explanation of the desired methods for development of DFCs.

He noted GMA 12 will renew efforts to engage counties where areas with aquifers of GMA 12 exist but do not have a GCD. The previously discussed GMA 12-wide summit was tabled.

Sharing of expenses for technical work within GMA 12 was also discussed with possible options of funding ranging from current practices to equal shares paid by each GCD to shares based on budget of each GCD. He answered questions from the Board. Mr. Westbrook noted another possibility might be to share expenses based on total of permits issued. He asked what the Directors would suggest as far as cost sharing among GMA 12. After discussion, the Board was in agreement with continuing previous methods of sharing the costs.

d) Report from EPCOR on recent events and activities concerning Vista Ridge Pipeline and Permits

Stefan Schuster, EPCOR, gave an update to the Board. He noted that July was at full summer flows, delivering 48.6 million gallons per day. In June, they lost a Simsboro well and delivered slightly above baseline. In May, there were power interruptions from rain. Generally, the system has been operating at full summer flow conditions.

He noted that the previous permit amendment for the additional initiative to reduce reliance on the Carrizo Aquifer has worked, but the loss of a Simsboro well in June shows a need for redundancy for Simsboro production to get to the desired 82/18 split that was approved in the summer of August 2023. Challenges to complete this effort include a complex contractual relationship between permittee, owner of project, institutional owner, permit holders, etc. Increasing and changes in production must involve contractual entities. The temporary amendment was in place through end of 2023 and it was planned that the application to make amendments permanent would be submitted. Since December of 2023, negotiations for a project company to sell assets as far as business interests go. Should be finalized in August with a presentation to SAWS board by Sept Board meeting. Mr. Schuster stated they have all materials and a party coming in to help move the process forward. Vista Ridge will continue to reduce Carrizo pumpage and will continue to have 2,000 to 2,500 ac/ft less Carrizo pumpage this year than the permitted amount.

He answered questions from the Board. The Board thanked him for his update.

e) Report from Rules Committee on possible amendments to Rules

Michael Redman, POSGCD Regulatory Compliance Specialist, and GM Westbrook overviewed recommended amendments and additions to the Rules. After discussion, Director Goetsch moved to send the Rules amendments and additions to the Public Hearing that will be held September 10, 2024. She was seconded by Director Redington. The motion passed unanimously of all present.

f) Discussion concerning Texas Water Development Board Financial Assistance Programs and direction to staff

GM Westbrook and Courtney Gentry, POSGCD Admin Assistant and Grants Coordinator, had a discussion with Texas Water Development Board regarding their Financial Assistance Programs and possible ways POSGCD could assist Local Water Utilities of the District in obtaining this assistance, including possible ways to integrate current POSGCD Grant funds into this program. After discussion, GM Westbrook asked the Board for permission to pursue ideas on how to make this program work. Director Redington moved to authorize GM Westbrook to move forward in this discussion with TWDB and was seconded by

Director Savage. The motion passed unanimously of all present with Directors Worley and Zgabay abstaining from voting on this item.

10. Agenda items, Dates, locations, and times of future meetings

The next Board Meeting is scheduled to be held on September 10th, 2024 at 5:30 p.m. Director Zgabay requested updates on the new tool developed for viewing water level information and approved work on the parking lot be added to the next agenda. Director Worley requested to include an update on current SOAH proceedings with Kristen Fancher able to remote in for the discussion.

11. Adjourn Board Meeting

The Board Meeting was adjourned at 8:21 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON AUGUST 13, 2024 WERE APPROVED AND ADOPTED BY THAT BOARD ON _____, 2024

Jay Wilder, President

Attest:

Gary Westbrook, General Manager

Date_____