

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting & Public Hearing
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
October 8, 2024 – 5:30 p.m.**

MINUTES

POSGCD Board Members Present

Jay Wilder
John Redington
Becky Goetsch
Lee Pelzel
Jeffrey Zgabay
Robert Jekel
Brian Wallis

Board Members Absent

Kit Worley
Ed Savage
Buster Evers

POSGCD Staff Present

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

POSGCD Consultants Present

Barabara Boulware-Wells The Knight Law Firm

Public Attendance

Alan Gardenhire	SLR
George Chmelar	Landowner
Collier Perry	Landowner
Haley Lohten	Landowner

Public Attendance via online

Brian
Brianna Fuller
Molly Cagle

Stefan
Andy Wier
AW
Bill Whitmire
Blair Parker
Casey Cooper
Hernandez
Jennifer Windscheffel
512-796-1580

Board Meeting

1. Pledge of Allegiance

Director John Redington 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 Jay Wilder called the Board Meeting to order at 5:34 p.m. He noted Directors Kit Worley, Ed Savage and Buster Evers were absent and confirmed that 7 voting members of the Board were present.

4. Public Comment

George Chmelar made comment regarding a water lease on his property and the Aquifer Conservancy Program.

Collier Perry made comment regarding the SOAH Hearing and the data on the SOAH website. He also made comment about water production and export in BVGCD and POSGCD coming from the Simsboro Aquifer.

5. Public Hearing on Rules: Section 1.1 Definitions of Terms, Section 4.1 Required Spacing, Section 4.2 Exceptions to Spacing Requirements, Section 5.1 Maximum Allowable Permitted Production, Section 5.3 Waivers and Variances, Section 5.5 Regulation of Production For Local Water Utilities, Section 7.1 General Permit and Registration Provisions, Section 7.4 Application Requirement For All Permits, Section 7.6 Considerations For Granting Permits, Section 7.10 Exempt Well Status, Section 16.5 Five (5) Year Reviews, and new Section 18 Requests for Verification of Water Availability Studies For Subdivisions.

President Wilder opened the Public Hearing at 5:42 p.m. POSGCD Regulatory Compliance Specialist, Michael Redman, and General Manager, Gary Westbrook, overviewed the proposed amendments to the Rules.

Molly Cagle, representing SLR, discussed written comments submitted last month and just prior to this meeting concerning possible amendments to the

Rules. She stated SLR had no problem with the District adoption the proposed Section 18. She also stated she believes some of the other amendments to the Rules go beyond the authority POSGCD has per Chapter 36 Texas Water Code.

Briam Limoges made comment regarding the modifications to the Rules and proposed change to the Rules regarding Historic Use Permits.

President Wilder closed the Public Hearing at 6:17 p.m.

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 September 10, 2024 Board Meeting**
- b) Update on Aquifer Conservancy Program (ACP) enrollments**
- c) Water Well Monitoring Update: Number of wells and frequency of measurements, and wells plugged**
- d) Water Well Drilling activities: applications filed, registrations issued, and inspections performed**
- e) Groundwater Well Assistance Program (GWAP) Update: investigations and corrective actions taken**
- f) Report on property inspections received under Interlocal Agreement with Milam and Burleson Counties**
- g) Bills received, current financial status, Investment Officer Report**
- h) Review of Recent Education Efforts and Activities**
- i) 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. Groundwater Management Area 12 Meeting of December 20, 2024**
 - b. Burleson County Farm Bureau Annual Meeting of October 8, 2024**
 - c. Williamson County Pre-Legislative Summit of October 9, 2024**
 - d. Workshop on Brazos River Groundwater-Surface Water Interactions of December 9, 2024**
 - e. Accepting application for position of District Field Tech through October 18, 2024**
 - f. Texas Water Conservation Association (TWCA) Conference of October 23-25, 2024**
 - g. Bell County Water Symposium of November 13, 2024**

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

7. Regular Agenda

- a) **Amend Rules: Section 1.1 Definitions of Terms, Section 4.1 Required Spacing, Section 4.2 Exceptions to Spacing Requirements, Section 5.1 Maximum Allowable Permitted Production, Section 5.3 Waivers and Variances, Section 5.5 Regulation of Production For Local Water Utilities, Section 7.1 General Permit and Registration Provisions, Section 7.4 Application Requirement For All Permits, Section 7.6 Considerations For Granting Permits, Section 7.10 Exempt Well Status, Section 16.5 Five (5) Year Reviews, and new Section 18 Requests for Verification of Water Availability Studies For Subdivisions.**

Director Redington moved to adopt the amendments to the Rules and was seconded by Director Pelzel. The motion passed unanimously of all present.

- b) **Presentation concerning Texas Runs on Water Campaign**

Brianna Fuller gave a presentation and overviewed how the Texas Runs on Water campaign has assisted in water awareness campaigns across Texas and how they have assisted in advertising for other GCDs. She answered questions from the Board. After discussion, Director Robert Jekel moved to proceed with Texas Runs on Water and was seconded by Director Pelzel. The motion passed unanimously of all present.

- c) **Update on Water Level Viewer Tool**

Mr. Redman gave an update on the Water Level Viewer Tool, including a presentation of what it was capable of, and answered questions from the Board.

- d) **Request for extension of time to complete scope of work associated with award of District Groundwater Conservation Grants:**

- 1. City of Rockdale**
- 2. Clay WSC**
- 3. Cade Lakes WSC**
- 4. Marlow WSC**

Director Jekel stated he was abstaining from discussion and voting due to association with Marlow WSC. GM Westbrook noted that the City of Rockdale extension request has been withdrawn as they no longer need this extension, but staff recommended all requests be granted. After discussion, Director Zgabay moved to approve the extension of time requests for Clay WSC, Cade Lakes

WSC and Marlow WSC. He was seconded by Director Redington. The motion passed unanimously of all present with Director Jekel abstaining from voting.

e) Adoption of Post Oak Savannah Groundwater Conservation District's Covered Applications and Prohibited Technology Policy, Dates: September 16, 2024, Version 1.0, as required by Texas Government Code, Section 620.003

GM Westbrook gave a brief review of the purpose of this item which is required to be adopted by November 2024. Director Goetsch moved to adopt this policy and was seconded by Director Jekel. The motion passed unanimously of all present.

f) Update on comments received during Public Comment at September 10, 2024 Board Meeting

GM Westbrook provided a brief update on his efforts to assist Mr. David Whitaker who made public comments at the September Board Meeting. The Board thanked him for his efforts.

g) Amend Personnel Policies

GM Westbrook presented amendments to the District Personnel Policies as previously discussed by the Board. These amendments have been reviewed by the Advisory Committee and are recommended. After discussion, Director Jekel moved to approve the amendments to the Personnel Policies as written and to include bereavement time of three days. He was seconded by Director Zgabay. The motion passed unanimously of all present.

h) Amend Board Policies

Amendments to the Board Policies were presented to be consistent with changes in the Personnel Policies. Director Redington moved to approve the amendments to the Board Policies and was seconded by Director Pelzel. The motion passed unanimously of all present.

i) Amend 2024 Budget

GM Westbrook overviewed recommended amendments to the 2024 budget, noting one correction to the document which was on the website. This correction concerned the "Repairs" line item. The recommended amount in the existing document was \$75,000. He is recommending that amount be corrected to \$85,000 which would include an amount of \$2400 to accomplish additional cleaning, scraping, and painting of parking areas not covered by previous Board approval. After discussion, Director Jekel moved to amend the 2024 budget

including all recommended amounts and additional work on the parking areas. The motion was seconded by Director Goetsch. The motion passed unanimously of all present.

j) First look at draft 2025 Budget

GM Westbrook overviewed the Draft 2025 Budget as recommended by the Advisory Committee. He noted the committee reviewed and discussed responses to the surveys previously issued by the District concerning the District's programs as well as comments and direction from the Board on these programs. He answered questions from the Board and stated if the Board was satisfied with the Draft 2025 Budget he would like a motion to proceed with posting the Draft 2025 Budget for public Hearings at the November 12, 2024 Board Meeting. After discussion, Director Jekel moved to proceed with posting the Draft 2025 Budget for public Hearings at the November 12, 2024 Board Meeting as presented and was seconded by Director Pelzel. The motion passed unanimously of all present.

8. EXECUTIVE SESSION: Pursuant to Section 551.074, Texas Government Code, Personnel, relative to deliberations about officers and employees of the Groundwater Conservation District to be held in executive session; the Board of Directors may also consider receiving legal advice pursuant to Section 551.071, Texas Government Code, on the following matters:

a) To deliberate the evaluation of a public officer or employee – Evaluation of General Manager

President Wilder convened the Board into Executive Session at 8:00 p.m.

9. RECONVENE FROM EXECUTIVE SESSION: Take action on matters discussed in Executive Session

a) To deliberate the evaluation of a public officer or employee – Evaluation of General Manager

President Wilder reconvened the Board into Regular Session at 9:20 p.m. and noted that no action was taken during Executive Session. Director Redington moved to increase the General Manager's salary to \$130,000 per year beginning in 2025. He was seconded by Director Jekel. The motion passed unanimously of all present.

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

Public Hearings for fees and the 2025 Budget will be agenda items at the November Board Meeting. The next Board Meeting will be held on November 12th, 2024 and 5:30 p.m.

11. Adjourn Board Meeting

The Board Meeting was adjourned at 9:25 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON OCTOBER 8, 2024 WERE APPROVED AND ADOPTED BY THAT BOARD ON _____, 2024

Jay Wilder, President

Attest:

Gary Westbrook, General Manager

Date _____