

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
Post Oak Savannah Ground Water District Offices
310 East Avenue C
Milano, Texas 76556
April 14, 2009 – 5:30 p.m.
MINUTES

Members Present

Nathan Ausley
Jim Hodson
Jay Tumlinson
Dwayne Jekel
Robert Ware
Lee Alford III
Andy Hovorak
Kerry Starnes
Jay Wilder

Entity

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Gary Westbrook
Elaine Gerren
Clay Ohlendorf
Barney Knight

POSGCD
POSGCD
POSGCD
Knight & Partners

Board Members Absent

Carroll Glaser

POSGCD

Others Present

Jackie Scott
Dwight Mahoney
Scott Carlson
Curtis Chubb
Ridge Kaiser
Colleen Waring
Ross Cummings
Ken Hall
Randy Holly
Bob Barrie
Erin Zoch
Russell Kromnow
Bruce Brinkman
Sal Zaccagnin
Bill Graham
Ken Cooke
Steve Young

Entity

BRA
BRA
Metropolitan Water
Cameron Herald
R.W. Harden
Berry Hill Farms
Blue Water
Southwest Milam WSC
City of Rockdale
BVWA
Aqua Systems
Althon Thiele, P.C.
Brinkman Ranch
BCIF
Landowner
The Rockdale Reporter
URS

BOARD MEETING

1. Call to Order

Board President, Nathan Ausley called the meeting to order @ 5:30 p.m.

2. Public Comment

There was no public comment.

3. Minutes of March 10, 2009 Board Meeting

A motion was made by Director Jay Tumlinson to approval the minutes of the March 10, 2009 Meeting. The motion was 2nd by Director Jim Hodson. The motion carried unanimously

4. District Audit

A report of the District Audit was given by Russell Krumnow with Alton Thiele, P.C. A motion was made by Director Dwayne Jekel to approve the district audit as presented. The motion was 2nd by Director Jay Wilder. The motion carried unanimously.

5. Enforcement actions and direction to the general manager regarding violations of the District Rules by Siegert Water Wells for drilling water wells for persons without appropriate permits or certificates to proceed with drilling for drilling water wells from the District, and failing to file well logs and completion forms with the District.

General Manager, Gary Westbrook reported that a letter had been received from Mr. J.O. Siegert, with an offer to fine himself \$ 50 per violation. There are 19 total violations of District rules. A motion was made by Director Robert Ware to accept the offer from Siegert Water Wells. The motion was 2nd by Director Jay Wilder. The motion carried unanimously.

6. Request from Blue Water, L.P. for waiver of review requirements for production and transport permits issued by the District 9-14-04, amended most recently 1-14-09

President, Nathan Ausley recues himself for items # 6 & 7 and turns direction of the meeting over to Director Dwayne Jekel. Brief comment was heard from General Manager Gary Westbrook and Barney Knight, General Counsel for the District. It was noted that a review had been preformed when the permits were amended 1-14-09 and to do this now would be a duplication of the process. A motion was made by Director Jim Hodson to wave the review requirements for the production and transport permits issued by the District 9-14-04, and amended most recently 1-14-09. The motion was 2nd by Director Jay Wilder. The motion carried 8 to 0, with President Nathan Ausley abstaining from vote.

7. Request from Blue Water, L.P. to reduce District production fees and transport fees and recommendation from Advisory Committee

Per recommendation from the Advisory Committee a motion was made by Director Jay Tumlinson to retain the current fee schedule as it is and to take no action indefinitely on the fee schedule. District General Counsel, Barney Knight noted that both Blue Water, L.P. and Chisom Trail WSC, the prospective end user for a portion of the permitted water, requested that we make no changes. The motion was 2nd by Director Lee Alford. The motion carried 8 to 0 with President Nathan Ausley abstaining from vote.

8. Employment of Water Resource Management Specialist

General Manager, Gary Westbrook reported that the Executive Committee had reviewed all Resumes received and with recommendation from that committee to select Drew Gholson to fill this

Position with him to begin upon graduation from Texas A & M. A motion was made by Director Robert Ware, to hire Drew Gholson for the Water Resource Management Specialist. The motion was 2nd by Director Kerry Starnes. The motion carried unanimously.

9. Agreement with City of Rockdale for monitoring well site

A motion was made by Director Dwayne Jelke to approve the agreement with the City of Rockdale for a monitoring well site at the Rockdale Belton Well Site upon approval of the wording of this agreement by the Districts Legal Counsel, District General Manager and the District Board President. The motion was 2nd by Director Jay Tumlinson. The motion carried unanimously.

10. Award 2009 District Groundwater Conservation Grants

General Manager, Gary Westbrook reported that there were fourteen applicants for groundwater conservation grants. Of those fourteen, eleven were recommended for approval. The recipients with amount recommended are: Lyons WSC Phase 1: 49,216.30, Lyons WSC Phase 2: 26,822.09, City of Snook Project A: 3,747.15, City of Snook Project B: 34,993.37, Milano WSC (Well): 93,678.72, City of Rockdale Project A: 21,858.37, City of Rockdale Project B: 31,226.24, Cade Lakes WSC: 40,594.11, Deansville WSC: 124,904.96, Gause WSC: 48,712.93, Clay WSC: 148,754.31 Marlow WSC: 48,712.93, Minerva WSC: 48,712.93, Cooks Point WSC: 79,065.60

The budgeted grant amount for 2009 is \$1,200,000.00, but will be prorated back to \$800,000.00 pending final decision of the Blue Water Permits. A motion was made by Director Jay Tumlinson to approve the eleven recommended grant applicants as recommended by the Grant Committee. The motion was 2nd by Director Jim Hodson. The motion carried unanimously.

11. District Manager Report on recent District activities and take appropriate actions.

A. Permit applications filed with the District and possible Hearing Dates for those applications

1. City of Rockdale application for production of 125 gpm to be added to existing Historical use rate of 475 gpm, for a total of 600 pgm, for the "New Texas" well, located within the city limits at 30 39'50 N and 96 59'47W, just off of Texas Street

A motion was made by Director Robert Ware to approve the City of Rockdale application for production of 125 gpm to be added to existing Historical use rate of 475 gpm, for a total of 600 pgm, for the "New Texas" well, located within the city limits at 30 39'50 N and 96 59'47W, just off of Texas Street. The motion was 2nd by Director Andy Hovorak. The motion carried unanimously.

B. Emergency Permits Granted, well recordings, & new well applications and completions

District GM Gary Westbrook reported no emergency permits issued, 2 wells recorded, 12 new applications for exempt wells, and 11 exempt wells completed.

C. Recent and future District presentations and activities

1. Legislation filed during current session of State Legislature

General Manager, Gary Westbrook gave an overview of the legislation that had been filed during the current session of the State Legislature.

2. Presentation on District Management Plan and strategies for Rockdale Community Forum, 6:30 p.m., March 26, 2009 at the Paterson Center in Rockdale

General Manager Gary Westbrook reported that the presentation at the Rockdale Community Forum on March 26, 2009 had good attendance with Rockdale City Manager, Randy Holly agreeing that it was successful and informative.

3. **Presentation on District Management Plan and strategies for 22 Hills Homeowners Association, Saturday March 28, 2009, noon at the Garland Winningham Residence**
General Manager, Gary Westbrook reported that the attendance was good and that many questions were answered. Also in attendance was Steve Box with the Environmental Stewardship.
4. **Texas Alliance of Groundwater Districts meeting in Austin, April 28 & 29, 2009**
General Manager, Gary Westbrook reported that he would attend the Texas Alliance of Groundwater Districts meeting in Austin, April 28 & 29, 2009

13. Bills received and current financial status.

A motion was made by Director Jim Hodson to approve payment of the bills as amended to include 3, 140 to Alton Thiele, P.C. for the District Audit. The motion was 2nd by Director Kerry Starnes. The motion passed unanimously.

14. Dates, locations, and times of future meetings.

President Nathan Ausley announced that the next regularly scheduled meeting would be May 12, 2009, at the District's offices at 5:30 p.m.

15. Adjourn Board Meeting

President Nathan Ausley adjourned the meeting at 6:16 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON APRIL 14, 2008 WERE APPROVED AND ADOPTED BY THAT BOARD ON MAY 12, 2009.

Nathan Ausley, President

Attest:

Kerry Starnes, Secretary/Treasurer

Date_____

A meeting recording of this meeting is available on CD.