

POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Office
310 East Avenue C
Milano, Texas 76556
May 11, 2010 – 5:30 p.m.

MINUTES

Members Present

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

Entity

POSGCD
POSGCD
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POSGCD
POSGCD
POSGCD

Gary Westbrook
Elaine Gerren
Drew Gholson
Barney Knight
Steve Young

POSGCD
POSGCD
POSGCD
Knight & Partners
Intera

Board Members Absent

Andy Hovorak
Carroll Glaser

POSGCD
POSGCD

Others Present

Scott Carlson
John Melvin
Dave Barkemeyer
Ross Cummings
Jackie Scott
Dwight Mahoney
Bob Barrie
Paul Terrill

Entity

Metropolitan Water
BVGRA
Citizen
Blue Water
BRA
BRA
BVWA
Paul Terrill Group

BOARD MEETING

1. Call to Order

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

2. Public Comment

Board President, Nathan Ausley asked for public comment. Public comment was heard from Paul Terrill of the Paul Terrill Group advising that Cross County WSC had been successful in all phases of it's recent lawsuits. Mr. Terrill made copies of the judgment available to the Board.

3. Approve Minutes of April 13, 2010 Board Meeting

A motion was made by Director Jim Hodson to approve the minutes of the April 13, 2010 Meeting. The motion was 2nd by Director Dwayne Jekel. The motion carried unanimously.

4. Waiver of review requirements for production permits issued by the District on or before May 10, 2005

- a. Rockdale Country Club Wells #1 and #2**
- b. Marlow WSC Well #4**
- c. Deanville WSC Replacement Well**
- d. Jimmy Horcica**
- e. Burleson County MUD Wells #2, #3, and #4**

Director Robert Ware and Director Dwayne Jekel recused themselves and abstained from discussions and voting on this issue. After discussion with the Board and Legal Counsel a motion was made by President Nathan Ausley to approve waiver of review requirements for production permits issued by the District on or before May 10, 2005 for Rockdale Country Club Wells #1 and #2, Marlow WSC Well #4, Deanville WSC Replacement Well, Jimmy Horcica and Burleson County MUD Wells #2, #3, and #4, and that, until production and permit activity increase in the District, the General Manager shall timely review each permit and present to the Board only permits that in his opinion present an issue that should be considered by the Board. The motion was 2nd by Director Jim Hodson. The motion carried 6-0, with Directors Jekel and Ware abstaining.

5. Request from Clay WSC for amendments to scope of work and pledged participation contained in their 2010 Groundwater Conservation Grant applications, awards, and contracts with the District

After brief discussion, a motion was made by Director Jim Hodson to approve the request from Clay WSC for amendments to scope of work and pledged participation contained in their 2010 Groundwater Conservation Grant applications, awards, and contracts with the District. The motion was 2nd by Director Jay Tumlinson. The motion carried unanimously.

6. Agreement for professional services with Intera, Inc.

General Manager Gary Westbrook noted that a letter of agreement from Intera was to be presented at this time, however was not finalized. He requested that the Board give its allow the District to continue its interim work with Intera until this agreement could be presented at a future meeting. The Board was in agreement with this request.

7. District Groundwater Conservation Grant Program

General Manager Gary Westbrook reported on the Grant Committee Meeting that was held May 11, 2010. Although progress was made the evaluation of changes are not complete. This item will be posted on a later Agenda for Board consideration.

8. Texas Water Conservation Assoc. Interim Groundwater Committee

General Manager Gary Westbrook reported on issues being considered by the Texas Water Conservation Assoc. Interim Groundwater Sub-committee on which he serves. He informed the Board of pending recommendations of this committee to changes in Texas water law, and asked the

Board for guidance in his actions within that committee. After discussion, the Board was in agreement with the General Manager's thoughts and positions.

9. GMA 12 joint planning process and preliminary DFCs, groundwater resources in the District, and future process for evaluating District preliminary DFCs and DFCs, and identification of possible necessary changes to District Rules and District Groundwater Management Plan

A presentation was given by Steve Young with Intera regarding information and characteristics, and possible DFCs in the Brazos Alluvium and Yegua-Jackson Aquifers in the District. A report was given from the DFC Committee's earlier meeting that day concerning the DFCs in these aquifers, and a recommendation from that committee was given as follows:

Brazos Alluvium DFC

For Milam County, the preliminary DFC is an average decrease of 5 ft in the average saturated thickness over the period of 2010 to 2060. The average saturated thickness is currently estimated at 24.5 feet and is based on an analysis of historical water level data and well depth values.

For Burleson County, the preliminary DFC is an average decrease of 6 ft in the average saturated thickness over the period of 2010 to 2060. The average saturated thickness is currently estimated at 38.5 feet and is based on an analysis of historical water level data and well depth values.

The average saturated thicknesses used for the preliminary DFCs will be reevaluated as appropriate prior to establishing a final DFC.

A motion was made by Director Dwayne Jekel to adopt preliminary DFC's for the Brazos Alluvium as recommended by the DFC Committee. The motion was 2nd by Director Jay Tumlinson. The motion carried unanimously.

Yegua-Jackson DFC

For Burleson County, the preliminary DFC is an average drawdown 100 feet over the period of 2010 to 2060 with the constraint that the average drawdown in the unconfined portion of the Yegua-Jackson Aquifer is 15 feet. The unconfined portion of the aquifer is represented by the saturated thickness represented by model layer 1 in the Yegua-Jackson model.

A motion was made by Director Nathan Ausley to adopt preliminary DFC's for the Yegua Jackson as recommended by the DFC Committee. the motion was 2nd by Director Dwayne Jekel. The motion carried unanimously.

10. Received report from 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

No permits were filed that required hearings.

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

No emergency permits were issued, 9 wells were recorded, 13 new applications for exempt wells were submitted, 16 exempt wells were completed and no wells were plugged.

C. Recent and future District presentations and activities

1. Joint Planning meeting for GMA #12 May 26, 2010, 2010

General Manager reported that there will be a GMA 12 Joint Planning meeting at the in Milano on May 26, 2010

2. Red River Groundwater Conservation District Meeting May 24, 2010

General Manager Gary Westbrook presented the Board with a request from Red River GCD that he attend their District Meeting May 24, 2010 to serve as a resource for advising on start-up of a GCD. He asked if the Board was still in support of these kinds of assistance given to GCDs who might request it. The Board agreed that it continues to support this kind of effort on the part of the District.

3. General Manager Invited Testimony at House Natural Resources Hearing April 15, 2010

General Manager, Gary Westbrook reported on his testimony at House Natural Resources Hearing April 15, 2010. A copy of his presentation was provided to the Board.

13. Bills received and current financial status.

A motion was made by Director Jim Hodson to approve payment of the bills as presented. The motion was 2nd by Director Robert Ware. The motion carried unanimously.

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

President Nathan Ausley announced that the next regularly scheduled meeting would be June 8, 2010, at the POSGCD District Offices at 5:30 p.m.

15. Adjourn Board Meeting

President Nathan Ausley adjourned the meeting at 6:12 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON MAY 11, 2010 WERE APPROVED AND ADOPTED BY THAT BOARD ON JUNE 8, 2010

Nathan Ausley, President

Attest:

Kerry Starnes, Secretary/Treasurer

Date _____

A meeting recording of this meeting is available on CD.