

**POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
Board of Directors Meeting
POSGCD District Offices
310 East Avenue C
Milano, TX 76556
March 11, 2025 – 5:30 p.m.**

MINUTES

POSGCD Board Members Present

Jay Wilder
Becky Goetsch
Ed Savage
Lee Pelzel
Jeffrey Zgabay
Brian Wallis
Robert Jekel
Kit Worley

Board Members Absent

John Redington
Buster Evers

POSGCD Staff Present

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

POSGCD Consultants Present

Kristen Fancher	Fancher Legal, PLLC
Steve Young	Intera

Public Attendance

Steve Thoreson	Laguna Water Supply
Terry L. Blodgett	SLR
Dan Fischer	Landowner
Alan Gardenhire	SLR
Casey Cooper	Terrill & Waldrop
Kennon Wooten	Scott Douglass & McConnico, LLP

Public Attendance via online

Andy Wier

Guillermo Martinez

Intera

R Martin

Stefan Schuster

EPCOR

Board Meeting

1. Pledge of Allegiance

Director Becky Goetsch 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. and noted that 8 directors were present. Directors Redington and Evers were absent.

4. Public Comment

No public comments were made.

5. 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 February 11, 2025 Board Meeting

b) Update on Aquifer Conservancy Program (ACP) enrollments

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. Texas Water Association Conference of March 5-7, 2025

**b. Milam and Burleson Counties Groundwater Summit of
August 7, 2025**

After questions from the Board and brief discussion, Director Ed Savage moved to approve the Consent Agenda as presented. He was seconded by Director Lee Pelzel. The motion passed unanimously of all present.

6. Regular Agenda

a) Request from City of Snook to amend application and contract for 2024 Groundwater Conservation Grant (email 1-23-25)

GM Westbrook noted that due to project being under budget, the City of Snook is requesting to replace more water lines. GM Westbrook answered questions from the Board. Director Robert Jekel moved to approve the request from City of Snook and was seconded by Director Brian Wallis. The motion passed unanimously of all present.

b) Texas Alliance of Groundwater Districts Groundwater Summit of August 19-21, 2025 and Sponsorship of Video/Livestream

GM Westbrook encouraged Board Members to attend the TAGD Groundwater Summit this summer. He recommended the Board continue to support the TAGD Summit by sponsoring the video/livestream, which gets the District two free Summit registrations. Sponsorship is \$2,500 and consistent with sponsorships from previous years. Director Jekel moved to approve the sponsorship at \$2,500 and was seconded by Director Jeffrey Zgabay. The motion passed unanimously.

c) Issuance of permit under Rule 5.5 to the City of Thorndale for Drilling and Operating a well in the Hooper Aquifer for 172.458 Acre Feet per year to replace expired Permit POS-5.5-0008 for same purpose and amount

GM Westbrook noted that District Staff has the authority to approve this type of permit. The permit has been approved and this agenda item served as notification to the Board. He answered questions and discussed with Board Members.

d) Update on legislation filed during the 89th Legislature relating to groundwater conservation districts

Michael Redman, POSGCD Regulatory Compliance Specialist, gave an update on legislation filed during the 89th Legislature.

e) Presentation from DFC Committee concerning POSGCD Operational Model and model runs to achieve sustainability of the aquifers in GMA 12

Dr. Steve Young, Intera, gave a brief overview of the presentation given to the DFC Committee at the earlier DFC Committee meeting concerning the

development and application of the Operational & Management Model. He explained that three types of data were used to develop the model: 1) historical water level data from 1930 to 2024; 2) three years of water level data from the start of the Vista Ridge production; and, 3) results from 71 aquifer pumping tests. He presented applications of the model to simulate DFCs and to estimate sustainable pumping for POSGCD. He answered questions from the Board.

f) Discussion and possible action on all matters related to adoption of Desired Future Conditions for the present round of Joint Planning for GMA 12

GM Westbrook presented discussion from the DFC Committee. Evaluation of the current DFCs under the nine required factors of Chapter 36.108 has been ongoing for the past year. At the last GMA 12 meeting, four out of five districts agreed to try to maintain their current DFCs for all aquifers. All districts agreed to update their pumping files used to evaluate DFCs, and then production associated with permits would be reduced in order to achieve values close to DFCs. There are several things which could change the DFC projections, including but not limited to, updating of the production, improved science, and changing the segment of time for which the DFC was applied. GM Westbrook stated he would like direction from the Board with the recommendation of the DFC Committee to instruct GM Westbrook to continue as discussed with the intention of maintaining as closely as possible to current DFCs for all aquifers in GMA 12.

After discussion, Director Kit Worley moved to proceed with direction from the DFC Committee. He was seconded by Director Wallis. The motion passed unanimously of all present.

g) Discussion and possible action on Interlocal Agreement between GCDs in GMA 12 for sharing of cost for Explanatory Report

GM Westbrook stated that a proposal previously presented to GMA 12 had been withdrawn so there was nothing to discuss. This agenda item was tabled until after the next GMA 12 meeting.

h) Application for 2025 TWDB Agricultural Conservation Grants

Texas Water Development Board has included additional scopes of work in their Agricultural Conservation Grants this year, which would allow POSGCD to apply for a grant. POSGCD would put in approximately \$50,000 and receive \$200,000 from TWDB to perform remote sensing to estimate production related to agriculture with a focus on pumping from the Brazos River Alluvium. This would help improve the groundwater surface water interaction part of our GAM models. Funds from POSGCD would likely not be expended until next year. The recommendation from the DFC Committee is to proceed with filing the application. Director Jekel moved to approve applying for a TWDB Agricultural Conservation Grant. He was seconded by Director Goetsch. The motion passed unanimously of all present.

i) Review of purpose, intent, and recent evaluation and amendment of Aquifer Conservancy Program

GM Westbrook noted a report on the ACP was created by an outside entity and distributed to Board members. He briefly discussed the program's origins and purpose and also changes made to the program since it began. He also discussed feedback received on the program when enrollees were surveyed and the Board's actions to amend the program following evaluation last year. He welcomed questions and comments from the Board. Several directors stated they strongly supported the program. Director Worley asked if the district could sustain the program's growth. GM Westbrook stated the budget could be amended if necessary should the program continue to grow beyond current projected expenditures. He asked if the Board desired any action on the ACP. No action was taken or directed.

j) CONVENE INTO EXECUTIVE SESSION; Pursuant to Sec. 551.071, Tex. Gov. Code., the Board of Directors will receive legal advice on the following matters:

- a. Discussion of Proposal for Decision in SOAH Docket Nos. 965-23-21218 and 965-23-21219, Applications of SLR Property I, LP.**
- b. Pending litigation and consideration of Settlement Agreement related to *SLR Property I, LP v. Post Oak Savannah Groundwater Conservation District, et al.*, CV42669, 20th Judicial District, Milam County, Texas**

President Wilder convened the Board into Executive Session at 6:35 p.m.

7. RECONVENE FROM EXECUTIVE SESSION; Pursuant to Sec. 551.071, Tex. Gov. Code., the Board of Directors will receive legal advice on the following matters:

- c. Discussion of Proposal for Decision in SOAH Docket Nos. 965-23-21218 and 965-23-21219, Applications of SLR Property I, LP.**
- d. Pending litigation and consideration of Settlement Agreement related to *SLR Property I, LP v. Post Oak Savannah Groundwater Conservation District, et al.*, CV42669, 20th Judicial District, Milam County, Texas**

The Board reconvened from Executive Session at 7:21 p.m. No action was taken during Executive Session.

Director Goetsch moved to execute the Settlement Agreement as presented and was seconded by Director Jekel. The motion passed unanimously of all present.

8. Dates, locations and times of future meetings

The next Board Meeting will be held on April 8th, 2025 at 5:30 p.m. at the POSGCD Office.

9. Adjourn Board Meeting

The Board Meeting was adjourned at 7:22 p.m.

THE ABOVE MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS OF THE POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT HELD ON MARCH 11, 2025 WERE APPROVED AND ADOPTED BY THAT BOARD ON April 8, 2025



Jay Wilder, President

Attest: 

Gary Westbrook, General Manager

Date 4-8-2025