

Lost Pines Groundwater Conservation District

Board of Directors Agenda Minutes

Wednesday, March 20, 2019

The Board of Directors convened at 7:00 p.m. in a meeting pursuant to public notice having been given, at Bastrop City Hall, Bastrop, Texas. The following members of the Board were present: Vice-President, Billy Sherrill; Secretary-Treasurer, Doug Prinz; Directors: Herbert Cook, David Fleming, Larry Schatte, Clifton Seidel, Michael Simang, Sheril Smith and Carl Steinbach.

Staff members present: Jim Totten, General Manager; Peggy Campion and Dana Goertz.

Consultants present: Natasha Martin, Attorney and Greg Ellis, Attorney/Governmental Relations.

The following members of the public attended the meeting: see attachment one (1).

1. In the absence of President Talbot, Vice-President Sherrill called the meeting to order.
2. Welcome and introductions.
3. *Public Comments.* There were no public comments.
4. *Review and approval of the minutes of the February 20, 2019 Board meeting.* Director Fleming moved to approve the minutes of the February 20, 2019 Board meeting. Director Steinbach seconded the motion, which carried unanimously.
5. *Consideration and possible action on the request of Aqua Water Supply Corporation to amend its S Field Operating Permits for Well No. 5862113 (Well No S-2), Well No. 5862115 (Well No. S-3), Well No. 5862116 (Well No. S-4), Well No. 5862409 (Well No. S-5), Well No. 5862112 (Well No. S-6), Well No. 5862114 (Well No. S-7), Well No. 5862416 (Well No. S-8) to add Polonia Water Supply Corporation's certificated service area (also known as a Certificate of Convenience and Necessity (CCN) as an authorized place of use in addition to Aqua Water Supply Corporation's CCN.* Director Fleming recused himself from this agenda item. Troupe Brewer, Attorney for Aqua WSC, explained to the Board the request of Aqua to amend its S Field Operating Permits. Natasha Martin, Attorney for the District, proposed an amendment Secretary-Treasurer Prinz moved to approve the request of Aqua Water Supply Corporation to amend its S Field Operating Permits for Well No. 5862113 (Well No S-2), Well No. 5862115 (Well No. S-3), Well No. 5862116 (Well No. S-4), Well No. 5862409 (Well No. S-5), Well No. 5862112 (Well No. S-6), Well No. 5862114 (Well No. S-7), Well No. 5862416 (Well No. S-8) to add Polonia Water Supply Corporation's certificated service area (also known as a Certificate of Convenience and Necessity (CCN) as an authorized place of use in addition to Aqua Water Supply Corporation's CCN. Director Seidel seconded the motion, which carried unanimously.

6. Consideration and possible action on the application of Darling Ingredients, Inc. (formerly known as Griffin Industries, LLC) for the following:

- (a) amendment of existing Operating Permit for Well No. 5854208 to aggregate production with requested new, well, with no increase to annual permitted withdrawal or withdrawal rate;
- (b) amendment of existing Operating Permit for Well No. 5854208 to recognize change in permittee name from Griffin Industries, LLC to Darling Ingredients, Inc.; and
- (c) an Operating Permit for a backup well authorizing withdrawal of not more than 224 acre-feet of water per year in the Simsboro aquifer located in Bastrop County for industrial purposes, to be aggregated with production under the Operating Permit for Well No. 5854208, with no additional withdrawal, increase in withdrawal or change in use.

General Manager Totten explained to the Board the request made by Darling Ingredients, Inc. Director Fleming moved to approve:

- (a) amendment of existing Operating Permit for Well No. 5854208 to aggregate production with requested new, well, with no increase to annual permitted withdrawal or withdrawal rate;
- (b) amendment of existing Operating Permit for Well No. 5854208 to recognize change in permittee name from Griffin Industries, LLC to Darling Ingredients, Inc.; and
- (c) an Operating Permit for a backup well authorizing withdrawal of not more than 224 acre-feet of water per year in the Simsboro aquifer located in Bastrop County for industrial purposes, to be aggregated with production under the Operating Permit for Well No. 5854208, with no additional withdrawal, increase in withdrawal or change in use. Secretary-Treasurer Prinz seconded the motion, which carried unanimously.

7. *Consideration of the financial report for the period of February 1, 2019 through February 28, 2019.* Vice-President Sherrill recognized General Manager Totten for presentation of the financial report.

8. *General Manager's Report.* Vice-President Sherrill next recognized General Manager Totten for presentation of the General Manager's report.

9. *Discussion of Lost Pines Groundwater Conservation District Legislation, related legislation and/or activities occurring that affect or pertain to the District and Groundwater.* Greg Ellis gave a legislative update to the Board.

10. *Consideration of conferences, meetings and educational opportunities Board members desire to attend.* There were none at this time.

11. *Consideration of agenda calendar and events.* The next regular meeting of the Board of Directors will be April 17, 2019 at Giddings Public Library, Giddings, Texas.

14. *Executive session pursuant to Tex. Gov't Code section 551.071 so that the Board may seek the advice of its Attorney regarding pending or contemplated litigation, including, but not limited to the following:*

- a) *Applications of Lower Colorado River Authority for Operating Permits and Transfer Permits for Eight Wells in Bastrop County; SOAH Docket No. 952-19-0705, State Office Of Administrative Hearings.*

There was no action taken on this item.

Vice-President Sherrill adjourned the meeting at 7:51 p.m.

Approved:


Billy Sherrill, Vice-President


Doug Prinz, Secretary-Treasurer