

## Lost Pines Groundwater Conservation District

### Board of Directors Agenda Minutes

Wednesday, November 18, 2020

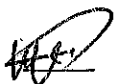
The Board of Directors convened at 7:00 p.m. in a telephonic/video conference meeting pursuant to public notice having been given, pursuant to the Office of the Governor's temporary suspension of certain open meetings act laws due to the novel coronavirus. The following members of the Board were present: President Michael Talbot; Vice-President Billy Sherrill; Secretary-Treasurer Michael Simmang; Directors: Herbert Cook, Phil Cook, David Fleming, Kay Rogers, Larry Schatte, Sheril Smith and Carl Steinbach.

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

Consultants present: Natasha Martin, Attorney, Matt Kutac, Attorney, Greg Ellis, Governmental Relations and Board Attorney and Andy Donnelly, Hydrogeologist.

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

1. President Talbot called the meeting to order.
2. Welcome and introductions.
3. *Public Comments.* The Board heard comments from the public.
4. *Review and approval of the minutes of the October 21, 2020 regular Board meeting.* Director Fleming moved to approve the minutes of the October 21, 2020 regular Board meeting. Director H. Cook seconded the motion, which carried unanimously.
5. *Consideration of the financial report for the period of October 1, 2020 through October 31, 2020.* General Manager Totten presented the financial report. Director Schatte moved to acknowledge acceptance of the financial report as presented. Director Steinbach seconded the motion, which carried unanimously.
6. *Discussion and possible action on the LPGCD groundwater monitoring network and aquifer-wide impacts from production in Post Oak Savannah Groundwater Conservation District.* General Manager Totten explained to the Board what he and Hydrogeologist Andy Donnelly have done and will be doing to expand the monitoring well program for the portion of Lee County that could be impacted from production in Post Oak Savannah GCD. General Manager Totten and Hydrogeologist Donnelly answered questions from the Board. The Board then heard comments from the public. President Talbot will form a committee to assist General Manager Totten and Hydrogeologist Donnelly with this project.



7. *Consideration of and possible action regarding the request of Recharge Water, LP for reissuance of Operating and Transport Permits to reflect a March 9, 2023 expiration date and renewal of Transport Permits authorized under District Well Nos. 5855512 ("Well No. 1"), 5855513 ("Well No. 2"), 5855514 ("Well No. 3"), 5855216 (Well No. 4"), 5855217 ("Well No. 5"), 5855323 ("Well No. 6"), 5847809 ("Well No. 7"), 5855218 ("Well No. 8"), 5847602 ("Well No. 9"), 5847303 ("Well No. 10"), 5847304 ("Well No. 11"), 5848212 ("Well No. 12"), 5848121 ("Well No. 13"), and 5848122 ("Well No. 14") from the Simsboro aquifer located in Bastrop and Lee Counties.* Shan Rutherford, Attorney for Recharge Water, is requesting on behalf of his client for the District to align the terms of the Operating and Transport permits so that they end at the same time, and if needed renew the transport permits. Natasha Martin, Attorney, reviewed the timeline for the litigation of the Recharge Water permits that led to the request for the time extension. The Board then heard comments from the public and Natasha Martin, Attorney, addressed said comments from the public. The Board went into executive session at 8:04 p.m. At the conclusion of the closed meeting, the Board went back into open meeting. After returning to open session, President Talbot announced the time to be 8:38 p.m. and that no votes had been taken in the closed session. Directors Fleming and P. Cook did not attend executive session. Director K. Rogers moved to table this agenda item until the December Board meeting. Secretary-Treasurer Simmang seconded the motion, which carried unanimously. Director Fleming recused himself from Item 7 and neither Directors Fleming nor P. Cook participated in the Board action.

8. *Discussion of the status of Operating and Transport Permits issued to Forestar (USA) Real Estate Group, Inc. for District Well Nos. 59333122, 59333123, 59333217, 59333409, 59333410, 59333411, 59333412, 59333413, 59333504, and 59333505 ("Forestar Permits"), any associated Monitoring Well System Construction and Maintenance Agreement, and the conditional transfer of ownership of the Forestar Permits to GateHouse Water, LLC.* General Manager Totten explained to the Board that the District has received the paperwork to transfer ownership from Forestar Real Estate Group to GateHouse Water. There are no wells in production at this time and discussions have begun with GateHouse concerning monitoring wells. General Manager Totten and Natasha Martin, Attorney answered questions from the Board. The Board heard comments from the public.

9. *General Manager's Report.* Present Talbot next recognized General Manager Totten for presentation of the General Manager's report.

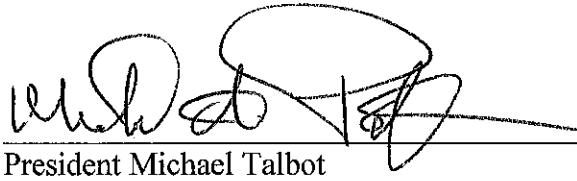
10. *Discussion of Lost Pines Groundwater Conservation District legislation, related legislation and/or activities occurring that affect or pertain to the District and Groundwater.* Greg Ellis gave a legislative update to the Board.

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

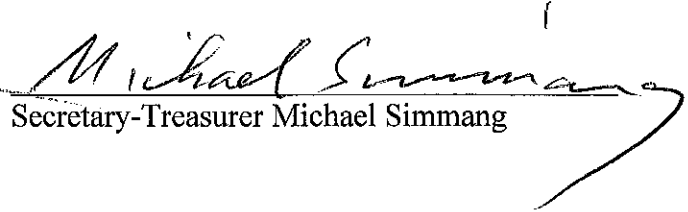
12. *Consideration of agenda calendar and events.* The next regular meeting of the Board of Directors will be a telephonic/video conference meeting December 16, 2020.

President Talbot adjourned the meeting at 9:24 p.m.

Approved:



President Michael Talbot



Secretary-Treasurer Michael Simmang

