

Lost Pines Groundwater Conservation District

Board of Directors Agenda Minutes

Wednesday, July 21, 2021

The Board of Directors convened at 7:36 p.m. in a meeting pursuant to public notice having been given, at the Giddings Public Library in Giddings, Texas. The following members of the Board were present: President Michael Talbot; Vice-President Sheril Smith; Secretary-Treasurer Michael Simmang; Directors: Herbert Cook, Phil Cook, David Fleming, Kay Rogers, Larry Schatte, Billy Sherrill and Carl Steinbach.

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

Consultant's present: Natasha Martin Attorney; Andy Donnelly, Hydrogeologist and Greg Ellis, Governmental Affairs.

1. President Talbot called the meeting to order.
2. Welcome and introductions.
3. *Public Comments.* The Board heard comments from the public.
4. *Consideration of and possible action on the 2020 audit report.* Robert Gattilia with Singleton, Clark & Company PC, gave the 2020 audit report to the Board. President Talbot requested that the audit report be given earlier in the year. Director Rogers moved to approve the 2020 audit report. Director Schatte seconded the motion, which carried unanimously.
5. *Review and approval of the minutes of the June 16, 2021 regular Board meeting.* Director P. Cook moved to approve the minutes of the June 16, 2021 regular Board meeting with a correction to the minutes on agenda item 4. Director Rogers seconded the motion, which carried unanimously.
6. *Consideration of the financial report for the period of June 1, 2021 through June 30, 2021.* Director Steinbach moved to accept the financial report as presented by General Manager Totten. Director Schatte seconded the motion, which carried unanimously.
7. *Consideration of and possible action to approve an amendment to the District's 2021 Annual Budget.* General Manager Totten explained to the Board that the proposed amendment to the budget accommodates the District's mitigation fund which will be a new line item on the financial report. Monies from TexPool will be withdrawn as needed to fund the expenses associated with the mitigation fund. Director Rogers moved to approve the amendment to the District's 2021 annual budget. Secretary-Treasurer Simmang seconded the motion, which carried unanimously.

8. *Consideration of and possible action to designate a date by which meeting notices must be posted in advance of Board meetings and to establish a date by which written comments must be submitted in advance of Board meetings.* This agenda item was requested by Director Steinbach so that the Board could have ample time to review written materials before Board meetings. General Manager Totten will provide a calendar detailing the dates which written materials must be filed with the District's office. Director Fleming moved to table this agenda item until the Board receives further information from the General Manager. Director Steinbach seconded the motion, which carried unanimously.

9. *Consideration of and possible action on (i) the request of GateHouse Water, LLC for a no-increase amendment of Special Condition NO. 8 of Operating Permits for District Well Nos. 5933122, 5933123, 5933217, 5933409, 5933410, 5933411, 5933412, 5933413, 5933504, and 5933505 from the Simsboro aquifer located in Lee County ("GateHouse Permits") ("GateHouse Amendment Request"), (ii) GateHouse Water, LLC's submission to demonstrate compliance with Special Condition No. 8 of GateHouse Permits, and (iii) GateHouse Water, LLC's request to modify the 2016 Monitoring Well Agreement applicable to the GateHouse Permits to address certain District monitoring network issues raised by the District Board.* The Board went into executive session at 8:05 p.m. At the conclusion of the closed meeting, the Board went back into open meeting at 8:45 p.m. President Talbot deferred to Natasha Martin, District Counsel, to recommend the process that the Board should follow to consider the 3-part agenda item. The Board took up the items separately in the following order: (9)(ii), (9)(i) and 9(iii). Director H. Cook recused himself from this agenda item. President Talbot called for a motion on (9)(ii). Secretary-Treasurer Simmang moved that Special Condition 8 was not complied with. Director Schatte seconded the motion, which carried unanimously. (9)(i) Director Rogers moved to deny the request of GateHouse for a no-increase amendment to Special Condition 8. Vice-President Smith seconded the motion, which carried with eight (8) in favor and Director Fleming voting against. (9)(iii) Director P. Cook moved to deny the request to modify the 2016 Monitoring Well Agreement applicable to the GateHouse permits. Vice-President Smith seconded the motion, which carried with eight (8) in favor and Director Fleming voting against.

10. *General Manager's Report.* President Talbot next recognized General Manager Totten for presentation of the General Manager's report. Please see Attachment A.

11. *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 report to the Board.


12. *Consideration of a Board workshop, conferences, meetings and education opportunities Board members desire to attend.* The Texas Groundwater Summit will be held August 31 through September 2, 2021 in San Antonio, Texas.

13. *Consideration of agenda calendar and events.* In lieu of the regular Board meeting on August 18, 2021, the DFC Hearing will be held.

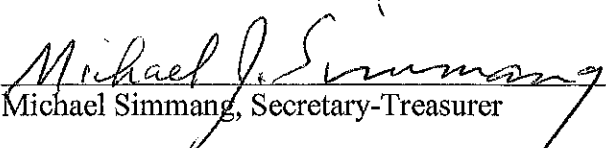
14. *Public Comment on Item 9.* The Board heard comments from the public.

President Talbot adjourned the meeting at 9:23 p.m.

Approved:



Sheril Smith, President



Michael Simmang, Secretary-Treasurer

Lost Pines Groundwater Conservation District

P. O. BOX 1027
Smithville, TX 78957

MEMORANDUM

DATE: July 21th, 2021
TO: President and Board of Directors
FROM: General Manager & Staff
SUBJECT: July 2021 General Manager's Report

1. Statistics Exempt Wells:
 - LPGCD Form 100's Drilling Permits received
June 1st 2020 through June 30th, 2020 (11)
 - LPGCD Form 300's Certificate of Registrations received
June 1st 2020 through June 30th, 2020 (0)

Wells plugged: 0 Water quality test: 0 Wells gauged: 7
Drought Conditions: Lee and Bastrop Counties are not currently reported to be experiencing drought conditions.

1. Manville WSC has withdrawn their pending application for Tonka Wells #1 and #2. They are evaluating the feasibility of a smaller project on the same property and anticipate they will refill at some point in the near future.
2. The District has been selected by the State Auditor for a financial and compliance audit. The results of the audit should be completed by November. You should have received a copy of the engagement letter from the Auditor's office, if you have not please let me know.
3. District staff has had discussions with a landowner in Lee County regarding a domestic well that produces low quality groundwater and is need of plugging. The well owner asked about District support for plugging costs which we do not currently offer. I would like to suggest that we consider establishing a program to support well plugging in future budgets and consider allowing District support of well plugging under the Special Projects funding line for the current year.
4. GMA 12 met on June 12th to begin discussing the planning process for the next DFC cycle. The general agreement from the discussions was that the next planning cycle needed to draw from the methods that were used in the original planning cycle to balance the model driven process that has been used in the current and previous cycle. These discussions will continue in parallel to the completion of the current DFC cycle.
5. Based on the availability of venues the District staff recommends conducting the DFC hearing in conjunction with or in lieu of our August board meeting.
6. Pending Permits:
 - i. The City of Bastrop has filled applications for three wells to be located on the XS Ranch property in Bastrop County. They are seeking an additional 4000 af/yr for the three wells and to aggregate the new wells with the existing permitted well already located on the same property.
7. Upcoming meetings
 - i. Region K, July 21st, 10 a.m. This meeting was conducted virtually and focused on the early housekeeping and planning for the regional planning process.

- ii. POSGCD, July 27th 3 p.m. POSGCD Offices, Milano TX. Public hearing regarding request by ALCOA to modify existing groundwater production permits to allow for groundwater to be exported from POSGCD boundaries and to modify the type of use to include municipal, industrial, manufacturing and commercial. These are existing permits that are mostly or entirely included in the current DFC modeling runs and do not represent new production.

LOST PINES GROUNDWATER CONSERVATION DISTRICT

REPORT FOR BOARD MEETINGS
Drilling Permits and Well Registration

PERIOD June 1, 2021 through June 30, 2021

APPLICANT NAME	Well No.	APPLICATION DATE	FORM 100/300	Type of Well	Driller	COUNTY
Harley Goerlitz	59 50 8 0015	6/7/2021	100	Irrigation	Jimmy's	Lee
Josh Mincher	67 05 2 0027	6/7/2021	100	Domestic	Jackson	Bastrop
Karl Kradjel	58 53 8 0039	6/14/2021	100	Irrigation	Jackson	Bastrop
Stephen Iselt	59 57 2 0007	6/16/2021	100	Domestic	Iselt	Lee
David Arredondo	58 53 5 0077	6/17/2021	100	Domestic	Jackson	Bastrop
Aqua WSC	58 62 1 0052	6/18/2021	100	Test		Bastrop
Nathan Smith	58 46 6 0022	6/24/2021	100	Domestic	Reliant	Bastrop
Alamo Concrete	58 53 4 0008	6/29/2021	100	Mining		Bastrop
Alamo Concrete	58 53 4 0009	6/29/2021	100	Mining		Bastrop
Noel Miranda	58 38 9 0025	6/30/2021	100	Domestic	Reliant	Lee
Ryan Savage	58 56 9 0014	6/30/2021	100	Domestic	Reliant	Bastrop
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