



**Minutes for Meeting/Hearing of the Hays Trinity Groundwater Conservation District**

Date: Monday, November 19, 2012  
Time: 6:00 pm  
Place: Dripping Springs City Hall  
Located: 511 Mercer Street, Dripping Springs, Texas 78620

**6:05 pm: Regular Meeting Opens**

**Board Present:** Jimmy Skipton-President, Greg Nesbitt-Vice President, Joan Jernigan, & Edward Pope

**Board Absent:** Mark Key-Secretary/Treasurer

**Staff Present:** Rick Broun-General Manager, Tressy Gumbert-Administrative Assistant, and Alex Broun-District Geologist, P.G. 4845

*The following subjects were considered for discussion and/or action at said meeting:*

- **Board Roll Call:**
    - Rick Broun:
      - Roll Call was taken, a quorum was present
  - **Review of Board Meeting Protocol:**
    - Jimmy Skipton:
      - Explained meeting protocol to audience
  - **Consider approval of prior meeting Minutes:**
    - Tressy Gumbert:
      - Jimmy Skipton and Greg Nesbitt approved and signed Meeting Minutes for August 15, September 7, October 17 & October 26, 2012.
  - **Monthly Financial Report:**
    - Rick Broun:
      - Financial report reviewed and approved by Jimmy Skipton in Mark Key's absence
  - **Acknowledgment of Bank Reconciliations and Monthly Invoices:**
    - Rick Broun:
      - Jimmy Skipton has reviewed and signed off on bank statements and monthly invoices.
  - **General Comments from Board & Staff:**
    - Rick Broun:
      - There were 12 new well registrations in October, 97 YTD.
      - There were 12 public water connections in October, 53 YTD.
      - The official Hays County contract was signed and mailed to the District office by the office of Judge Cobb.
      - The District received and deposited its first quarter 2013 check from the County on Friday, November 9.
      - Car Care Express has not submitted their permit renewal application.
      - Whisenant & Lyle has requested a production increase on their permit however the permit application renewal is not administratively complete at this time.
      - The District office will be closed Wednesday, November 21 through Friday, November 23 for the Thanksgiving holiday.
      - Reminded the Board to inform staff of any meetings, tours, events or lectures they attend concerning groundwater.
      - The District encourages the use of rainwater collection systems and promotes artificial recharge of the aquifer through such means as proper brush management and re-establishing deep rooted native grasses.
      - Presented an Appreciation Award to Joan Jernigan for her service on the District Board.
    - Jimmy Skipton:
      - It has been a pleasure serving on the Board with Dr. Jernigan. Her organization and leadership have been an asset to the District and its accomplishments over the past two and a half years.
  - **Public Comments: Non-Agenda Items**
    - The following presented: Linda Kay Rogers, Richard Sullivan and Jon Cobb
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**Agenda Items:**

**1. Canvas the November 6, 2012 Election Returns sent to the District by the Hays County Elections Office**

Jimmy Skipton:

- Presented official voting numbers from Hays County Election Administrator announcing Mark Hastings as the elected member for District 3, Mike Cox the elected member for District 5 and Jimmy Skipton as the elected member for District 1.
- The opportunity for a request for recount is available until close of business on Wednesday, November 21, 2012

**Public Comments:**

No public comments provided

**Motion**

Greg Nesbitt: Approve canvass as read

Ed Pope: Seconded motion

Vote: 4-0 in Favor (Jimmy Skipton, Greg Nesbitt, Joan Jemigan & Ed Pope)

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**2. Installation of newly elected Hays Trinity Groundwater Board Members by Justice of the Peace Court 4, Judge Terry Kyle**

New Board Members:

- Signed Certificate of Election
- Signed Statement of Elected/Appointed Officer

Judge Terry Kyle

- Swears in and administers the Oath of Office for Jimmy Skipton District 1, Mark Hastings District 3 and Mike Cox District 5

Rick Broun:

- Presents to new Board required training on Public Information Act, Open Meetings Act, Training to be found: [www.oag.state.tx.us/open/og\\_training.shtml](http://www.oag.state.tx.us/open/og_training.shtml).
- Ground Water 101 Training by Texas Water Development Board (recommended).
- Presents New Board Member with HTGCD Bylaws, Management Plan and Chapter 36
- Current rules are on the Districts website when new rules are approved all Board Members will receive copies.

**Public Comments:**

No public comments provided

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**3. Officer Elections pursuant to Hays Trinity Groundwater District Bylaws**

**Motion**

Greg Nesbitt: Nominate Jimmy Skipton as President

Mike Cox: Seconded motion

Vote: 5-0 in Favor (Jimmy Skipton, Greg Nesbitt, Mark Hastings, Ed Pope & Mike Cox)

**Motion**

Jimmy Skipton: Nominate Mike Cox as Vice President

Greg Nesbitt: Seconded motion

Vote: 5-0 in Favor (Jimmy Skipton, Greg Nesbitt, Mark Hastings, Ed Pope & Mike Cox)

**Motion**

Greg Nesbitt: Nominate Mark Hastings as Secretary/Treasurer

Jimmy Skipton: Seconded motion

Vote: 5-0 in Favor (Jimmy Skipton, Greg Nesbitt, Mark Hastings, Ed Pope & Mike Cox)

**Public Comments:**

No public comments provided

**4. HTGCD Bank Account Signature Authority**

- Removal of Mark Key signature authority on District Savings and Checking accounts
- Signature authority replacement of newly elected Secretary/Treasurer to District bank accounts

**Public Comments:**

No public comments provided

**Motion**

Jimmy Skipton: Remove Mark Key – Secretary/Treasurer from District Bank accounts and add Mark Hastings – Secretary/Treasurer to District Bank accounts.

Ed Pope: Seconded motion

Vote: 5-0 in Favor (Jimmy Skipton, Mark Hastings, Mike Cox, Greg Nesbitt and Ed Pope)

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**5. Barton Springs Edward Aquifer Conservation District's proposed New Management Plan**

- HTGCD Board and Staff to provide comments
- [www.bseacd.org/about-us/governing-documents#Revisions](http://www.bseacd.org/about-us/governing-documents#Revisions)

**Board & Staff:**

Rick Broun

- District received an email from Kirk Holland requesting that their proposed Management Plan be distributed to our board and put on the agenda for comments.

**Public Comments:**

No public comments provided

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**6. Presentation by Tom Koch**

- Alternate Water Sources
- Provided Power Point and documentation regarding a proposed project for a pipeline to provided alternate water source.

**Public Comments:**

No public comments provided

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**7. Drought Stage Status**

- Monitoring run well levels
- Review trigger status, days of flow on the Pedernales and Blanco Rivers
- Recommend drought stage

**Board & Staff:**

Rick Broun

- Pedernales is at day 31 and Blanco is at day 24 of flows below trigger levels
- Recommends remaining at Alarm Stage
- Staff has put together a tri-fold board with information concerning monitor wells, water level and rain data collected the past year.

**Public Comments:**

No public comments provided

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**8. Update on District Rules**

**Board & Staff:**

Jimmy Skipton

- Rule Committee met with Greg Ellis on Monday, November 12, to review proposed changes
- Pending District legal update
- Public will have opportunity to review and comment on rules at an upcoming meeting.

**Public Comments:**

No public comments provided

**9. Update on Contested Case lawsuit: Plaintiffs vs. HTGCD**

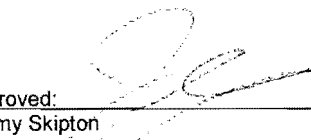
- Wimberley Valley Watershed Association.
- Johanna L. Smith, H.K. Acord, Janet Acord, James R. McMeans and David Glenn

**Board & Staff**

Jimmy Skipton:

- The hearing was postponed by Judge Henry
  - Judge Henry recused himself from the case
  - The case has been assigned to Judge Steel and is set to be heard on December 3, 2012.
  - If more than 3 Board Members attend the hearing Rick needs to be notified so it can be properly posted.
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**6:46 p.m. Meeting Adjourned**

Approved:  President: Dec 19, 2012  
Jimmy Skipton

Approved:  Secretary/Treasurer Dec 17, 2012  
Mark Hastings