



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

Date: Wednesday, May 17, 2017  
Time: 6:00 pm  
Place: Wimberley Community Center  
Located: RR 12, Wimberley, Tx. 78676

### 6:09 p.m.: Board Meeting Call to Order

**Board Present:** Linda Kaye Rogers - President, Jimmy Skipton – Vice-President Mark Hastings – Secretary-Treasurer & Greg Nesbitt

**Board Not Present:** Doc Jones (arrives later)

**Staff Present:** Rick Broun-General Manager, Tressy Gumbert-Office Administrator & Jeff Watson-Hydrogeologist

- **Board Roll Call:**

Rick Broun:

- Called Roll. A quorum is present

- **General Comments from Board & Staff & General Managers Report:**

**Board & Staff:**

Rick Broun:

- There were 62 new Public Water Connections submitted in April, 152 YTD, 250 Budgeted for the year.
- 28 RV water Connections YTD.
- There were 2 new well registrations submitted in April, 26 YTD, 100 new wells were budgeted for 2017.
- 301 Geothermal wells registered YTD.
- The District received 2 new TCEQ packets: Locktite Storage and HHS Corporate Campus.
- Jeff was invited to present Hydrogeology to the Austin Waldorf School on Thursday, May 25<sup>th</sup>.
- I will be attending a required Public Funds Investment Act Training course on Wednesday, May 31<sup>st</sup>, located at the Double Tree Hotel. The District office will be closed on Monday, May 29<sup>th</sup>, in observance of the Memorial Day Holiday.
- The District encourages the use of rainwater collection systems on all new homes, businesses and on existing buildings. We further promote artificial recharge of the aquifer through such means as proper brush management and re-establishing deep rooted native grasses. The District further promotes the use of surface water or other alternatives to groundwater in and around western Hays County.
- Reminded Board to inform staff of any meetings, tours, events or lectures they attend concerning groundwater.
- The District encourages the public to view the District's two educational videos which have been made available on the District's website.
- Presented to the Board copies of the Status of Drought Briefing report which includes the US Drought Monitor map the Palmer Drought Severity Index map, hydrographs and the Monitoring Well Water Level Table.
- The latest US Drought Monitor map indicates that our District is within "Drought Condition - None". The Palmer Drought Severity Index map indicates "Near Normal" Drought Conditions. First quarter maps have been collected and will be part of the District's 2017 Annual Report.
- As of May 15<sup>th</sup>, the District's drought trigger, the Pedernales River, indicates 60 consecutive days of flow above drought stage Alarm, the Blanco River indicates 60 plus days of flow above drought stage Alarm. Both Rivers must have 30 consecutive days of flow below drought stage Alarm in order to move the District into Stage 2 Alarm.
- The drought recommendation for western Hays County is to remain within drought stage 1, No Drought Voluntary Conservation.
- Comparing April to May, water levels north of Camp Ben McCulloch are down 5' and water levels south of Camp Ben McCulloch are down 2.5'

- **Public Comments Non-Agenda Items:** Barbara Hopson

### 6:16 p.m.: Doc Jones arrives

.....  
Consent Items:

1. Approval of Bank Reconciliations & Monthly Invoices
2. Approval of Monthly Financial Report, Balance Sheet and Budget to Actual Report
3. Approval of April 12 & 19, 2017 Board Meeting Minutes

**Board & Staff:**

Mark Hastings:

- o I have reviewed all financials which appear to be in order. Checking account balance: \$53,857 and savings account balance \$589,928. The meeting minutes for April 12, 2017 look good as well. The meeting minutes for April 19, 2017 are not yet available.

**Motion:**

Mark Hastings: To approve consent items

Doc Jones: Seconded

Vote: 5-0 In favor (Linda Kaye Rogers, Jimmy Skipton, Mark Hastings, Greg Nesbitt & Doc Jones)

**Discussion Only**

Item #4 – Report on 85<sup>th</sup> Legislative Session

**Board & Staff:**

Linda Kaye Rogers:

- o HB 4301 – Relating to the creation of the Driftwood Conservation District. There were some requests made that the section of the Bill regarding the injection off storm-water runoff into the aquifer be modified. There was concern that this can be done without the consent or authorization of a groundwater conservation district. Currently TCEQ overlooks injection wells.
- o HB 4309 – Relating to the creating of the Driftwood MUD. No new information to report.
- o HB 4122 – Relating to the transference of certain territory from one GCD to another. Passed in House. Representative Isaac and Senator Campbell worked hard to get bill modified and amended to satisfaction. The Companion Bill (SB 1814) was pulled.
- o SB862 – Relating to legal fees for GCD's. Heard today in House Committee. Our District attorney doesn't think it will get the votes needed to pass.
- o The House is through with Committee Hearings.

Mark Hastings:

- o Would like to go on record thanking Linda Kaye Rogers and complimenting her on her activities and involvement in the 85<sup>th</sup> Legislative Session.

Item #5 – Review TESPAs letter concerning HTGCD Board of Directors.

**Board & Staff:**

Linda Kaye Rogers:

- o I have spoke with the District's attorney regarding Jimmy Skipton serving on the DSWSC Board while also serving on the HTGCD Board. Jimmy checked with Greg Ellis before accepting the position and there has not been a breach of legal ethics. Our attorney recommended that no action be taken.

**Public Comments:** The following provided comment(s): Louie Bond, Vanessa Puig-Williams, Mark Key & Janice Ryals Roger.

**Board & Staff:**

Linda Kaye Rogers:

- o It would have been a courtesy to the rest of the HTGCD Board if Jimmy would have let us know what was going on.
- o For the sake of transparency this ended up on the agenda due to the letter from TESPAs and phone calls from the public.

6:54 p.m.: Break

6:59 p.m.: Reconvene

**Discussion and Possible Action**

Item #6 – Prochnow Country Homes

**Board & Staff:**

Rick Broun:

- o Joe Peter has requested that a portion of the new water connection fees owed to HTGCD be used to pay for the required well construction updates.

**Public Comments:** The following provided comment(s): Joe Peter – Intent is to build 15, 3bdr/2bath homes to be rented out at \$1500 per month. Had to upgrade the well casing to isolate the different sections of the Aquifer. The connection fee for the 15 homes is \$12,000. Requesting that the Board reduce the connection fee to \$6,000.

**Board & Staff:**

Mark Hastings & Doc Jones:

- Sees no reason to waive or reduce the connection fees.

Linda Kaye Rogers:

- Direct staff to do business as usual.
- 

Item #7 – Permit Holder Water Connection Audit Update.

**Board & Staff:**

Rick Broun:

- Through the audit process we discovered that Heatherwood has added 4 new homes in the past couple of years. The builder has requested deferred payments. Suggesting that a payment of \$1000 be made by the end of June and July and the remaining \$800 be paid by the end of August.

Linda Kaye Rogers:

- It is common to remit payment in full within 90 days.

Mark Hastings:

- Directed staff to communicate to Heatherwood that they have 90 days to pay in full.

Rick Broun:

- Staff discovered 30 unpaid connections to the La Ventana water system. Discussion with Patrick King revealed that 28 of the 30 were connected prior to PGMS managing the system. Correspondence from Greg Ellis states that PGMS can be held liable for the 30 unpaid connections. That is not the direction I would like to take and I suggest that PGMS pay the two unpaid connections made after 2007.

**Public Comments:** The following provided comment(s): Patrick King with PGMS – PGMS was the court appointed receiver of the water system in 2007. As of a short time back the system is now owned by Southwest Liquids. There are still some questions regarding the two connections made after 2007.

**Board & Staff:**

Mark Hastings:

- Direct the General Manager and Patrick King work together in the discovery and payment of fee if owed.
- 

Item #8 – Update: Monitor Well Project – Henly Well

**Public Comments:** No public comment(s) provided

**Board & Staff:**

Jeff Watson:

- The best scenario for collecting the desired data would be to drill two wells. We received diagrams and estimates for two wells, the estimated cost for both wells is \$74,000, \$53K for drilling and completing and \$18K for logs and scientific data.
- Could consider drilling one well to get cost reduced.

Linda Kaye Rogers:

- A well in this location is important.
  - Commissioners are expecting HTGCD to contribute money
  - Instructed staff to continue to see what cuts can be made and put item on next month's meeting agenda.
- 

**Hearing Item(s):**

7:40 Hearing Opened

Item #9 – Permit Hearing for Prochnow Country Homes

- Applicant requested an operating permit for 15 houses, no outdoor watering for 5.54 AF of groundwater annually

**Board & Staff:**

Rick Broun:

- No formal contested case letters were received.
- Hays County has approved an OSSF for a total of 9 houses. 9 houses @ 240 gallons of water per day total 2.42 AF annually.
- If the project is upgraded to a PWS and approved by Hay County that would allow for the construction of 12 houses. 12 houses @ 240 gallons of water per day total 3.23 AF annually.
- My recommendation based on submitted application is 15 houses @ 240 gallons per day for a total of 4 AF annually.

**Public Comments:** The following provided comment(s): Joe Peter – Permit Applicant: The 240 gallons per day only accounts for the OSSF not any outdoor use or irrigation, which should be accounted for. I am requesting 300 gallons of water per day per home.

**7:57 Hearing Closed**

**Motion:**

Jimmy Skipton: To approve permit for 5 acre feet.

Greg Nesbitt: Seconded

Vote: Vote: 5-0 In Favor (Linda Kaye Rogers, Jimmy Skipton, Mark Hastings, Greg Nesbitt & Doc Jones)

---

**7:58 p.m. Meeting Adjourned**

---

Approved: Linda Kaye Rogers President: 6-21- 2017  
Linda Kaye Rogers

Approved: Mark Hastings Secretary/Treasurer: 6-21- 2017  
Mark Hastings