

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

Date: Monday, February 21, 2011
Time: 1:00 pm
Place: Dripping Springs City Hall
Located: 511 Mercer Street, Dripping Springs, Texas 78620

1:15 pm: Regular Meeting Opens

Board Present: Jimmy K. Skipton-President, David G. Baker-Vice President, Mark A. Key-Secretary/Treasurer, Greg F. Nesbitt, Joan S. Jemigan

Staff Present: Rick Broun-General Manager, Tressy Gumbert-Administrative Assistant, Al 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 and all Board Members were in attendance
- **Review of Board Meeting Protocol:**
 - Jimmy K. Skipton:
 - Announced protocol to audience
- **Consider approval of prior meeting Minutes:**
 - Tressy Gumbert:
 - Jimmy Skipton and Mark Key signed January 13, 2011 Meeting Minutes
- **Financial Report:**
 - Mark Key:
 - District still in the process of changing banks.
- **General Manager's Report of Activities:**
 - Rick Broun:
 - 8 renewal permits are administratively complete
 - Texas Water Development Board (TWDB) recommended some minor updates to the District's Management Plan.
 - Rick Broun was a guest on the KDRP "Mallet on the Market" radio show on February 10, 2011
 - District received it's 2nd quarter check from Hays County on February 3, 2011
 - District staff completed February's monitor run. We are continuing to compile contact information for well owners. Suitable transportation is needed for monitor run purposes.
 - Al Broun will be presenting a Geo-Science talk to Dripping Springs High School students at 10:30 a.m. on February 24, 2011.
 - TWDB released version 2 of the GAM. Rick Broun recommends the District hold a workshop inviting outside experts such as TWDB and HDR Engineering.
- **Acknowledgment of Bank Reconciliations:**
 - Rick Broun:
 - Mark Key signed bank statements
- **Board & Staff Announcements:**
 - Rick Broun:
 - Accounts with Wells Fargo will be closed when District receives credit card from Pioneer Bank
 - Tressy Gumbert:
 - Six (6) Public Water Supply (PWS) connections since January 1, 2011.
 - Five (5) New Well registrations in January
 - District has received three (3) applications to be placed on the May 14, 2011 General Election Ballot.
 - David Baker:
 - Requested a formal process be created for Board Members to place items on the Meeting Agenda
 - Recommends an open public discussion about MAG prior to approving permits
 - Mark Key:
 - Reminded everyone to check their voters registration card and contact District office with election questions
- **Public Comments: Non-Agenda Items**

The following people presented: Jim McMeans, Karen Ford, David Glenn, Andrew Backus, Pam Sullivan, Jeanette Barlow, and Deborah Bowers

- **Board:**

Jimmy Skipton:

- Information purpose: There is a GMA 9 meeting in Kerrville on March 17, 2011

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Agenda Items:

1. Discuss and possible action on District 2008 Auditor's Report – Rick Broun

Staff:

Rick Broun

- Auditors could not attend meeting and asked to reschedule discussion to next month's meeting

Public Comments:

No public comment provided

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2. Discuss and possible action on HTGCD (District) Education Committee – Joan Jernigan & Mark Key

Board:

Joan Jernigan

- Committee met from 4:00 – 6:00 p.m. on February 11, 2011. Five (5) out of ten (10) members were in attendance
- In need of a staff member to assist with Education
- District needs to purchase a vehicle to be used for monitor run as well as carrying supplies to educational events
- Suggested committee divide into smaller groups to focus on education for adults and children

Staff:

Al Broun:

- Copies of the Atlas that was completed in July have been handed out to High Schools, Libraries, and City Offices
- Al is giving a presentation to the Dripping Springs High Schools students Thursday, February 24, 2011

Public Comments:

The following presented: Roberta Schoemaker-Beal

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3. Discuss GeoExchange Wells – Al Broun

Staff:

Al Broun

- Presented a draft copy of proposed rules for geoexchange wells along with a plan of implementation.

Public Comments:

The following people presented: Andrew Backus

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4. Discuss Blue Hole Park – Al Broun

Staff:

Al Broun

- Presented information on the development of Blue Hole Park.

Public Comments:

The following people presented: Steve Klepfer (Friends of Blue Hole) and Jack Hollon

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Break: 2:15 p.m.

Hearing Opens: 2:31 p.m.

- a) **Discuss and possible action on Wimberley Springs Partner (WSP) – Winton Porterfield, Russ Johnson-Attorney, and Mike Thornhill-Hydrologist**
- Winton presented history of WSP as well as permit history
 - Russ Johnson presented the details of the application. Requested that the application and attachments be made part of the meeting minutes and noted that the application is administratively complete.
 - Mike Thornhill has reviewed the application, well construction, water levels, and water quality reports. Presented information in favor of approving permit.

February 21, 2011 Board Minutes continued

Staff:

- Rick Broun
- Met with Winton Porterfield on February 10, 2011 in regards to application requirements.
 - Sent email confirmation of application as administratively complete to WSP.

Board:

- David Baker
- Have the wells been tested?
 - Application is not administratively complete.

Staff:

- Al Broun
- In 2001 capacity tests were done but no extensive testing.

Public Comments:

The following people presented: Adrian Vogl, Ph.D., Steve Box, Jim McMeans, Frank Sullivan, Linda Kaye Rogers, Linda Lang, Glen Schanen, Andrew Backus, Merry Merian, Larry Calvert, Jane Little, Cynthia Marion

Break: 3:36 p.m.

Reconvene: 3:52 p.m.

Public Comments Continued:

Eric Eskelund, Pam Sullivan, JJ Schwettmann, Al Sander, Harvey Mabry, John Cobb, and Richard Sullivan

Hearing closed: 4:15 p.m.

Motion

Mark Key: Approve permit for 250 A.F. per year for 3 years and a Temporary "Rebuild" permit for 250A.F.
Greg Nesbitt: Seconded motion
Vote: 3-2 in Favor (Jimmy Skipton, Mark Key, and Greg Nesbit). Opposed (David Baker & Joan Jemigan)

Break: 4:56 p.m.

Reconvene - Hearing Opens: 5:15 p.m.

- b) Discuss and possible action on Cielo Azul Ranch Permit – Rick Broun**
- Requesting an increase from 6 A.F. to 10.5 A.F.

- Rick Broun
- Presented system history graph to the Board

Public Comments:

The following people presented: Andrew Backus & Jim McMeans

Board:

- David Baker
- Against approving permits without MAG

Hearing closed: 5:24 p.m.

Motion

Mark Key: Approve permit for 10.5 A.F.
Joan Jemigan: Seconded motion
Vote: 4-1 in Favor (Jimmy Skipton, Mark Key, Joan Jemigan, & Greg Nesbitt). Opposed (David Baker)

Hearing Opens: 5:30 p.m.

- c) Discuss and possible action on Wimberley WSC (WWSC) Permit – Rick Broun**
- Current 1-Year permit for 695 A.F. Wimberley WSC proposed a 3-Year permit for 770 A.F. (11% increase)
 - Tom Haley presented history of Wimberley WSC.

- Rick Broun
- Rick Broun presented graph of history and projected future pumping and connections

Public Comments:

The following people presented: Clint Franklin, Linda Kaye Rogers, Jim McMeans, and Richard Sullivan

Board:

David Baker

- o Commended WWSC on their management practice however he is against approving permit until MAG and a Water Allocation Policy is developed.

Mark Key

- o Proposed changing permit request for 770 A.F. to 755 A.F.

Joan Jernigan

- o Against 3 year permits

Hearing closed: 5:52 p.m.

Motion

Greg Nesbitt: Approve 3-Year Permit for 750 A.F. per year

Mark Key: Seconded motion

Vote: 3-2 in Favor (Jimmy Skipton, Mark Key, & Greg Nesbitt). Opposed (David Baker & Joan Jernigan)

Reconvene - Hearing Opens: 5:55 p.m.

d) Discuss and possible action on Mountain Crest's Notice of Violation-- Rick Broun

Rick Broun

- o Mountain Crest was to complete a leak detection on their system and report back to the District by January 31, 2011.
- o The District heard nothing back from Mountain Crest/Aqua Texas in regards to the leak detection.
- o We (the District) have made several attempts to contact Mountain Crest/Aqua Texas by phone and email.
- o A Notice of Violation for the 3rd and 4th Quarters was sent to Mountain Crest on January 25, 2011.

- Brent Reeh - A leak detection and water meter audit have been performed there were no problems detected. They plan to conduct pressure tests on the system. Mountain Crest's attorney will be responding to the Notice of Violation sent to them by HTGCD.

Public Comments:

No public comments provided

Into Executive Session: 6:10 p.m.

Out of Executive Session: 6:22 p.m.

Board:

David Baker

- o For the record, line loss is waste and is in violation of District Rule 9.

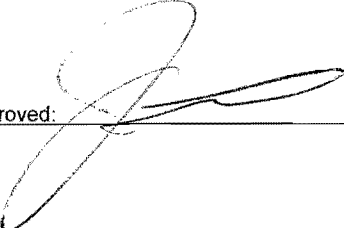
Motion

Mark Key: Compromise & Settlement Agreement of \$2,500.00 and proof of testing

Joan Jernigan: Seconded motion

Vote: 5-0 All in Favor

Meeting Adjourn: 6:27 p.m.

Approved:  _____ President: 3-20 _____, 2011

Approved ML _____ Secretary/Treasurer 3/20 _____, 2011