

**Hays Trinity Groundwater
Conservation District,
Hays County, Texas**

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Minutes from Open Meeting of the Hays Trinity Groundwater Conservation District

Tuesday, January 13, 2009; Time: 8:30am

Place: Dripping Springs City Hall

Located at: 511 Mercer Street, Dripping Springs, TX 78620

08:36am: Regular Meeting Opens, a quorum is achieved.

Present: Andrew H. Backus (President), Doug A. Wierman (Vice President), Mark P. Hemingway (Secretary/Treasurer), Joe C. Day

Absent: Jack A. Hollon

- **Consider approval of prior meeting Minutes:** None Considered
- **General Manager's Report of Activities:** None Provided
- **Report from District Geologist, Alex S. Broun , P.G. 4845:** Not Present
- **Board & Staff Announcements:** No Announcements
- **Public Comments:** Bill Davis, from La Ventana Subdiv., commented on Proposed Legislation:
Not in Favor of:
 - Disincentive Fees (particularly the Drought Disincentive Fee)
 - Transfer Fees
 - Right to Enter Property (the way it is written)
 - Permitting Wells in the future on lots less than ten acres
- **Report on GMA #9 Efforts towards establishing a "desired future condition" of the Trinity Aquifer:** No Report

The Board will consider and act on the following:

- 1) **Notice of Intent to Introduce in the 81st Legislature, Regular Session, a bill to be entitled an Act, following Hearing on Dec. 16, 2008, and Board Meetings on Dec 18, 2008, and Jan 6, 2009.**
- 2) **Discussion and possible adoption of the Proposed legislation to be introduced in the 81st Legislature, Regular Session so that the HTGCD may at least achieve the full authority of Chapter 36 of the Texas Water Code;**

MPH makes a motion to adopt the proposed legislation with 4-revisions listed below made. The Board President is empowered to work with Counsel to revise the text of the Bill to capture the concepts of revisions listed below and to forward the revised Bill to legislators:

- A well used solely for domestic single family use or for providing water for livestock or poultry completed by June 1, 2009 will be grandfathered as Exempt when a minimum lot size is established by the HTGCD under the authority granted by Texas Water Code 'Chapter 36.117. B, 1' for adopting criteria for Exempt wells.
- All Disincentive Fees will be dropped from the proposed legislation. (Historic and Drought Disincentive Fees)
- "Reasonable Notice" will have to be given prior to entering property.
- The Proposed Production Fees will be dropped when the Ad Valorem Tax Status has been achieved and implemented.

DAW seconds the motion.

AHB, DAW, and MPH vote in favor of the motion.

JCD not in favor for the following reasons:

- Small Lot Owners are using groundwater at unsustainable rates and this situation is not being addressed by grandfathering wells on small lots.
- Rain water harvesting is being overlooked as a viable source of domestic water in the proposed legislation. JCD exists on rainwater at his house.

10:20am Adjourn

Approved:  Andrew H. Backus (President)

Attested: _____, Douglas A. Wierman, (Vice President)

Date: _____