



Notice of Open Meeting/Public Hearing of the Hays Trinity Groundwater Conservation District

**Date: Thursday, May 17, 2012
Time: 6:00pm**

**Place: Wimberley Community Center, Senior Lounge
Located: 14068 RR 12, Wimberley, TX. 78676**

The Board of Directors of the Hays Trinity Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Chapter 551 including Section 551.071 (Consultation with Attorney) and Section 551.074 (Personnel Matters). No final action or decision will be made in Executive Session. Agenda items may be taken in any order at the discretion of the Board.

HTGCD agendas and meeting minutes have been posted on our website, www.haysgroundwater.com, under Quick Links/Calendar Meetings

Board Members:

- District 1- Jimmy Skipton-President
- District 2- Greg Nesbitt-Vice President
- District 3- Mark Key-Secretary/Treasurer
- District 4- Ed Pope
- District 5- Joan Jernigan

Staff:

- General Manager: Rick Broun
- Administrative Assistant: Tressy Gumbert
- District Geologist: Al Broun P.G. 4845

6:00 pm: Regular Meeting Opens

- Roll Call (Rick Broun)
- Review of Board Meeting Protocol (Jimmy Skipton)
- Consider approval of prior meeting Minutes (Tressy Gumbert)
- Approval of Monthly Financial Report & Budget to Actual Report (Rick Broun / Mark Key)
- Acknowledgement of Bank Reconciliations & Monthly Invoices (Rick Broun / Mark Key)
- General Comments from Board & Staff with no discussion or possible action
- Public Comments: Concerning Non-Agenda Items, 3 minutes each

Agenda Items: Public Comments will be heard prior to Board review, 3 minutes each

Discuss and Possible Action on:

- 1) Dripping Springs Water Supply Corp (DSWSC) concerning District Rules Jimmy Skipton**
 - Connection fees, failure to pay connection fees, and suspension of processing permit applications: See page 3 below for Board backup material on rules 12.1 (b), 10.C (6), and 5.4 (D)
 - Connection fee update: April 10, 2012- Meeting with DSWSC's General Manager and its Board President. Per DSWSC, unpaid water utility connections fees are in the amount of \$60,000

- 2) Dripping Springs Water Supply Permit.....Jimmy Skipton**
 - DSWSC original 1-year permit application to the District requested 700 AF in 2007
 - HTGCD Board approved 1-year permit for 300 AF in 2007. A contested case hearing was requested and a lawsuit was filed by DSWSC.
 - In 2012 the DSWSC Board President made verbal request to the Board for a 1-year 1,600 AF permit
 - Meetings between HTGCD and DSWSC to reach an agreement between 300 AF and 1,600 AF per year.
 - The Board reserves the right to adjourn into Executive Session, Section 551.071, to consult with their attorney

- 3) Update on lawsuit: Plaintiffs vs. HTGCD.....Jimmy Skipton**
 - **Wimberley Valley Watershed Association**
 - Johanna L. Smith, H.K. Acord, Janet Acord, James R. McMeans and David Glenn

- 4) 2013 Request for Grant Funding from Hays County..... Rick Broun**

- Determine grant funding amount and review information packet for Hays County

5) District Documents..... Mark Key

- No original paperwork to leave District office

6) Rainwater Revival in Boerne..... Rick Broun

- Revival cost of \$100 for a booth
- Recommendation to support event or other local Hays County event

7) Drought Stage Status.....Rick Broun

- Monitoring run well levels: north and south of Camp Ben McCulloch
- Review trigger status, days of flow on the Pedernales and Blanco Rivers
- Recommend drought stage: Currently in Voluntary Conservation

8) Lower Trinity Project.....Joan Jernigan

- Status of telemetry for W&L well
- Update on planned Aqua Texas no. 24 well

9) District alternate representative for the GMA9..... Jimmy Skipton

- Request that the General Manager, Rick Broun, be the alternate representative to GMA9

10) Hiring of attorney Bill Davis.....Mark Key

- Aid in the interpretation of existing rules
- Review and advise the Board once the new District rules are presented

Discussion Only:

11) Operating Permit Application Five Month Moratorium..... Ed Pope

- Moratorium to start on May 1 and end on September 30 each year
- No permit applications will be approved for the following: Commercial or Public Water Supply

12) Groundwater Management Area.....Ed Pope

- Discuss research possibilities to formulate a plan of action to create a GMA for the Jacob's Well and Cypress Creek area

13) Dripping Springs Water Supply Corp (DSWSC) Donations for Austin Film Society, Groundwater Film Project.....Jimmy Skipton

- Correspondence and deliberations of donation between DSWSC and Austin Film Society / VCYES Films / Joan Jernigan

Adjournment

The Hays Trinity Groundwater Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-858-9253 at least 24 hours in advance if accommodation is needed.

The District will accept written comments two (2) days prior to the scheduled Board meeting. Hearing item proposals may be reviewed or copied at the District office.

This notice has been posted on a bulletin board at a place convenient to the public in the Hays County Courthouse and outside the main entrance to the District offices not less than three (3) days prior to the scheduled meeting in accordance with the provisions of the Texas Open Meetings Act, Chapter 551, Government Code.

Posted by: Rick Broun

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Board Backup Material:

Agenda Item # 1:

District began collecting well registration fees and public water supply connection fees starting in September 2001. The following District rules are in place to protect the District

- Rule 12.1 (B), Other Regulations: *A water utility shall pay a \$300 water utility service connection fee for each new water service connection*
- Rule 10.C (6), Enforcement: *Failure of a Retail Public Water Utility to comply with District Rule 12.1 (B) \$300 per new water utility service connection not reported*
- Rule 5.4 (D), Actions on Registrations, Aquifer Test Well Permits and Operating Permits: *Processing any application may be suspended at any time if the applicant has unpaid fees or unresolved issues with the District and will remain suspended until such time as the fees are paid and all compliance issues are resolved.*

Agenda Item # 2:

None provided

Agenda Item # 3:

None provided

Agenda Item # 4:

The District has been requested by Hays County to provide a budget FY 2013 and return an information packet concerning the District by May 25, 2012.

Agenda Item # 5:

To administratively manage the original paperwork concerning well registrations and permit applications, no original copies shall be removed. Only paid for copies can be removed.

Agenda Item # 6:

The third annual rainwater revival will take place in Bourne, Texas. A one-time fee of \$100 will be required to secure a booth at the event.

Agenda Item # 7:

Provide the Board and public the latest:

- water level data
- drought stage condition

Agenda Item # 8:

Staff is working along with the Texas Water Development Board to install a telemetry system within the W&L well. This well is within the Lower Trinity Aquifer and will provide the District data on the aquifer. Information from the well will be automatically uploaded to the District website as a hydrograph.

Agenda Item # 9:

Board President Jimmy Skipton is the District's GMA 9 representative. When he is unavailable to attend meetings, the General Manager, Rick Broun, to be the GMA 9 alternate

Agenda Item # 10:

Mr. Davis attends Board meetings regularly and is familiar with the District's current rules. An hourly rate concerning current rules and or a one-time rules project fee has not been negotiated with the Board at this time.

Agenda Item # 11:

As drought conditions continue to be a part of western Hays County, a moratorium could help manage the DFC not allowing permits during May through September. This would not impede residential or domestic wells.

Agenda Item #12:

Groups such as the Cypress Creek Project are currently meeting to discuss this same concern.

Agenda Item # 13:

Groundwater film project is headed by Joan Jernigan with joint efforts and production by Bob Curry. The film project is part of the Austin Film Society funded by DSWSC.