



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

Date: Wednesday, June 13, 2012
Time: 6:00pm
Place: Dripping Springs City Hall
Located: 501 Mercer St., TX. 78620

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)
- 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) **Unpaid Connection Fees concerning Dripping Springs Water Supply.....Jimmy Skipton**
 - Time Period: 2001 through 2011
 - The District's enabling legislation allows a collection fee of \$300 for each new water service connection after the effective date of this legislation, September 1, 2001.
 - District Rule 12.1B: A water utility shall pay a \$300 water utility service connection fee for each new water service.
 - District Rule 10.1C section 6: Failure of a retail public water utility to comply with District Rule 12.1B. \$300 fine per new water utility service connection not reported.
 - DSWSC's Board of Directors proposal to the District: Resolve unpaid connection fees owed to the District with a one-time check in the amount of \$7,500.
 - Previous statements from DSWSC's Board Members, General Manager and legal counsel Phil Haag.
 - HTGCD's Board of Directors reserves the right to adjourn into Executive Session, Section 551.071, to consult with their attorney

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

Center Lake Business Park: 14101 Hwy 290 W. Bldg. 100, Ste. #212, Austin, Texas 78737

Mail: P. O. Box 1648 Dripping Springs, TX 78620

E-mail: manager2@haysgroundwater.com Phone: 512-858-9253 Fax: 512-858-2384 website: www.haysgroundwater.com

Board Backup Material:

Agenda Item # 1:

Dates:	DSWSC Connections	HTGCD Connections	Difference
2001 Sept – Dec	4	0	4
2002 Jan - Dec	22	3	19
2003 Jan – Dec	44	10	34
2004 Jan – Dec	39	10	29
2005 Jan – Dec	57	18	39
2006 Jan – Dec	50	39	11
2007 Jan – Dec	34	25	9
2008 Jan – Dec	26	18	8
2009 Jan – Dec	14	10	4
2010 Jan – Dec	21	18	3
2011 Jan – Dec	23	14	9
Total	334	165	169 (\$ 50,700)

- Prior to January 2002, production fees were charged, not connection fees
- DSWSC paid production fees of \$5,586.09 in July 2001 for months January – March 2001
- DSWSC paid production fees of \$11,059.09 in October 2001 for months April – August 2001
- HTGCD shows no record of production fees paid from DSWSC for September – December 2001
- HTGCD started collecting connection fees in January 2002
- DSWSC’s first connection payment to HTGCD was on March 23, 2004

Motion from DSWSC’s Board during meeting held on Monday, June 4, 2012

The following was the motion made regarding the HTGWD payment:

“Ron Kelly made a motion that the Board approve a \$7,500.00 offer to Hays Trinity Groundwater District for the settlement of the entire matter. They have until their next board meeting to notify us (DSWSC) of their acceptance or not. If they do not accept it we instruct our attorney to investigate a claim under our D & O policy for the past negligence and conduct of the prior Board and General Manager for the failure to pay this. “

Motion was seconded by Margaret Foster. All members voted “aye” and the motion passed.