



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

Date: Wednesday, August 15, 2012
Time: 6:00pm
Place: Dripping Springs City Hall
Located: 511 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)
- 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) Update.....Jimmy Skipton**
 - Meeting was held on July 30 with a \$10,000 offer from DSWSC to resolve NOV
 - DSWSC vs. HTGCD lawsuit based on 700 acre foot permit
 - Recommend a joint meeting of DSWSC and HTGCD Board members to resolve fees, fines and permit. Date to be determined based on legal counsel and Board availability
 - The Board reserves the right to adjourn into Executive Session, Section 551.071, to consult with their attorney

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

- 3) Update from Greg Ellis to Board and Staff concerning:.....Jimmy Skipton**
 - District Rules
 - Any and all legal issues
 - New Board members swearing in date
 - Questions from Board and Staff

- 4) Texas Alliance of Groundwater Districts Meeting.....Jimmy Skipton**
 - Will take place on August 28-30 at the Crowne Plaza in Austin, \$350 per attendant
 - Rick Broun and Jimmy Skipton to attend

5) 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
- Review Board Order 157, Order of return to Alarm Stage
- Review Drought Production Cutback Chart for non-exempt permit holders

6) Lower Trinity Project.....Joan Jernigan

- Status of telemetry for W&L well
- Update on planned Aqua Texas no. 24 well
- Update from District Geologist, Al Broun P.G. 4845
- Workshop

7) Update: District Board Election.....Tressy Gumbert

- November elections for three Board member positions
- Single member Districts 1 Jimmy Skipton, 3 Mark Key and 5 Joan Jernigan

HEARING ITEMS:

Public comments will be heard prior to Board review, 3 minutes each

Discussion and Possible Action on:

A. Dripping Springs Water Supply Corp (DSWSC) Requests Continuance.....Jimmy Skipton

- Legal Council for DSWSC, Phil Haag, requests that the HTGCD Board grant a Motion of Continuance concerning the recent request for a public hearing covering the N.O.V.
- If the HTGCD Board approves said motion, the following hearing item "B" will not be heard at this time

B. Dripping Springs Water Supply Corp (DSWSC) Requests HearingJimmy Skipton

- DSWSC requests a public hearing concerning receipt of Notice of Violation
- District Rule 5.7 allows for an NOV respondent to request a contested case hearing
- The NOV was sent by certified mail to DSWSC on June 21 in the amount of \$101,400 concerning unpaid fees and fines of 169 connections.
- Following the hearing the Board of Directors may:
 - Assess a penalty in accordance to Rule 10
 - Make an offer of Compromise and Settlement in lieu of litigation
 - File suite in a court of competent jurisdiction to seek civil penalties, injunctive relief or both

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