



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

Date: Thursday, May 16, 2013
Time: 6:00 pm
Place: Dripping Springs City Hall
Located: 511 Mercer Street, Dripping Springs, Texas 78620

6:05 pm: Regular Meeting Opens

Board Present: Jimmy Skipton-President, Mike Cox-Vice President, Mark Hastings-Secretary Treasurer, Greg Nesbitt & Edward Pope

Staff Present: Rick Broun-General Manager & Tressy Gumbert-Administrative Assistant

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
- **General Comments from Board & Staff:**
Rick Broun:
 - There were 9 new well registrations in April, 38 YTD, 73 budgeted.
 - There were 4 public water connections in April, 24 YTD, 56 budgeted.
 - The District has earned the 2013 Silver Leadership Circle Award from the Texas Comptroller of Public Accounts for our progress toward achieving financial transparency.
 - Request that the Board please inform staff of any meetings, tours, events or lectures you attend concerning groundwater.
 - The District always wants to encourage the use of rainwater collection systems on all new homes, businesses and on existing buildings. We further promote artificial recharge of the aquifer through such means as proper brush management and re-establishing deep rooted native grasses.
- **Public Comments concerning non-agenda items:**
The following provided comments: Andrew Backus

Consent Items:

1. Approval of Bank Reconciliations and Monthly Invoices
2. Approval of Monthly Financial Report and Budget to Actual Report
3. Approval of February 20, 2013, Board Meeting Minutes

Motion

Ed Pope: Approve consent items one through three.
Greg Nesbitt: Seconded
Vote: 5-0 in Favor (Jimmy Skipton, Mike Cox, Mark Hastings, Greg Nesbitt & Ed Pope)

Discussion and Possible Action Agenda Items:

Item #4 – Update on Contested Case Lawsuit: Plaintiffs vs. HTGCD
▪ Plaintiffs: Wimberley Valley Watershed Association, Johanna L. Smith, H.K. Acord, Janet Acord, James R. McMeans and David Glenn.

Public Comments:
No public comments provided

Board & Staff:
Jimmy Skipton:
○ Another hearing scheduled for June 19, 2013.

Discussion and Possible Action Agenda Items:

Item #5 – Drought Stage Status

Public Comments:

No public comments provided

Board & Staff:

Rick Broun:

- Water level averages taken between April and May, south of Camp Ben, down almost a foot, north of Camp Ben, down just over five feet.
- District staff announced Drought Stage Critical on Friday, May 3, 2013 to all its non-exempt permit holders. Drought production cutbacks take effect on June 1, 2013.
- The District submitted an article, "Drought Conditions Come Early", to the Wimberley View which ran on May 9, 2013.
- Presented Board Order 161 – District drought stage moves to Critical, to the Board.

Motion

Ed Pope: To approve Board Order 161

Mark Hastings: Seconded

Vote: 5-0 In favor (Jimmy Skipton, Mike Cox, Greg Nesbitt, Ed Pope & Mark Hastings)

Item #6 – 2014 Hays County Grant Funding Request

- Proposal due date, May 28, 2013

Public Comments:

No public comments provided.

Board & Staff:

Rick Broun:

- Presented proposed budget to Board. District will be requesting \$185,000

Motion

Greg Nesbitt: To present proposed budget to the county as written.

Jimmy Skipton: Seconded

Vote: 5-0 In favor (Jimmy Skipton, Mike Cox, Greg Nesbitt, Ed Pope & Mark Hastings)

Item #7 – Board of Directors to review possible change of Board meetings

- Time change to an earlier Call to Order

Public Comments:

No public comments provided.

Board & Staff:

Jimmy Skipton:

- After a brief discussion the consensus of the Board is to leave the time of meetings at 6:00 p.m. on a Wednesday or Thursday.
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Item #8 – Consider temporary hire to enter archived paper well registrations into main computer database.

- Registrations dating back to May 2001
- Approximately 600 registrations outstanding. Not to exceed \$1000

Public Comments:

No public comments provided.

Board & Staff:

Motion

Greg Nesbitt: Hire temporary person not to exceed \$1000 to enter data

Mark Hastings: Seconded

Vote: 5-0 In favor (Jimmy Skipton, Mike Cox, Greg Nesbitt, Ed Pope & Mark Hastings)

Item #9 – Applicant Twisted X Brewery-Key Enterprises/Howard Land & Cattle requires Board of Director approval concerning issues with the application. At this time, the application is pending and is not administratively complete.

- Applicant's variance request states: Historical use of well should negate well performance test requirement.
- Howard Ranch's filed well registration numbers 1713 – irrigation use and 1775 – domestic use. Board of Directors to determine approval of variance request.
- Board to determine whether Twisted X Brewery's groundwater connection to Howard Ranch's well should be considered Non-Exempt including a \$300 tap fee.
- Board to determine whether Howard Ranch's well should be considered Non-Exempt including well modification \$300 fee.

Public Comments:

The following provided public comments: Linda K. Rogers, Susan Cook, Jon Cobb, Bill Davis, Ted Stewart and Eric Howard

Board & Staff:

Rick Broun:

- Received an Amendment Application removing Ted Stewart and Twisted X as the applicant. Howard Land & Cattle is now the only applicant listed on the permit application.
- The existing well, registration 1713, is currently providing irrigation to 15 homes in the Howard Ranch subdivision.
- The well is very close to Dripping Spring Water Supply's well and within their CCN.
- Doesn't see an issue with a variance on the Well performance test as the well produces about 250 gallons per minute. Irrigation and commercial use are both non-exempt use.
- Asked Erik Howard if well registration 1775 was used strictly for the one lot for domestic use. Mr. Howard confirmed

Jimmy Skipton:

- Board is not voting on the permit at this time, just the variance request and directing District staff on how to proceed with application.

Ed Pope:

- Not opposed to granting the variance however the uses are not similar.
- The well will be providing water for two different uses; the District Rules do not have anything on conjunctive use.

Mike Cox:

- Nothing in District Rules prohibiting conjunctive use.

Motion

Greg Nesbitt: Grant variance negating the well performance test requirement concerning well registration 1713 for Howard Land & Cattle.

Mike Cox: Seconded

Vote: 5-0 In favor (Jimmy Skipton, Mike Cox, Greg Nesbitt, Ed Pope & Mark Hastings)

Jimmy Skipton: The Board agrees that a \$300 tap fee is due to the District.

Item #10 – Wizard Academy confirms donated funds of \$5,500 to the District

- Funds to be used in the installation of a telemetry system within the HTGCD boundaries.

Public Comments:

No public comments were provided.

Board & Staff:

Mark Hastings:

- The Wizard Academy did not want to be refunded the \$5,500. They wish to move forward with the telemetry project.

Mike Cox:

- Suggests sending a letter of thanks to the Wizard Academy
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Discussion Only: Agenda Items

Item #11 – Update on monthly Water Balance Report concerning pending permit applications, renewal applications and amendment applications.

Public Comments:

None provided

Board & Staff:

Rick Broun:

Pending Operating Permit Applications:

- Elder Hill Cottages – JP & LP Rentals: Staff Recommendations Posted April 22, 2013
 - One-Year Permit, 1.80 acre feet
 - Deadline Date, May 14, 2013, to submit Contested Case Letters to the District office

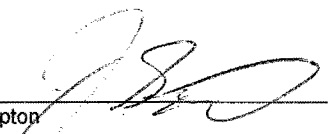
- Highpointe Subdivision - Hays Municipal Utility District #5
 - Submitted operating permit application on May 6, 2013
 - Requesting 50 acre feet per year
 - Use: Nine storm water ponds
 - Deadline Date, May 16, 2013, to submit public comments prior to staff recommendations


- Twisted "X" Brewery – Key Enterprises Inc / Howard Land & Cattle LTD
 - Submitted operating permit application on April 30, 2013
 - Requesting 6 acre feet per year
 - Use: Production of beer and landscaping
 - Deadline Date, May 10, 2013, to submit public comments prior to staff recommendations

Pending Permit Amendment Applications:

- Whisenant & Lyle – Cedar Cove Investments, L.P.:
 - Submitted permit amendment on April 23, 2013
 - Deadline Date, May 3, 2013, to submit public comments prior to staff recommendations
 - Staff Recommendations posted, May 6, 2013 including deadline date, May 27, 2013, to submit contested case letters to the District office.

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7:19 p.m. Meeting Adjourned
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Approved:  _____ President: 6-19-2013
Jimmy Skipton

Approved:  _____ Secretary/Treasurer 6-19-2013
Mark Hastings