



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

Date: Thursday, February 26, 2015
Time: 6:00 pm
Place: Dripping Springs Church of Christ
Located: 470 Old Hwy 290, Dripping Springs, Texas 78620

6:01 pm: Board Meeting Call to Order

Board Present: Linda Kaye Rogers-President, Jimmy Skipton-Vice President, Mark Hastings-Secretary Treasurer, Greg Nesbitt & Doc Jones
Staff Present: Rick Broun-General Manager, Tressy Gumbert-Administrative Assistant & Alex Broun-District Geologist, P.G. 4845

The following subjects were considered for discussion and/or action at said meeting:

- **Board Roll Call:**
Rick Broun:
 - Called Roll. A quorum is present
- **General Comments from Board & Staff:**
Rick Broun:
 - There were 13 Public Water Connections submitted in January
 - There were 5 new well registrations submitted in January
 - The District has received 4 new TCEQ projects: Headwaters at Barton Creek, RM 12, Caliterra Welcome Center and Dripping Springs MOB. Packets have been reviewed and responses have been sent to TCEQ.
 - Per request of BSEACD, the District has created a new online form called "Central Hays County Groundwater Evaluation". Well owners living close to the EP wells who would like to participate in the well study can access and complete the form from the District's website.
 - Reported on status of 2013 NOAV's
 - 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. The District further promotes the use of surface water or other alternatives to groundwater in and around western Hays County.
 - The District encourages the public to view the District's two educational videos which have been made available on the District's website.
- Al Broun:
 - Reported on the Onion Creek Project. Described samples and presented chart of upper Glen Rose.
 - Completed cross section on the EP project, correlated logs.
- **Public Comments concerning non-agenda items:**
The following provided public comment(s): Lewis Parks

Consent Items:

1. Approval of Bank Reconciliations and Monthly Invoices
2. Approval of Monthly Financial Report and Budget to Actual Report
3. Approval of January 21, 2015 Board Meeting Minutes

Motion

Mark Hastings: The financials and January 21st. meeting minutes have been reviewed and appear to be in order. I move to approve consent items one through three.
Greg Nesbitt: Seconded
Vote: 5-0 in Favor (Linda Kaye Rogers, Jimmy Skipton, Mark Hastings, Greg Nesbitt & Doc Jones)

Discussion and Possible Action Items:

- Item #9 – Review Concrete Batch Plant
 - Well registered as Agricultural.

Public Comments:

The following provided public comment(s): Greg Perrin, Bill Gillis, and Bruce Turbo

Board & Staff:

Jimmy Skipton:

- Presented an email from Paul Albini stating that the well will be used for agricultural purposes.
- If well use changes to non-exempt owner will be required to complete application for an Operating Permit.
- Owners of registered wells located within one half mile from the plant's well would have standing if they should file a contested case against a proposed permit.

Rick Broun:

- Explained the process that would need to be followed in order to issue a permit.
- TCEQ may need to be involved as the quality of water could be affected.

Item #7 – Update on HTGCD's role regarding Electro Purification

Public Comments:

The following provided public comment(s): Grant Tait

Board & Staff:

Linda Kaye Rogers:

- Not a lot to report at this time has been actively working against wells.
- Four of the wells have been jet tested.
- Clark Wilson exploring other water sources.
- Well owners in area are looking at taking legal action against EP.

Al Broun:

- Met with EP got data, logs and samples from the first 3 test wells. Is waiting to get data for other 4 wells.

6:49 p.m. Break

7:02 p.m. Reconvene

Discussion and Possible Action Items:

Item #4 – Drought Briefing

Public Comments:

No public comments provided

Board & Staff:

Rick Broun:

- Water levels are up 7.4' north of Camp Ben and 3' south of Camp Ben.
- District staff has updated the 2015 water table and will provide the total year's collection within the 2015 Annual Report.
- As of February 26th, the District's drought trigger, the Pedernales River, indicates 60 plus consecutive days of flow above drought stage Critical. The second trigger, the Blanco River, indicates 56 consecutive days of flow above drought stage Critical. To move into drought stage Alarm, both rivers must have 60 consecutive days of flow above drought stage Critical. The District's third trigger, the Palmer Drought Severity Index, shows "Near Normal" drought conditions.
- The latest US Drought Monitor map indicates that the majority of the District is within D0-"Abnormally Dry". The latest Palmer Drought Severity Index map indicates "Near Normal" conditions. These maps have been collected and will be part of the District's 2015 Annual Report.
- The Texas Drought Preparedness Council Situation has not released a new report since November 2014.
- Recommended Drought Stage for western Hays County is to move out of drought stage critical and into drought stage alarm starting March 1, 2015. An HTGCD Order will be created and signed at the next Board Meeting.

Item #5 – 2014 Annual Report Presentation

Public Comments:

No public comments provided

Board & Staff:

Rick Broun:

- Presented a summarized version of the 2014 Annual Report
- District requirements have been met
- The report will be added to the District's website.

Motion

Mark Hastings: Motion to approve the 2014 Annual Report

Doc Jones: Seconded

Vote: 4-0 in favor (Linda Kaye Rogers, Mark Hastings, Greg Nesbitt & Doc Jones)

Item #6 – Review HTGCD's Rainwater Revival Participation and Contribution

Public Comments:

No public comments provided

Board & Staff:

Rick Broun:

- Last year a 10x10 booth was \$1000 this year the cost is \$100.

Motion

Jimmy Skipton: Motion to approve District's participation in the 2015 Rainwater Revival.

Greg Nesbitt: Seconded

Vote: 5-0 in favor (Linda Kaye Rogers, Jimmy Skipton, Mark Hastings, Greg Nesbitt & Doc Jones)

Contested case Hearing:

Item #10 – NOAV recipients who have submitted timely filed contested case letters concerning their NOAV will be heard by the board.

Item #11 – Final Hearing, Board to rule on the NOAV penalties set before them.

7:26 – Evidentiary Hearing Opens

Permittee:

Garrett Allen:

- Presented contested case letter and backup documentation for 2014 NOAV.

Board & Staff:

Rick Broun:

- Recommends accepting the new production numbers submitted by WWSC.
- District Rule 10.1.3 (J) is not clear on how penalty should be calculated. District staff felt it is more reasonable to calculate penalty based on the amount over the 15% unaccounted for water. 2013 penalty for unaccounted for water loss greater than 15% was calculated using total production.

8:09 – Evidentiary Hearing Closes

8:09 – Final Hearing Opens

Motion

Mark Hastings: Motion to accept adjusted pumpage figures from Wimberley Water Supply

Doc Jones: Seconded

Vote: 4-0 in favor (Linda Kaye Rogers, Mark Hastings, Greg Nesbitt & Doc Jones)

8:10 – Evidentiary Hearing Opens

Permittee:

Brent Reeh:

- Aqua Texas is not contesting the 2014 NOAVs they received from the District. They are going to pay the \$12,800 however they are paying under protest. They feel that the District does not have the authority to charge a penalty for unaccounted for water loss greater than 15%.

8:16 – Evidentiary Hearing Closes

8:16 – Final Hearing Opens

Motion

Mark Hastings: Motion to recalculate and reissue the 3 NOAVs that were miscalculated and set hearing for next Board Meeting.
Doc Jones: Seconded
Greg Nesbitt: In the appearance of being fair recommends that all 2014 NOAVs be recalculated and re-issued.
Mark Hastings: Withdrew his Motion
Doc Jones: Withdrew his Seconded
Mark Hastings: Motion to recalculate and reissue all 2014 NOAVs and set a Continuance Hearing for April 15th Board Meeting.
Doc Jones: Seconded
Vote: 5-0 in favor (Linda Kaye Rogers, Jimmy Skipton, Mark Hastings, Greg Nesbitt & Doc Jones)

Discussion Only Items:

Item #12 – Update on operating permit applications, renewal applications and amendment applications

Public Comments:

No public comments provided

Board & Staff:

Rick Broun:

- The well for 1521 Holdings has been drilled; staff has posted notice submitting recommendations.

Item #13 – February 5, 2015 meeting update with Hays County Commissioners Court

Public Comments:

No public comments provided

Board & Staff:

Linda Kaye Rogers:

- The meeting was highly attended and productive.

Item #14 – Update on Patrick Cox Property

Public Comments:

No public comments provided

Board & Staff:

Rick Broun:

- Investigated multiple maps and is confident that the Cox' property is within the HTGCD Boundaries.

Future Agenda Items:

Board & Staff:

Linda Kaye Rogers:

- Next Board Meeting will be scheduled for March 18, 2015.
- Include WWSC's 2013 NOAV on the next meeting agenda.

Motion

Mark Hastings: Motion to adjourn.
Greg Nesbitt: Seconded
Vote: 5-0 in favor (Linda Kaye Rogers, Jimmy Skipton, Mark Hastings, Greg Nesbitt & Doc Jones)

8:44 p.m. Meeting Adjourned

February 26, 2015, Board Minutes continued

Approved: *Linda Kaye Rogers* President: 4-15- 2015
Linda Kaye Rogers

Approved: *Mark Hastings* Secretary/Treasurer 4-15- 2015
Mark Hastings