

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



The Board of Directors meets at **6:00 pm** on **Wednesday, April 15, 2015** at Dripping Springs City Hall, 511 Mercer Street, Dripping Springs, TX, 78620. Agenda items may be taken in any order at the discretion of the Board. HTGCD agendas, approved meeting minutes and any available Backup Materials have been posted on the District website, www.haysgroundwater.com under Quick Links/Agendas/Meeting Year/ Meeting Date

Executive Session

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.

- Call to Order
- Roll Call – Declare a Quorum Linda Kaye Rogers, Jimmy Skipton, Mark Hastings, “Doc” Jones, and Greg Nesbitt
- General Comments from Board & Staff with no discussion or possible action

Public Comments Concerning Non-Agenda Items only limited to 3 minutes each. To address the Board of Directors, please complete and submit a Public Comment Card to the District staff. No action may be taken by the Board of Directors during Public Comments.

Consent Items The following agenda items may be considered and approved as one motion. A Board Member or a citizen may request any item be removed from the consent agenda for Discussion and Possible Action as a separate item.

1. Approval of Bank Reconciliations & Monthly Invoices..... **Mark Hastings**
2. Approval of Monthly Financial Report and Budget to Actual Report..... **Mark Hastings**
3. Approval of February 26 and March 18, 2015: Board Meeting Minutes..... **Rogers / Hastings**

Discussion and Possible Action: Agenda Items Public Comments will be heard prior to Board review, 3 minutes each. Backup Material, if available, can be reviewed on the District’s website under Quick Links/ Agendas/ Meeting Year/ Meeting Date

4. Status of Drought Briefing **Rick Broun**
 - Monitoring Run well level averages
 - Trigger status days of flow on the Pedernales and Blanco Rivers, Recommend drought stage
 - U.S. Drought Monitor maps, Palmer Drought Severity Index maps, Texas Drought Preparedness Council Situation Report
 - Table of Water Levels Measured, Recent Hydrographs

5. Review and Consider Legislative Bills concerning the formation of groundwater districts within Western Travis and Comal Counties..... **Linda Kaye Rogers**

6. Creation of a Rules Revision Committee and an Advisory Committee..... **Linda Kaye Rogers**
 - Rules Revision Committee to consist of 2 Board Members and HTGCD Staff
 - Board to create a 2-person Advisory Committee. Each Board member to submit 1 name each, then vote to create an Advisory Committee

7. Review and Consider the costs to install a Transducer in Bachardy Well..... **Rick Broun**
 - Location: South Rainbow Ranch neighborhood
 - Estimated cost, \$1,500
 - Transducer, \$1,000 (existing at HTGCD office)

Contested Case Hearing: Continuance: 2014 NOAV: EVIDENTIARY HEARING Public Comments will be heard prior to Board review, 3 minutes each

8. All 2014 NOAV recipients who have submitted timely formal contested case letters, see list below, will be heard by the Board. The Board approved ORDER 172 on October 15, 2014 that NOAV penalties shall be paid in full in the following manner:
- 12% of the penalty shall be paid to the District office
 - 88% of the penalty shall be used for improvements to the water system including: drought conservation signage, meter replacement, fixing leaks, educating and communicating with end-users. The deadline date to submit receipts is March 20, 2016. If funds to improve water system are not spent equaling the 88% penalty, the difference shall be owed to the District office.
 - Deadline to submit formal contested case letters was April 3, 2015.
- | | | | | | |
|---------------------------------|------|--------------|-------|-----|-------------|
| ❖ Mountain Crest | 100% | \$28,581.57 | | 12% | \$3,429.79 |
| ❖ Woodcreek P1 | 100% | \$39,353.82 | | 12% | \$4,722.46 |
| ❖ Woodcreek P2 | 100% | \$121,542.29 | | 12% | \$14,585.07 |
| ❖ Cielo Azul Ranch | 100% | \$8,799.19 | | 12% | \$1,055.90 |
- **Resubdivision of Lot D**.....100% \$1,237.34.....12% \$148.48
Due date to submit 12% penalty is April 30, 2015

Contested Case Hearing: Continuance: 2014 NOAV: FINAL HEARING Public Comments will be heard prior to Board review, 3 minutes each

9. Board to close evidentiary portion of the contested case hearing continuance and open the Final hearing portion once all evidence has been heard. Board to rule on the 2014 NOAV penalties set before them.

Contested Case Hearing: TESPANOTICE: EVIDENTIARY HEARING Public Comments will be heard prior to Board review, 3 minutes each

10. On March 18, 2015 the HTGCD office received a NOTICE from The Mundy Firm PLLC on behalf of their client Trinity Edwards Springs Protection Association (TESPANOTICE) alleging violations of HTGCD rules by Electro Purification. The Notice was provided in compliance with the requirements of Section 36.119, Water Code, as a prelude to TESPANOTICE filing suit. Section 36.119, Water Code, requires that HTGCD investigate and rule on whether a violation of HTGCD rule has occurred within 90 days of receiving the NOTICE. The Board will consider a hearing and briefing schedule.

Contested Case Hearing: TESPANOTICE: FINAL HEARING Public Comments will be heard prior to Board review, 3 minutes each

11. Board to close evidentiary portion of the contested case hearing and open the Final hearing portion once all evidence has been heard. Board to rule on TESPANOTICE

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

12. Update on operating permit applications, renewal applications and amendment applications..... **Rick Broun**
 - o 1521 Holdings LLC: 20-Day Formal Contested Case Letter deadline date is March 31, 2015
13. 2013 NOAV Receipts totaling 88% of penalty **Rick Broun**
 - o All receipts have been submitted to the District office. No further review required
14. Update on HTGCD's role regarding Electro Purification..... **Linda Kaye Rogers**
15. Update on Legislative Bills **Linda Kaye Rogers**
 - o **HB 3406:** HTGCD's Possible Annexation of unregulated portion of the Trinity Aquifer east of HTGCD boundary
 - o **HB 3405:** BSEACD's Possible Annexation of unregulated portion of the Trinity Aquifer
 - o **HB 4049:** Production Fee Funding
16. Update on Contested Case Lawsuit: Plaintiffs vs. HTGCD..... **Linda Kaye Rogers**
 - o Wimberley Valley Watershed Association
 - o Johanna L. Smith, H.K. Acord, Janet Acord, James R. McMeans and David Glenn

Future Agenda Items

Motion for 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

CERTIFICATE OF POSTING

The above Notice of Meeting was posted at _____ o'clock on Thursday, April 9, 2015 at a place convenient to the public on a bulletin board at the Hays County Government Center in San Marcos, Texas.

By: _____ Hays County Clerk's Office or by Official Seal.