



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

Date: Wednesday, September 16, 2015
Time: 6:00 pm
Place: Wimberley Community Center
Located: Wimberley, Texas 78676

6:02 pm: Board Meeting Call to Order

Board Present: Linda Kaye Rogers-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

6:03 pm: Jimmy Skipton-Vice President arrives

• **General Comments from Board & Staff:**

- Rick Broun:
- There were 34 Public Water Connections submitted in August, 135 YTD, 85 Budgeted
 - There were 17 new well registrations submitted in August 85 YTD, 85 Budgeted
 - The District received 2 new TCEQ projects: Stotler Commercial Buildings and Texas Heritage Village.
 - The Dryer well, located near Onion Creek and southeast of the intersection of Hwy 290 and FM 165, will be the next telemetry well to be implemented.
 - The District's website has been updated to include term expiration dates for Board members.
 - 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.

• **Public Comments concerning non-agenda items:**

The following provided comment(s): Nerissa Olden & Barbara Hopson

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Consent Items:

1. Approval of Bank Reconciliations and Monthly Invoices
2. Approval of Monthly Financial Report and Budget to Actual Report
3. Approval of July 15, 2015 Board Meeting Minutes

Motion

Mark Hastings: I move that the Board approve the financials and the July 15th Meeting Minutes.
Doc Jones: Seconded
Vote: 5-0 in Favor (Linda Kaye Rogers, Jimmy Skipton, Mark Hastings, Greg Nesbitt & Doc Jones)

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Discussion and Possible Action Items:

Item #4 – Status of Drought Briefing

Public Comments:

No public comments provided

Board & Staff:

Rick Broun:

- Presented the Status of Drought Briefing and 2015 Monitoring Well Water Level table to the Board.
- The latest US Drought Monitor map indicates that our District is within D2-"Severe Drought". The Palmer Drought Severity Index map indicates "Near Normal" conditions.
- The District's drought trigger indicates the Pedernales River, indicates 30 plus consecutive days of flow below drought stage Alarm, the Blanco River indicates 60 plus consecutive days of flow above drought stage Alarm, Stage 2. Both Rivers must have 30 consecutive days of flow below drought stage Alarm in order to move the District into Stage 2 Alarm.
- Water well averages from August to September, wells north of Camp Ben were down 6.8, wells south of Camp Ben were down 1.6'
- There were no formally submitted complaints of water waste during the third quarter.

Motion

Greg Nesbitt: To accept and approve report as presented.

Mark Hastings: Seconded

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

Item #5 – Review TAGD Meeting costs and brief presentation.

Public Comments:

No public comments provided

Board & Staff:

Doc Jones:

- Spoke briefly about the TAGD Meeting that he attended. There were 30 speakers who presented during the meeting including several "Break-Out" sessions.
- Was impressed with the exchange of communication and knowledge between the different Groundwater Districts within Texas.
- Requested a refund of \$335 for the registration fee.

Motion

Mark Hastings: Move that the District reimburse Doc Jones the registration fee of \$335

Greg Nesbitt: Seconded

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

Item #6 – GMA9: Approve proposed 30 foot DFC and Designate Non-Relevant Aquifers

Public Comments:

The following provided comment(s): Linda Lange, Shelly Buse, Matt Heinemann and Andrew Backus

Board & Staff:

Linda Kaye Rogers:

- Recommend tabling this item until District can hold a workshop possibly next week.
- Feels that spring flow should have been addressed in the study and it was not.
- Needs a better understanding before she can support a vote on the DFC.

Doc Jones:

- In same position as Linda, needs a better understanding.

Mark Hastings:

- Need proper data before making a decision concerning the DFC.

Jimmy Skipton:

- Recommends giving Rick Broun the authority to vote from 0 to 45 in order for the District to have a vote concerning the DFC during the GMA9 meeting on September 28th.

Rick Broun:

- Presented a statement from Ron Fieseler concerning the DFC and reminded the Board that they had previously approved a resolution that some aquifers were non relevant.

Motion

Jimmy Skipton: To approve the General Manager, Rick Broun, to vote 0 to 50 DFC in Non-Relevant Aquifers.

Greg Nesbitt: Seconded

Vote: 3-2 Against (Linda Kaye Rogers, Doc Jones, & Mark Hastings against) (Jimmy Skipton & Greg Nesbitt in favor)

Motion

Doc Jones: Next Wednesday, September 23rd the District holds a workshop on the DFC and follows up with a Board Meeting to vote on DFC.

Mark Hastings: Seconded

Vote: 3-2 In favor (Linda Kaye Rogers, Doc Jones, & Mark Hastings in favor) (Jimmy Skipton & Greg Nesbitt against)

Motion

Mark Hastings: If Board is unable to meet on Wednesday September 23rd at 6:00pm then workshop and meeting to follow be held at 6:00pm on Thursday, September 24th, 2015.

Doc Jones: Seconded

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

6:56 p.m. Into Executive Session

7:54 p.m. Reconvene from Executive Session

Board & Staff:

Linda Kaye Rogers:

- o No action taken during Executive Session

Motion

Jimmy Skipton: Regarding item #16, Contested Case, settle the 2014 NOAV with Aqua Texas for \$12,500. Aqua Texas has 30 days to accept. Settlement is not subject to any documents presented by attorneys

Greg Nesbitt: Seconded

Vote: 4-1 In favor (Jimmy Skipton, Mark Hastings, Greg Nesbitt & Doc Jones)(against- Linda Kaye Rogers)

Item #7 – Review and Evaluation of HTGCD General Manager, Rick Broun.

Public Comments:

No public comments were provided.

Board & Staff:

Linda Kaye Rogers:

- o We are only three quarters of the way through this year would like to delay evaluation until later in the year.

Jimmy Skipton:

- o It has been a year since Rick's last evaluation, in the past evaluations were done before approval of budget.

Mark Hastings:

- o Personnel can be evaluated at any time the Board chooses to do so.

7:59 p.m. Into Executive Session

8:10 p.m. Reconvene from Executive Session

Board & Staff:

Linda Kaye Rogers:

- o No final decisions made or voted on during executive session.

Jimmy Skipton:

- o Rick scored a 5, "Exceeds Expectations" on all but two items.
- o Approved evaluation with his signature, passed document to staff to be filed and thanked Rick for his good work.

Item #8 – Consideration of Wimberley Water Supply to fund well monitoring project.

Public Comments:

The following provided comment(s). Garrett Allen & Jeff Thornton

Board & Staff:

Jimmy Skipton:

- o Dripping Springs Water Supply in an effort to assist the District with funding covered the cost of installing a telemetry system in a well that wasn't even located within their CCN.
- o Would Wimberley Water Supply Corp. be interested in helping out the District by funding a telemetry system?

Doc Jones:

- o As the District's Single Member director for the Wimberley area, I will speak to the City of Wimberley and the Board of WWSC about funding a telemetry system.

Item #9 – Open Records Request.

Public Comments:

No public comments provided

Board & Staff:

Jimmy Skipton:

- If someone requests something that the District does not have the staff does not have to create it.
- If a particular section of a video is requested the requestor gets a copy of the entire video, staff does not have to edit out just that particular portion of the video.
- Unlike HTGCD, most Districts do not record all Board Meetings they only record Hearings.

Item #10 – New office space and lease

Public Comments:

No public comment provided:

Board & Staff:

Mark Hastings:

- The District's current storage space needs to be vacated. Recently an office down the hall from the other HTGCD offices became available for \$395 a month on month to month lease.
- District needs storage space and office to put a part time employee.

Motion

Mark Hastings: Approve the leasing of additional office space down the hall from current HTGCD offices at \$395 a month.

Doc Jones: Seconded

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

Item #11 – Increase HTGCD fees

Public Comments:

No public comment provided:

Board & Staff:

Linda Kaye Rogers:

- The current fee for a well registration or a new water connections is \$600
- The District has the authority charge a fee of up to \$1,000 for a new well or water connection.

Motion

Jimmy Skipton: Increase fee for new well and water connection from \$600 to \$800 effective November 1, 2015.

Greg Nesbitt: Seconded

Jimmy Skipton: Rescinds his motion

Greg Nesbitt: Rescinds his second

Motion

Jimmy Skipton: Lower fees for new wells and new connections to \$200.

No one: Seconded

Motion

Greg Nesbitt: Increase fee for new well and water connection from \$600 to \$800 effective December 1, 2015

Mark Hastings: Seconded

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

Discussion Only Items:

Item #12 – Rule Committee update

Public Comments:

No public comment provided:

Board & Staff:

Linda Kaye Rogers:

- o Proposed changes have been sent to Greg Ellis for legal review.
- o A public hearing will be held regarding rule revisions.

Item #13 – Review dollar amount to calculate penalties concerning: exceeding total annual approved production & exceeding drought cut back curtailments.

Public Comments:

No public comment provided:

Board & Staff:

Linda Kaye Rogers:

- o Postpone discussion at this time.

Item #14 – Review 2016 Budget

Public Comments:

No public comment provided:

Board & Staff:

Rick Broun:

- o The suggested adjustments made during the budget workshop have been made to the proposed 2016 Budget.

Jimmy Skipton:

- o Commented on the salaries and bonuses for the General Manager and Administrative Assistant working at BSEACD.

Linda Kaye Rogers:

- o TAGD says the salaries are based on a District and the size of its budget.

Item #15 – Interim La Ventana, LLC to sell water facilities and transfer water CCN to Southwest Liquids, Inc

Public Comments:

No public comment provided:

Board & Staff:

Rick Broun:

- o Persons who wish to intervene or comment should file a request in writing with:
Filing Clerk, Public utility Commission of Texas, 1701 North Congress Avenue, PO Box 13326, Austin, Texas 78711-3326
- o Once the sale is final the permit with HTGCD will be changed from La Ventana to Southwest Liquids

Future Agenda Items:

Board & Staff:

Linda Kaye Rogers:

- o Job descriptions and assessment tools.

Motion

Greg Nesbitt: Move to adjourn

Linda Kaye Rogers: Seconded

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

8:55 p.m. Meeting Adjourned

Approved:

Linda Kaye Rogers

President:

Oct 22 2015

Approved:

Mark Hastings

Secretary/Treasurer

10-25 2015