



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

Date: Thursday, May 31, 2018
Time: 5:30 pm
Place: Conference Room at HTGCD Offices
Located: 14101 Hwy 290 W Bldg 100, Austin, TX 78737

5:30 p.m.: Board Meeting Call to Order

Board Present: Jimmy Skipton – Vice President, Mark Hastings – Secretary-Treasurer, Greg Nesbitt & Doc Jones

Board Not Present: Linda Kaye Rogers - President

Staff Present: Rick Broun-General Manager, Jeff Watson-Hydrogeologist & Tressy Gumbert-Office Administrator

- **Board Roll Call:**

Rick Broun:

- Called Roll. A quorum is present

- **General Comments from Board & Staff & General Managers Report:**

Board & Staff:

- District staff met with BSEACD yesterday to review and discuss Electro Purifications' preliminary permit.

- **Public Comments Non-Agenda Items:** None

Discussion and Possible Action:

Item #1 – City of Dripping Springs Wastewater Discharge Plant Application Contested Case Hearing

- Creation of a committee to manage and delegate legal matters with attorney Greg Ellis
- Settlement Terms

Motion:

Greg Nesbitt: That Linda Kaye Rogers, as board president and Jimmy Skipton, due to the City of Dripping being in his single member district, be elected to the committee.

Jimmy Skipton: Seconded

Doc Jones: Recommends that Mark Hasting be on the committee instead of Jimmy.

5:35 p.m.: Arrival of Linda Kaye Rogers, Board President

Board, Staff & Legal:

Greg Nesbit:

- Repeated his motion to Linda Kaye and Greg Ellis.

Greg Ellis, Attorney for HTGCD:

- The goal of the committee is to give direction to legal counsel regarding any settlement offers.
- SOAH has 180 days from referral to SOAH to issuing the final Proposal for Decision.
- HTGCD & BSEACD are aligned as parties in the contested case with BSEACD taking the lead.
- S.O.S. is also a party to the contested case.
- LCRA pulled out of the protest as they and the City of Dripping have entered into a separate settlement agreement.
- The District has two options: Sign on to the LCRA Agreement as a separate settlement, or join the other parties (excluding S.O.S. so far) in a settlement agreement using the outline emailed and presented to the Board.

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

Motion:

Linda Kaye Rogers: To direct the District's attorney to approve the settlement outline with the following exception:

- 1) One of the 5 advisory council members be appointed by one of the two a Groundwater Conservation Districts.

Greg Ellis made it clear that any final agreement would have to be returned to the Board for approval, and the proposal is an outline of settlement terms.

Following discussion, Linda Kaye Rogers withdrew her motion and made an amended motion to direct the District's Attorney, Greg Ellis, to work with the other protestants to draft an acceptable agreement with the following conditions:

- 1) That 1 of the 5 Advisory Council members be appointed by one of the two Groundwater Conservation Districts; and
- 2) include a requirement that the City of Dripping Springs make their operating reports public records available on their website.

Mark Hastings: Seconded

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

6:28 p.m. Meeting Adjourned

Approved: Linda Kaye Rogers President: 6-20- 2018
Linda Kaye Rogers

Approved: Mark Hastings Secretary/Treasurer 6-20- 2018
Mark Hastings