Hays Trinity Groundwater Conservation District

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

Date: Wednesday, January 8, 2020
Time: 6:00 pm
Place: Camp Young Judaea
Located: 121 Camp Young Judaea Rd, Woodcreek, TX 78676

6:10 p.m.: Board Meeting Called to Order

Board Present: Linda Kaye Rogers - President, Holly Fults – Vice President, John Worrall – Secretary/Treasurer, Doc Jones, Jeff Shaw

Board Absent: None

Staff Present: Charlie Flatten – General Manager, Philip Webster - Hydrogeologist, Kayla Shearhart – Assistant General Manager, Keaton Hoelscher – Geo-Technician

- **Board Roll Call:**
  Kayla Shearhart:
  - Roll call, a quorum of the Board is present.
- **General Public Comment(s):** Jimmy Skipton, and Roger Kew
- **General Comments and Announcements from Board & Staff:**
  Linda Kaye Rogers:
  - Introduced Charlie Flatten as the new HTGCD General Manager

General Manager's Report:

Charlie Flatten:

- The District is beginning to implement new policies to increase transparency and create better communication between staff members and the Board.
  - Weekly staff meetings
  - Monthly employee reports
  - Monthly board packets for regular meetings
- 22 Public Water Supply connections for December 2019 (Aqua TX – 4; DSWSC – 16; WWSC – 2); Total of 538 connections for 2019 with 300 Budgeted. No new RV connections. 33 total RV connections were submitted in 2019.
- 6 New Wells registered December 2019 (all Domestic/Residential); 115 new wells registered in 2019 with 100 Budgeted.
- No existing wells registered in December. 15 existing wells registered in 2019.
- 2 Geothermal wells were drilled in 2019.
- The District always wants to encourage the use of rainwater collection systems on all new homes, businesses, and on existing buildings. The District promotes proper brush management and re-establishing deep-rooted native grasses as a way to promote infiltration into the aquifer. The District further promotes the use of surface water or other alternatives to groundwater in and around western Hays County.
- We have provided water conservation and rainwater harvesting education materials for the public to take home.
- We encourage members of the public to view educational videos on our website.

Status of Drought Briefing:

Charlie Flatten:

- The US Drought Monitor map indicates that our District is within drought condition D1 "Moderate Drought," and the Palmer Hydrological Drought Index indicates "Moderate Drought" conditions. These maps have been collected and will be part of the District's 2020 Annual Report.
- Monitor well data has not yet been collected for January. Keaton Hoelscher (Geo-Technician) will be going out in the field next week to collect the data. The information will be reported at the next regular board meeting and will be available on our website.
- The Perdernales River drought trigger indicates 30+ days of discharge flows below the drought stage "Alarm" and the Blanco River drought trigger indicates 9 days of discharge flows below the drought stage "Alarm" as of Wednesday, January 8, 2020.
- To move into drought stage "Alarm," both rivers must have 30 consecutive days of flow within drought stage "Alarm." The District's third trigger, the Palmer Drought Index, shows "Moderate Drought" conditions.
- The drought recommendation for western Hays County is to remain in Drought Stage 1 "No Drought / Voluntary Conservation" until further notice.

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Science Update:

Philip Webster:

- The drilling of the Burton monitor well has been completed.
- The Edwards Aquifer Authority (EAA) logged the well, and currently the annulus is being cemented.

Keaton Hoelscher:

- The District has not received any more TCEQ projects since last meeting.

Consent Items

Item #1: Approval of Bank Reconciliations & Monthly Invoices

Item #2: Approval of Monthly Financial Report, Balance Sheet and, Budget to Actual Report

Item #3: Approval of December 17th and 30th Board Meeting Minutes

Board & Staff Discussion:

John Worrall:

- There are no reconciliations available to approve at this time
- 2019 Income: Actual was $600,000; Budgeted $328,000.
- 2019 Expenditures: Budgeted $550,000; Actual was $397,000.
- Every month the District received more income and spent less than budgeted.
- Current Assets:
  - $918,000 in Money Market Account
  - $42,000 in Checking Account
  - $960,000 total liquid assets
- The minutes from December 17, 2019 & December 30, 2019 are ready to review and approval.

Motion:

John Worrall: Motion to approve the financial reports and the minutes for December 17th and 30th.
Doc Jones: Seconded.

Vote: 5-0 In Favor (Linda Kaye Rogers, Holly Fults, John Worrall, Doc Jones, and Jeff Shaw); motion passes

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6:36 p.m.: The Board recessed into Executive Session to consult with their Attorney (Texas Government Code Section 551.071)

7:12 p.m.: Reconvened from Executive Session.

No decisions were made and no action was taken.

Public Hearing Items

7:12 p.m.: Public Hearing Open

Item #4: Public Hearing on proposed amendments to the HTGCD Rules – Rule 15 (Jacobs Well Groundwater Management Zone)

Public Comment(s): Dan Gothier, Jimmy Skipton, Michael Gato, David Baker, and Roger Kew

7:26 p.m.: Public Hearing Closed

Discussion and Possible Action

Item #5: Adoption of proposed rule amendments heard during the Public Hearing

Board and Staff Discussion:

Linda Kaye Rogers:

- Read the proposed addition to Rule 15 – 15.2.5, Drought Curtailment Implementation Plan.

Public Comment(s): Shiila Safer, Jimmy Skipton

Board and Staff Discussion:

Linda Kaye Rogers:

- The addition to Rule 15 has been vetted by the District's Attorney.
- Just because there will be no penalties this year, doesn't mean the permitees shouldn't try.

- Named Charlie Flatten the chairman of the Implementation Committee. Doc Jones and I (Linda Kaye) will be involved since our Districts fall within the proposed Jacobs Well Groundwater Management Zone (JWGMZ).
- The District is mandated by its management plan to protect the aquifer, and this is the attempt.

The Board discusses the original curtailment percentages and the involvement of the stakeholder committee in deciding those numbers.

The Board discusses the situation presented by the Wimberley Water Supply Company.

The Board discusses the new section added to Rule 15, 15.2.5 and how it will affect the Rule's implementation.

Motion:

Doc Jones: Motion to add amendment to Rule 15, and republish for additional public comment.
Jeff Shaw: Seconded.

Board and Staff Discussion:

John Worrall:

- There may be conflicts between the proposed Rule 15 and other current District rules.
- Suggests the Board of Directors spend more time to find a solution to a complicated problem.
- Suggests pushing the effective date further out.

The Board further discussed John's concerns and suggestions.

Vote: 5-0 In Favor (Linda Kaye Rogers, Holly Fults, John Worrall, Doc Jones, and Jeff Shaw); motion passes.

Item #6: Lost Springs Ranch WSC Variance Request

Board and Staff Discussion:

Charlie Flatten:

- Lost Springs Ranch WSC has requested a variance for an Aquifer Test for their Operating Permit Amendment Application.
- Called for a representative from Lost Springs WSC to speak.

Kayla Shearhart:

- Stated she called the Board President, Boyd Merworth, about attending the meeting.
- Due to health complications, he was unable to attend this or any other meeting, and stated no other Board members would be in attendance.
- Boyd Merworth provided a letter stating the case for Lost Springs Ranch WSC.

Linda Kaye Rogers:

- What is their current permitted amount?

Philip Webster:

- Their current permitted amount is 16.25 acre feet
- They are asking for an additional 1.48 acre feet, putting them at 17.73 acre feet.
- They are expected to perform an Aquifer Test because they have not performed one in the last three years (required in District Rules)

The Board and Staff discussed the technical information about the current Lost Springs Permit, the pending Amendment Application, information on the well, potential impacts of the well production on a long-term basis, and pros and cons of granting the variance.

Jeff Shaw:

- Expressed the desire to post-pone a decision until a representative can be present.

Holly Fults:

- Suggests the Board needs to be ready to make a decision tonight, whether they choose to post pone or not.

Linda Kaye Rogers:

- She stated her hesitance to require Lost Springs Ranch WSC to conduct an Aquifer Test because of the water lost during the testing.

John Worrall:

- Suggest the Board should approve the variance with the understanding that Lost Springs Ranch WSC will save money to perform an aquifer test for any future permit amendment.

Public Comment(s): Jimmy Skipton

Motion:

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John Worrall: Motion to grant variance for the Lost Springs Ranch WSC permit amendment.
Doc Jones: Seconded.

Vote: 5-0 In Favor (Linda Kaye Rogers, Holly Fults, John Worrall, Doc Jones, and Jeff Shaw); motion passes

Item #7: Frequency of Payment to Greg Ellis for Lobbying Services (Interlocal Agreement)

Public Comment(s): Jimmy Skipton

Motion:

John Worrall: Motion to pay Greg Ellis quarterly.
Doc Jones: Seconded.

Vote: 5-0 In Favor (Linda Kaye Rogers, Holly Fults, John Worrall, Doc Jones, and Jeff Shaw); motion passes

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Discussion Only

Item #8: Possible Litigation to be brought by Wimberley Water Supply Corporation over adoption of proposed Rule 15.

Board and Staff Discussion:

Linda Kaye Rogers:

- The primary purpose of this agenda item was to get legal advice from the District's attorney, which was done during executive session.

No actions taken.

Future Agenda Items

- The next regular Board Meeting will be held on Thursday, February 6, 2020. Location to be determined.

Adjournment

Motion:

Doc Jones: Motion to adjourn
Holly Fults: Seconded

8:18 p.m.: Meeting Adjourned

Approved: Linda Kaye Rogers, President; 5-12-20, 2020
Linda Kaye Rogers

Approved: John A Worrall, Secretary/Treasurer; April 20, 2020
John Worrall