



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

**Meeting Date: Thursday, September 3, 2020
Time: 6:00 pm
Via Teleconference**

Pursuant to notices posted on August 13 and 31, 2020, the Hays Trinity Groundwater Conservation District Board of Directors met in a Public Hearing and Meeting and was called to order by the President, Linda Kaye Rogers, at 6:05 p.m.

The initial quorum call was answered as follows: Linda Kaye Rogers, President; Holly Fults, Vice President; John Worrall, Secretary/Treasurer; Doc Jones; Director.

A quorum was present.

Staff Present: Charlie Flatten, General Manager; Philip Webster, Hydrogeologist; Keaton Hoelscher, Geo-Technician; Laura Thomas, Office Administrator.

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General Public Comment(s): Jimmy Skipton

Agenda Item Comment (s): Mark Key, Public Hearing Item 1, Rule 1.7; Davis & Associates, Item 6; Jimmy Skipton, All Items
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General Comments and Announcements from Board & Staff:

- President Rogers commented on the excellent (virtual) Texas Groundwater Summit produced by the Texas Alliance of Groundwater Districts.

General Manager's Report:

Charlie Flatten:

- Staff created a report documenting the history and current methodology for *Estimating Exempt Well Production*; staff researched and produced documentation on the history of *Section 3.10 Water Utility Connection Categories and Fees*; fulfilling TWDB requirements, staff updated the District's *Drought Contingency Plan*.
- Kinder Morgan Pipeline update. HTGCD and BSEACD Staff inspected the boring process beneath all three county roads during the fourth week of August. Philip will add more in Science Update (follows).
- Press release written for JWGMZ 20% Drought Stage.
- Sawyer Cleveland Partnership: TCEQ may soon issue a draft permit on this long-pending application to discharge wastewater from a planned treatment plant on U.S. Hwy 290 to Long Branch tributary of Barton Creek.
- August 2020: 10 new well registrations, 6 new single-family public water supply connections, one geothermal project.

Status of Drought Briefing:

Charlie Flatten:

- As of August 31, Pedernales River at Johnson City and the Blanco River at Wimberley continue running in drought stage. Due to triggers, staff recommends the Board move to 20% Alarm Drought Stage.
- The Palmer Hydrologic Drought Index (NOAA) shows Severe Drought conditions for all of Hays County and has shown severe drought since June.
- Jacob’s Well Spring 10-Day average discharge rate as of September 1, 2020 is 2.5cfs resulting in 30% curtailment for the JWGMZ by rule.

Science Update:

Philip Webster:

- Texas Groundwater Summit and Texas Groundwater Webinar presented useful technical sessions.
- Burton Well report will be on website under Research webpage soon.
- Kinder Morgan Pipeline Borehole Inspection, will produce report. No Karst features found in pits nor borings.

Keaton Hoelscher:

- TCEQ Project Update: District received notice of the “Sawyer Ranch Commercial Phase 3” project; sent response this morning.
- November 3 HTGCD Election has been ordered. Candidate filing period closed. Candidates for District 2: James Shelton, Jeff Shaw (i); District 4: Mark Key, Linda Kaye Rogers (i).
- August Water Level Report: Monitor Wells showing historically low water levels in NW portion of District: Roman, Hegemier, Whit Hanks, Jack Brown, and Henly Church wells. Even with seasonal downward trends across the district, these are at or below their lowest levels of record. Across district, water levels about 10% lower than this time last year. Unofficial reports of pump burnouts and increase in storage tank requests to local drillers due to declining water levels.



Consent Items

- 1. Approval of Bank Reconciliations & Monthly Invoices**
- 2. Approval of July Financial Reports, Balance Sheets and, Budget to Actual Report**
- 3. Approval of August 6 and 13, 2020 Board Meeting Minutes**

Board & Staff Discussion:

Secretary/Treasurer Worrall discussed Item 1 & Item 2, and stated District is a little ahead on revenue and a little lower on expenses, partially due to staff vacancy earlier in year. Staff continuing to do good job reducing expenses. Looked for approval of items 1, 2, 3.

Motions:

Director Jones moves to approve Consent Item 1. VP Fults seconded.

The motion prevailed by the following vote:

Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, John Worrall

Nay: None

Absent: Director Jeff Shaw.

Director Jones moves to approve Consent Item 2. VP Fults seconded.
The motion prevailed by the following vote:
Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, John Worrall
Nay: None
Absent: Director Shaw.

Director Jones moves to approve Consent Item 3. VP Fults seconded.
The motion prevailed by the following vote:
Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, John Worrall
Nay: None
Absent: Director Shaw.

Public Hearing Items

6:39PM Public Hearing Open

1. Rule 1.7 Relating to procedures, conduct, and decorum at Meetings of the Board of Directors.

Public Comment: Jimmy Skipton

6:50PM Public Hearing Closed

Discussion and Possible Action

1. Approval of Draft Rule 1.7

Board and Staff Discussion:

After listening to public comment and discussion amongst Board Members and Attorney Greg Ellis on Draft Rule 1.7, the following motion was made.

Treasurer/Secretary Worrell moved to postpone adoption of this rule to address some of the concerns brought up tonight in a redrafted rule, those concerns being first, that the board and the presiding officer decide on an appropriate time limit on a meeting by meeting basis and secondly, decide whether that time limit applies as a blanket basis at the beginning or could be applied on an item by item basis. Vice President Fults seconded.

The motion prevailed by the following vote:

Aye: Doc Jones, Holly Fults, John Worrall
Nay: None
Abstaining: Linda Kaye Rogers
Absent: Director Shaw.

President Rogers named a Subcommittee to redraft Draft Rule 1.7. The Subcommittee members are President Rogers, Vice President Fults with Attorney Greg Ellis.

2. Order #204 to enact Rule 1.7: Tabled.

3. Approval of HTGCD collaboration on BPGCD Dye Trace Study

Board and Staff Discussion:

President Rogers discussed the scientific benefit to the district and surrounding groundwater districts of the Blanco Pedernales Groundwater Conservation District (BPGCD) dye trace study. She noted that HCGCD Hydrogeologist Philip Webster will participate in the study. Ron Fieseler, General Manager of BPGCD, answered questions from the Board and discussed the variety of participants in the study, transparency, and scientific goals. Board members discussed the importance of collaboration with neighboring Districts and of furthering scientific knowledge of our resources.

Motion:

Treasurer/Secretary Worrall moves approval of this collaborative effort. Director Jones seconded.

The motion prevailed by the following vote:

Aye: Doc Jones, Linda Kaye Rogers, John Worrall

Nay: None

Abstaining: Holly Fults

Absent: Director Shaw.

4. Date Set and NOAV Action at Future Board Meeting

Board and Staff Discussion:

General Manager Flatten discussed the outstanding Notices of Alleged Violations (NOAV) and procedures for settlements as well as a potential Board Meeting in order to process the notices. He noted the Board had hoped to process NOAVs at an in-person meeting, but that due to the ongoing pandemic, they will have to be processed via teleconference.

Motion:

President Rogers moved to proceed with the NOAVS and the process that is required to bring these to the Board in our October 1 meeting. Director Jones seconded.

The motion prevailed by the following vote:

Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, John Worrall

Nay: None

Absent: Director Shaw.

5. Order #205 to change JWGMZ Drought Stage

Public Comment: Jimmy Skipton

Board and Staff Discussion:

HTGCD staff and Board discussed drought triggers and Rule in the Jacobs Well Groundwater Management Zone and moving into the 30% Curtailment Stage.

Motion:

Secretary/Treasurer Worrell moved to adopt Order #205. Director Jones seconded.

The motion prevailed by the following vote:

Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, John Worrall

Nay: None

Absent: Director Shaw.

6. Order #206 to change District Drought Stage to 20%

Public Comment: Jimmy Skipton

Written Public Comment: Davis & Associates

Board and Staff Discussion:

HTGCD staff, Board, and Attorney Greg Ellis discussed drought triggers and Rule for District-wide drought stages and historic, consistent use of daily averages for drought triggers.

Motion:

Secretary/Treasurer Worrell moved to adopt Order #206. Director Jones seconded.

The motion prevailed by the following vote:

Aye: Doc Jones, Holly Fults, Linda Kaye Rogers, John Worrall

Nay: None

Absent: Director Shaw.

Discussion Only

7. Status of Sawyer Ranch Wastewater Discharge Permit

Board and Staff Discussion:

General Manager Flatten advised Board of status of the Sawyer Ranch Wastewater Discharge Permit and potential for TCEQ to issue a draft permit on this application for wastewater discharge. VP Fults asked staff to get relevant data from TCEQ.

8. Status of Virtual Board Meetings and Options for Alternate Settings

Board and Staff Discussion: This was mostly addressed when NOAV actions were discussed earlier.

10. Water Vision 2021 Status Report

Board and Staff Discussion:

VP Fults gave a brief update on project status. Treasurer/Secretary Worrall expressed his confidence in the expertise of the consultants and progress already being made.

Executive Session

At 8:33pm, on Direction of the President and without objection, the Board took a short break.

Pursuant to Texas Government Code Section 551.071, the Board, GM Flatten, and Attorney Greg Ellis moved into Executive Session at 8:40 p.m. to discuss Agenda Item #9.

No Action was taken.

8:55 p.m.: Reconvened from Executive Session

Board and Staff Discussion

The Board and GM Flatten briefly discussed upcoming schedules.

Adjournment

Motion:

Treasurer/Secretary Worrall moved to adjourn. President Rogers seconded.


The motion prevailed by the following vote:

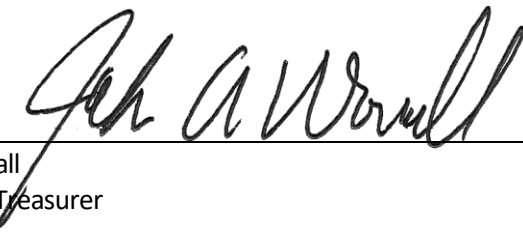
Aye: Doc Jones, John Worrall, Holly Fults, Linda Kaye Rogers

Nay: None

Absent: Director Shaw

Meeting Adjourned, 9:01 p.m.

Approved:  10/01/2020
Linda Kaye Rogers
President

Approved:  10/01/2020
John Worrall
Secretary/Treasurer