

**Minutes of the Headwaters Groundwater Conservation District Board of Directors Regular Meeting on Wednesday February 14, 2024 at 1:30pm at the Guadalupe Basin Natural Resources Center – Boardroom 125 Lehmann Dr., Kerrville, Texas.**

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**1. Call to Order, Pledge of Allegiance, Roll Call, and Certification of Quorum in Compliance with Texas Open Meetings Law.**

Directors Present: Tom Jones – Precinct 1, President  
Laurie Lowe – Precinct 4, Vice-President  
Chris Childs – Precinct 2  
John Elliott – At Large, Secretary/Treasurer  
Kenneth Wilke – Precinct 3

**RECORDS MGMT.  
PERMANENT DOCUMENT**

Staff Present: Gene Williams, Monica Thibodeaux, Deneise Harris, Michael Mann

Other: Richard Mosty, HGCD Attorney

**2. Public Comment - Any person may address the Board at any time on any agenda item of this meeting. Non-agenda items may only be addressed during the Public Comment section of this meeting; no formal action will be taken on the non-agenda items.**

N/A

**3. Consent Agenda**

- **Approval of the Public Hearing Minutes** (January 17, 2024)
- **Approval of the Special Meeting Minutes** (January 17, 2024)
- **Approval of the Special Meeting Minutes** (January 31, 2024)
- **Approval of Paying of the Bills**
- **Receiving the Treasurer's Report** (January 2024)
- **Public Funds Investment Policy Reporting** (January 2024)
- **Receiving the Groundwater Report**

Director Elliott motioned to accept the Consent Agenda. Director Lowe seconded the motion. Director Jones, Director Lowe, Director Elliott, Director Childs, and Director Wilke all voted in favor. The motion passed.

4. **Discussion and Possible Action Regarding the City of Kerrville's Conjunctive Use Production Permit Renewal, Issue Date: September 2023, Expiration Date: September 2028.**

Director Elliott motioned to open Discussion of Permit P0020 - City of Kerrville's Conjunctive Use Production Permit, Issue Date: September 2023, Expiration Date: September 2028. Director Lowe seconded the motion. Director Jones then read into record an Agreement between the City of Kerrville and Headwaters Groundwater Conservation District to inform the Public of content and discussion.

Agreement between Headwaters Groundwater Conservation District  
and City of Kerrville

This Agreement is entered into between Headwaters Groundwater Conservation District (HGCD) and the City of Kerrville (City) in the spirit of cooperation in the protection and preservation of groundwater resources.

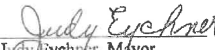
It is therefore agreed that:

1. The City recognizes HGCD's authority to regulate groundwater in Kerr County under Chapter 36 of the Water Code, its enabling act and other applicable law. The City will include this statement in recitals within its ordinance and other documents relevant to groundwater preservation.
2. HGCD recognizes the City's Conjunctive Use System which reduces the City's reliance on groundwater, thereby reducing pressure on the aquifer. This benefits all residents of Kerr County.
3. The City and HGCD recognize that the Guadalupe River often fluctuates quickly in times of rain and drought, while the aquifer responds slowly.
4. The City and HGCD desire to work together to increase public awareness of water conservation, particularly in times of extended drought.
5. Pending revision of City regulations, HGCD grants a four month exception to the HGCD Drought Contingency plan requirement that the City drought stage corresponds with the HGCD stage.
6. The City is in the process of revisions to its drought management regulations to include more of an emphasis on aquifer levels than it currently does, notice of drought stages, drought stage triggers, etc.
7. The City will publicize the HGCD current drought stage on its website and on all drought related communications to water customers.
8. In recognition of the common interests in water conservation, the City and HGCD agree that HGCD will rescind and dismiss without prejudice the Board's decision and findings associated with its Notice of Violation No.

2024-001 made during its Board meeting on January 17, 2024, while working together to improve water management and public awareness.

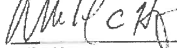
This Agreement is effective upon the approval of the City Council and HGCD Board of Directors as of February 14, 2024.

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Tom Jones, President  
Headwaters Groundwater  
Conservation District

  
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Judy Eychner, Mayor,  
City of Kerrville

Approved as to form:

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Richard C. Mosty  
HGCD General Counsel

  
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Mike Hayes  
City Attorney

Director Childs motioned to Rescind & Dismiss without prejudice the Headwaters GCD Board's decision and findings as associated with its Notice of Violation No. 2024-001 made during its Board Meeting on January 17, 2024 and to approve the Agreement between Headwaters GCD & City of Kerrville as approved by City Council on February 13, 2024 and Authorize the Agreement. Director Elliott seconded the motion. Director Jones, Director Lowe, Director Elliott, Director Childs, and Director Wilke all voted in favor. The motion passed.

**5. Discussion and Possible Action, to Approve/Authorize the Exception Permit Renewal for P0048 – Aqua Texas, Park Place.**

Director Childs motioned to Approve/Authorize the Exception Permit Renewal for P0048 – Aqua Texas, Park Place. Director Lowe seconded the motion. Director Jones, Director Lowe, Director Elliott, Director Childs, and Director Wilke all voted in favor. The motion passed.

**6. Discussion and Possible Action, to Approve/Authorize the Exception Permit Renewal for P0036 – Aqua Texas, Center Point North.**

Director Childs motioned to Approve/Authorize the Exception Permit Renewal for P0036 – Aqua Texas, Center Point North. Director Elliott seconded the motion. Director Jones, Director Lowe, Director Elliott, Director Childs, and Director Wilke all voted in favor. The motion passed.

## EXECUTIVE SESSION/CLOSED MEETING: 1:48 PM until 2:19 PM

### 7. Action, if any resulting from Executive Session.

No Action Taken.

### 8. General Manager's Report

- Drought Stage Outlook

Gene Williams summarized that the water levels are coming back up a small amount, but the US Drought Monitor shows little improvement. Brief mention that El Nino may be leaving and La Nina returning thereby foreshadowing extreme drought this summer.

### 9. Directors Request for Agenda Items for Next Meeting.

Request for tentative schedule for Director's Workshop.

### 10. Adjournment

Director Childs motioned to Adjourn. Director Elliott seconded the motion. Director Jones, Director Lowe, Director Elliott, Director Childs, and Director Wilke all voted in favor. The motion passed.

#### APPROVED:



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**Tom Jones**  
**Board of Directors, President**



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**John Elliott**  
**Board of Directors, Secretary/Treasurer**