

Minutes of the Headwaters Groundwater Conservation District Board of Directors Special Meeting on Wednesday January 15, 2024 at the Guadalupe Basin Natural Resources Center – Boardroom 125 Lehmann Dr., Kerrville, Texas.

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

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

Staff Present: Gene Williams, Monica Thibodeaux, Deneise Harris, Michael Mann
Other: Richard Mosty, HGCD Attorney, Paul Tybor, Consulting Geologist

2. Discussion and Possible Action, to Certify the Director for Precinct 1 as Duly Elected for the Election scheduled to be held on November 5th, 2024, and to Issue the Order “Duly Elected” for the candidates and positions listed below.

- Director – Precinct 1 – Jeffrey Lee Wendling

Director Childs motioned to Certify the Director of Precinct 1 as Duly Elected for the Election scheduled to be held on November 5th, 2024, and to Issue the Order “Duly Elected” to Jeffrey Wendling – Director - Precinct 1. Director Elliott seconded the motion. Director Childs, Director Lowe, Director Elliott, and Director Wilke, all voted in favor. The motion passed.

3. Presentation – Certificate of Duly Elected Election Given to:

- Director – Precinct 1 – Jeffrey Lee Wendling

Director Laurie Lowe presented Director – Precinct 1 – Jeffrey Wendling with the Certificate of Duly Elected. No Action Taken.

4. **Statements of Elected Officers and Sworn Oaths of Office given to:**

- Director – Precinct 1 – Jeffrey Lee Wendling

Deneise Harris, a Notary Public. administered the Statement of Elected Officers and Sworn Oath of Office to Jeffrey Wendling – Director – Precinct 1. No Action Taken.

5. **Discussion and Possible Action, to Adopt the Annual Financial Report for the Year Ending September 30, 2024, presented by Ede & Company, CPA.**

Kevin Ede, representing Ede & Co., LLC presented the results of the Annual Financial Report for the Year Ending September 30, 2024. Director Wilke motioned to Adopt the Annual Financial Report for the Year Ending September 30, 2024. Director Elliott seconded the motion. Director Childs, Director Lowe, Director Elliott, Director Wilke and Director Wendling all voted in favor. The motion passed.

6. **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.**

Jerry Wolff – 509 W Buckboard Dr., Kerrville – He would like to see “Drought Stage 4, Rule 7” reinstated, he would also like a definition of “Water Management Area” and if the designation allows for more authority.

7. **Consent Agenda**

1. **Approval of the Regular Meeting Minutes** (December 11, 2024)
2. **Approval of Paying of the Bills**
3. **Receiving the Treasurer’s Report** (December 2024)
4. **Public Funds Investment Policy Reporting** (December 2024)
5. **Receiving the Groundwater Report**

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

8. Discussion and Possible Action, to Approve/Authorize the Exception Permit Renewal for P0095 – Cherry Springs Investments, Ltd. & AJIJC – Hunt Investment, Ltd. (La Hacienda Treatment Center)

Director Elliott motioned to Approve the Exception Permit Renewal for P0095 – Cherry Springs Investments, Ltd. & AJIJC – Hunt Investment, Ltd. (La Hacienda Treatment Center). Director Wendling seconded the motion. Director Childs, Director Lowe, Director Elliott, Director Wilke and Director Wendling all voted in favor. The motion passed.

9. Discussion of water quality concerns in Kerr County.

Gene Williams explained that he has posted to the HGCD website a series of links that allows the public to obtain information about radionuclides in water. No Action Taken.

10. Discussion regarding drilling Wells in the Edwards-Trinity Plateau Aquifer.

Guest consultant, Feather Wilson via ZOOM with discussion on MW 10 and the information it can provide regarding the Edwards Aquifer and the impact of subdivisions on the replenishing of the Guadalupe River. No Action Taken.

11. Discussion regarding Consulting Geologist.

Laurie Lowe and Gene Williams introduced Paul Tybor, he will be consulting with HGCD. No Action Taken.

12. Discussion and Possible Action, Annual Review of District Rule 7 - Production Caps for Permitted Wells, as required by Headwaters Groundwater Conservation District Rule 7. B.

After Annual Review of District Rule 7 - Production Caps for Permitted Wells, as required by Headwaters Groundwater Conservation District Rule 7.B. General Manager Gene Williams recommended no changes be made. No Action Taken.

13. **General Managers Report**

- **Drought Stage Outlook.**
- **MW 20 Update**
- **Discussion – Ethics & Conflict of Interest Laws**

14. **The Board of Directors will adjourn to a Closed Meeting as permitted by Section 551.071 of the Open Meetings Act (Consultations with Attorney) to receive advice concerning any pending, or threatened, litigation regarding changes to the District Rules and Drought Contingency Plan.**

EXECUTIVE SESSION: 1:44 pm TO 2:02 pm

15. **Action, if any, resulting from Executive Session.**

No Action Taken.

16. **Discussion and Possible Action, to Nominate and Vote to elect new Officers for the Headwaters Groundwater Conservation District Board of Directors for 2025, as required by HGCD By-Laws Article IV, Section 2. The officer positions included are:**

- **President**
- **Vice-President**
- **Secretary/Treasurer**
- **Assistant Secretary/Treasurer**

Director Elliott nominated Chris Childs for the President position; Director Childs accepted the nomination. All in favor, the nomination passed.

Director Wilke nominated Laurie Lowe for the Vice-President position; Director Elliott seconded the nomination. All in favor, the nomination passed.

Director Wilke nominated John Elliott for the Secretary/Treasurer position. The nomination was declared by Acclimation.

Director Lowe nominated Gene Williams for the Assistant Secretary/Treasurer position; Mr. Williams accepted the nomination. All in favor, the nomination passed.

17. **Directors Request for Agenda Items for Next Meeting.**

Director Wilke requested more details on the Radium levels found in Kerr County water.

Director Lowe requested more discussion on the West Kerr water issues and would like to discuss the possibility of Community Meetings.

18. **Adjournment**

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

APPROVED:

A handwritten signature in black ink, appearing to read 'C Childs', written over a horizontal line.

Chris Childs
Board of Directors, President

A handwritten signature in black ink, appearing to read 'Laurie Lowe', written over a horizontal line.

Laurie Lowe
Board of Directors, Vice-President