

THE STATE OF TEXAS

COUNTY OF KENDALL

COW CREEK GROUNDWATER CONSERVATION DISTRICT

April 15, 2024

The Board of Directors of the Cow Creek Groundwater Conservation District (CCGCD) convened the Regular Meeting in the District Board Room located at 9 Toepperwein Road, Boerne, Texas.

**Directors Present:** Milan J. Michalec – District 2 (President)  
Bob Webster – District 1 (Vice President)  
Curt Campbell – District 4 (Treasurer).  
Ben Eldredge – District 3 (Asst. Secretary/Treasurer)

**Directors Absent:** Allan P. Bloxsom III – At Large (Secretary)

1. **Call to Order:** Meeting called to order at 6:00 PM.
2. **Pledge of Allegiance:** Led by Director Michalec
3. **Establishment of a Quorum:** A quorum was established with 4 out of 5 directors present.
4. **Public comment:** No public comment.
5. **Consent Agenda:** Motion to approve made by Director Campbell, seconded by Director Webster. Approved 4-0.
  - a. **Approval of minutes from the March 20<sup>th</sup>, 2024 Regular Meeting**
  - b. **Payroll, employee benefits, operational expenses, and payment of such**
  - c. **Monthly financial report(s)**
  - d. **Monthly operations report**
6. **Public Permit Hearing on operating permit applications:**
  - a. **The Applicant, The City of Fair Oaks Ranch is requesting 4.03 acre-feet annually at a maximum instantaneous pumping rate not to exceed 88 gpm from existing well W2760. The well is located at 205 Cibolo Ridge Trail, Unit 1, Lot 4. Well no. W2760 provides water for a municipal retail water utility.**

Public Hearing began at 6:01 PM.  
Scott Huizinga, Fair Oaks Ranch City Manager – the city has submitted an application that was deemed administratively complete.

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Howard Klein – asked if the amount of water in the application had changed or if it was the same amount discussed at the last meeting and who oversees public water supplies in Kendall County.

GM Voulgaris replied that it was the same amount, and they are regulated by CCGD and TCEQ.

Public Hearing ended at 6:08 PM.

- b. The Applicant, Liberty Global Enterprises, LLC is requesting 2.74 acre-feet annually at a maximum instantaneous pumping rate not to exceed 12 gpm from new well W9182. The well is located at 1103 US Hwy. 87 in Comfort on approximately 47.6 acres. Well no. W9182 will provide water for a PWS for Patriot Academy Tiny Homes.**

Public Hearing began at 6:08 PM.

Joe Basil was in attendance on behalf of the applicants to answer any questions. There will be 49 tiny homes and the 2.74 acre-feet they are requesting would be for full occupancy, which they do not anticipate will happen. Water is not for any landscape use.

Public Hearing ended at 6:16 PM.

The Board entered an executive session at 6:17 PM and it ended at 6:33 PM.

**7. Discussion and possible action on pending operating permit applications:**

- a. The Applicant, The City of Fair Oaks Ranch is requesting 4.03 acre-feet annually at a maximum instantaneous pumping rate not to exceed 88 gpm from existing well W2760. The well is located at 205 Cibolo Ridge Trail, Unit 1, Lot 4. Well no. W2760 provides water for a municipal retail water utility.**

Motion to approve made by Director Michalec, seconded by Director Webster. Approved 4-0.

- b. The Applicant, Liberty Global Enterprises, LLC is requesting 2.74 acre-feet annually at a maximum instantaneous pumping rate not to exceed 12 gpm from new well W9182. The well is located at 1103 US Hwy. 87 in Comfort on approximately 47.6 acres. Well no. W9182 will provide water for a PWS for Patriot Academy Tiny Homes.**

Motion to approve made by Director Michalec, seconded by Director Webster. Approved 3-0-1, Director Campbell abstained due to conflicts of interest.

**8. Variance request:**

- a. Ben Brooks, on behalf of Birds Up Investments, LLC is requesting relief from District Rule 3.2 and 3.3 at The Estates Subdivision Plat on Deep Hollow Drive in Boerne, Texas. The reason for the request is because the platting process to subdivide the property into 11 residential lots was started in January of 2022 and a complete submittal approval with Kendall County is dependent on this request.**

Clarification, this is not a variance request. It is a recognition of vested rights. Motion to approve made by Director Campbell, seconded by Director Webster. Approved 4-0.

9. **District activities & subcommittee updates:**

- a. **Monthly report:** GM Voulgaris presented the staff's monthly report.
- b. **Discussion and action on the current drought stage:** Remaining in Stage 4.
- c. **Status updates on:**
  - (1) **Pending enforcement issues:** Camp Alzafar has submitted their applications.
  - (2) **Pending permit applications:** EMS, BEC & Caden Lane to be completed this month.
  - (3) **GMA9 activities:** Meetings will be held every three months.
  - (4) **Region L activities:** No updates
  - (5) **District Monitor Well Expansion Project:** Working on an invitation to bid. Director Webster has offered his new well to be a monitor well.
  - (6) **Camp Bullis Sentinel Landscape Project:** USGS has approved Alan Clark's study.

10. **Discussion and action pertaining to the District purchase of rain gauges for all new well applicants.**

Motion made by Director Campbell to approve \$3,000 from line item 6125, seconded by Director Eldredge. Approved 4-0.

11. **Correspondence:** No correspondence.

12. **Future meeting dates and meeting topics:** A Rules Workshop is scheduled for May 13<sup>th</sup> at 4:00 PM. The next Board Meeting is scheduled for May 13<sup>th</sup> at 6:00 PM.

13. **Adjournment:** Meeting adjourned at 7:12 PM.

**MINUTES APPROVED:**

  
\_\_\_\_\_, Director

  
\_\_\_\_\_, Director