

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
April 11, 2013**

Board members present at commencement: Gary Franklin, Craig Smith, Bob Larsen and Blake Dorsett. Mary Stone was out of town. Staff present: Kirk Holland, John Dupnik, Brian Smith, Robin Gary and Tammy Raymond. Bill Dugat and Claudia Russell of Bickerstaff also participated in the meeting. Also present were those on the attached sign-in sheet. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

1. Call to Order.

Mr. Franklin, presiding in Ms. Stone's absence, called the meeting to order at 6:01 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments).

There were no comments of a general nature.

3. Routine Business.

a. **Consent Agenda** Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as an item of Regular Business.

1. **Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
2. **Approval of minutes of the Board's March 21, 2013, Regular Meeting.**
3. **Approval of the designated perquisites attendant to the promotion of Robin H. Gary from Staff to Senior Achievement Level.**
4. **Approval of the issuance of a new Class C Conditional Use permit to Daniel Tristan, for a well located at 2801 Hatley Drive, Austin (Rollingwood), TX 78746, with an effective date delayed per rule until the District emerges from declared drought.**
5. **Approval of out-of-state travel for staff member Alan Andrews to attend a karst hydrology course offered by Western Kentucky University, the week of June 17, 2013.**

Mr. Holland gave a brief overview on Items 3 and 5, and Mr. Dupnik summarized the situation described in Item 4.

Mr. Smith moved approval of the consent agenda as stated above, noting an invoice from Bickerstaff in the amount of \$5360.00, the promotion of Robin Gary to Senior Achievement Level, approval of a new Class C Conditional Use permit, and out-of-state travel for Alan Andrews.

Dr. Larsen seconded the motion and it passed with a vote of 4 to 0.

3b. General Manager's Report. Note: Topics discussed in the General Manager's Report are intended for general administrative and operational information-transfer purposes. The Directors will not take any action on them in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.

1. Standing Topics.

- a. Personnel matters and utilization;**
- b. Upcoming public events of possible interest;**
- c. Aquifer conditions and status of drought indicators.**

2. Discussion related to current staff work areas and specific activities of staff teams and directors. Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.

- i. Update on recent activities of teams and directors;**
- ii. Update on permitting and non-drought regulatory activities;**
- iii. Update on feedback received from the first meeting of the Stakeholders Advisory Group on alternative water supplies including;**
- iv. Update on the solicitation and selection process of the General Manager position.**
- v. Update on status and schedule of activities related to *City of Kyle v. Goodman et al.*, and the *Barton Springs/Edwards Aquifer Conservation District Cause No. 10-1267*, 22nd District Court, Hays County, Texas**

Mr. Holland and the staff, and Mr. Dugat on Item v., updated the Board and answered directors' questions on the items listed above.

3c. Directors' Reports. Note: Board Member comments in this part of the agenda cannot address any aspect of an agenda item posted elsewhere on this agenda, and no substantive discussion among the Board Members or action by the Board on these comments will be allowed in this meeting.

Individual Board Members may, on a voluntary basis, make a brief report to the entire Board on their personal involvement in activities and dialogue that are of likely interest to the rest of the Board, in one or more of the following topical areas:

- **Meetings and conferences attended or that will be attended;**
- **Conversations with public officials, permittees, other stakeholders, and private citizens;**
- **Kudos and recognition of people doing good things for groundwater management in the District;**
- **Concerns about specific issues or problems for groundwater management in the District.**

Mr. Dorsett, Mr. Smith and Mr. Franklin gave reports.

4c. Update, discussion and possible action related to the pursuit of the District's legislative agenda in this legislative session, including the consideration of specific bills and bill language to be advanced, and a briefing on other introduced bills of particular interest to the District.

Mr. Holland and Ms. Russell provided the legislative update and presented a summary of key bills that have been filed that affect the District specifically, and GCDs generally. After discussion, the Board took no formal action.

4a. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.

Mr. Dupnik informed the Board that all of the reported pumpage for the permittees' drought compliance report had just been submitted as of that day and that staff was not prepared to provide enforcement recommendations until the data had been reviewed and validated. He suggested giving the compliance reports and recommendations in the second meeting of each month.

The Board agreed and directed staff to provide the report in the second meeting of each month as recommended.

The Board took no formal action.

4b. Discussion and possible action on assessing the status of drought triggers and declaring a Stage III Critical Drought.

Mr. Holland stated that the Lovelady monitor well measured just above the trigger level for Stage III critical drought. He explained that all indicators suggest that the water level at Lovelady should be below the trigger within the next few days. He said that the staff recommendation is for the Board to authorize the staff to declare drought when the Lovelady well crosses the specified threshold.

After discussion, Mr. Smith moved to authorize the General Manager to declare Stage III-Critical Drought when the highest daily water levels based on measurements at Lovelady were below the trigger level for two consecutive days.

Mr. Dorsett seconded the motion and it passed with a vote of 5 to 0.

5. Adjournment.

Without objection, Mr. Franklin adjourned the meeting at 7:40 p.m.

Approved by the Board on April 25, 2013:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary