

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Regular Meeting  
August 11, 2016**

Board members present at commencement: Blayne Stansberry, Craig Smith, Blake Dorsett and Bob Larsen. Mary Stone was absent. Staff present: John Dupnik, Brian Smith, Dana Wilson, Vanessa Escobar, Stephen Davis and Tammy Raymond. Bill Dugat of Bickerstaff, Heath, Delgado, Acosta 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.**

President Stansberry called the meeting to order at 6:00 p.m., noting that a quorum of the Board was present.

**2. Citizen Communications (Public Comments of a General Nature).**

There were no public 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 July 21, 2016 regular Meeting and Public Hearing.**
3. **Approval of an order calling a general election on November 8, 2016 for the election of directors from District precinct numbers one (1), three (3) and four (4); approval of contracts for election services with Hays, Caldwell and Travis Counties; appointment of election officers; and, appointment of joint custodian of records.**
4. **Approval of an amendment to extend the contract with Brian Zavala for ongoing website maintenance and task-based improvements.**

**5. Approval of an interlocal funding agreement with Hays County to jointly fund Trinity Aquifer studies in Hays County.**

Director Smith moved approval of consent agenda items 1 through 5 noting an invoice from C and C Groundwater Services LLC in the amount of \$99,450.00.

Director Larsen seconded the motion and it passed with a vote of 3 to 0. Director Dorsett abstained.

**4. Discussion and Possible Action.**

**4a. Discussion and possible action related to assessment of progress made towards achievement of District Goals set for FY 2016 and identification of possible goals for FY 2017.**

Mr. Dupnik reported on the team goals set at the beginning of FY 2016.

After discussion, Director Smith moved to approve the staff progress report on the FY 2016 District Goals.

Director Dorsett seconded the motion and it passed unanimously with a vote of 4 to 0.

Mr. Dupnik asked the Board to give their input on new goals for FY 2017, and noted that a list of possible goals would be brought back in a September meeting.

**4b. Discussion and possible action related to conditional renewal of annual Production Permits for FY 2017 contingent on compliance with District rules and renewal requirements.**

Ms. Escobar explained that the annual review of permits was completed. The main focus was on the compliance of the permit conditions, special provisions, and making sure that everyone was up to date in their invoicing with no outstanding fees. She explained that they are waiting on an outstanding late fee from Onion Creek Golf Club, and suggested holding their renewal certificate until that fee is received. She said that staff recommended approval of the FY 2017 renewal of Production Permits.

Director Smith moved approval of the renewal of the annual Production Permits for FY 2017.

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

**4c. Discussion and possible action related to approval of the FY 2017 Fee Schedule by Resolution No. 081116-01**

Ms. Escobar explained that at the last Board meeting we received a public comment asking for more clarity as to when the Special Fees would be applied and the timing of those fees. She said

that staff took that information and revised the Fee Schedule with a bulleted table outlining when the fees would be warranted, and added detail as to when the fees would be assessed and applied.

After discussion, Director Smith moved approval of the FY 2017 Fee Schedule by Resolution #081116-01.

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

**4d. Discussion and possible action related to approval of a list of contractors solicited and vetted through the District's procurement process to provide various support services.**

Ms. Wilson explained that in 2012 we solicited contractors through a procurement process for a four year term that were set to expire at the end of this fiscal year. This is the second round of contractors solicited, and this term will be for five years. A Request for Qualifications (RFQ) was sent out and the list of contractors was made from the respondents. The contractors that responded were vetted for qualifications in their respective category of services and were all judged by staff to be qualified. These contractors will be engaged as needed for certain specific tasks not to exceed five thousand dollars which is consistent with the GM's approval authority.

After discussion, Director Larsen moved approval of the list of contractors solicited and vetted through the District's procurement process to provide various support services.

Director Smith seconded the motion and it passed unanimously with a vote of 4 to 0.

**4e. Discussion and possible action related to revisions to the District's Employee Policy Manual.**

Ms. Wilson explained the versions of the policy manual that were emailed to the Directors. She said that she has worked on this document for over a year in order to delete items that were no longer pertinent and to make it easier to read. She also said that revisions were made by Mr. Dupnik and then a legal review of the policies was conducted by Cathy Fryer of Bickerstaff in order to be consistent with current law.

Mr. Dupnik gave a brief presentation of the substantial revisions to the District's Employee Policy.

Director Larsen questioned the potential salary structure that was presented.

After discussion, Mr. Dupnik recommended postponing action on this item until the next meeting.

No action was taken.

**4f. Discussion and possible action related to interim legislative activity including Board Legislative Committee meetings and consideration of setting the District's legislative agenda and Board response to Senate Committee testimony.**

Mr. Dupnik gave a quick update of the activity of the Board legislative committee describing the recent meetings of the committee and consultation with the District's contracted legislative services firm, Sledge Law and Public Strategies. He then recommended meeting in Executive Session for consultation with our attorneys.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney), at 7:00 p.m. President Stansberry stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into open session at 8:37 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

Director Smith moved that the Board directs the General Manager to draft, sign and send a letter to Senator Charles Perry, Chairman of the House Agriculture Water and Rural Affairs Committee, responding to the points raised in the testimony by Mr. Ed McCarthy before his committee, and avoid commenting on the pending Needmoore Ranch permit application but respond to specific factual assertions and inaccuracies in the testimony.

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

**3. Routine Business.**

- b. **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 unless the topic is specifically listed elsewhere in this agenda.)*

**1. Standing Topics.**

- i. Personnel matters and utilization**
- ii. Upcoming public events of possible interest**
- iii. Aquifer conditions and status of drought indicators**

2. **Special Topics.** *(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. Review of Status Update Report – at directors' discretion**
- ii. Update on activities related to GMA and regional water planning**
- iii. Update on District grant projects and other Aquifer Science Team projects**

- iv. Update on the activities related to the SH 45 SW roadway project
- v. Update on activities related to the HCP and the associated draft EIS
- vi. Update on activities related to the Dripping Springs TPDES permit application
- vii. Update on activities related to the Travis County PGMA
- viii. Update on interim legislative activity

Mr. Dupnik and staff updated the Board and answered Director's questions on the items listed above.

**5. Adjournment.**

Without objection, President Stansberry adjourned the meeting at 9:25 p.m.

Approved by the Board on August 25, 2016:

By: Blayne Stansberry  
Blayne Stansberry, President

Attest: Blake Dorsett  
Blake Dorsett, Secretary