

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
August 25, 2016**

Board members present at commencement: Blayne Stansberry, Craig Smith, Blake Dorsett Bob Larsen and Mary Stone. Staff present: John Dupnik, Brian Smith, Dana Wilson, Kendall Bell-Enders, 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 August 11, 2016 regular Meeting.**
3. **Approval of revised District records retention schedule that establishes mandatory minimum retention periods for local governments.**
4. **Approval of the appointment of John Dupnik to replace Kirk Holland as the District's designated representative of the General Assembly of the Capital Area Council of Governments (CAPCOG.)**

Director Smith moved approval of consent agenda items 1 through 4.

Director Stone seconded the motion and it passed with a vote of 5 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. Update on Team activities and highlights**
- ii. Update on regulatory and enforcement activities**
- 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 activity related to upcoming November elections**

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

4. Presentations.

4a. Presentation by Jason Biemer with City of Kyle on the arrangement to provide supplemental water to the City of Buda under the Hays Caldwell Public Utility Agency water sharing agreement.

Mr. Biemer gave a presentation on the Hays Caldwell Public Utility Agency water sharing agreement that will provide water to the City of Buda and the City of Kyle for their future needs.

4b. Presentation by the City of Dripping Springs on the Direct Potable Reuse feasibility study.

Ms. Eva Steinle-Darling an engineer with Carollo gave a presentation on the Direct Potable Reuse (DPR) Feasibility Study that was conducted by them for the City of Dripping Springs. Representatives from the City of Dripping Springs including Mayor Todd Purcell, Mayor Pro Tem Bill Foulds and Deputy City Administrator Ginger Faught were also present. Mayor

Purcell and Mayor Pro Tem Foulds provided additional information related to the City's future wastewater plans involving primarily 210 reuse in the near term and implementation of DPR as a long-term solution. Mayor Purcell further emphasized the City's intent to avoid any discharge into Onion Creek that would be authorized by the requested TPDES direct discharge permit.

5. Discussion and Possible Action.

5a. Discussion and possible action related to revisions to the District's Employee Policy Manual.

Mr. Dupnik reminded the Board of the presentation he gave at the previous meeting where he provided an overview of the proposed revisions to the Employee Policy Manual (EPM). He went on to say that the Board gave input and that action was postponed. He said that the EPM has been updated to incorporate the Board's recommendations, and that staff recommends adoption of the revisions to the EPM as presented which excluded revisions referencing a salary structure index. Staff also requests time to conduct additional research related to developing a policy for District salary structures, and further recommendation to be presented at a future Board meeting.

After Board discussion, Director Larsen moved approval of the Employee Policy Manual as revised with certain revisions excluded as presented in the Board's backup, and requested the additional research on a salary structure to be presented at a future Board meeting.

Director Smith seconded the motion and it passed unanimously with a vote of 5 to 0.

5b. Discussion and possible action related to the District's participation in the Hill Country Conservancy Trust.

Mr. Dupnik provided an update on the initial organizational meeting held and provided an overview of the trust fund described in the 2002 settlement agreement.

Director Smith stated that he was in favor of participating in the Hill Country Conservancy Trust and said that he had an appointee in mind.

Mr. Dupnik stated that the Trust lays out the following four things that the money could fund:

- 1) Acquisition and preservation of additional open space
- 2) Regional aquifer protection and habitat planning
- 3) Environmental education programs
- 4) Other purposes ancillary thereto

Director Smith stated that he believes that the money that would flow to the Trust, would ultimately benefit the aquifer, and wouldn't cost the District anything.

Director Larsen disagreed, saying that we are busy and that he does not believe that this fits into our purview, not to mention that our attorney has pointed out risks that could be associated with it. Questions related to the ability of the Board to remove an appointee and limits on District expenses were also raised.

Mr. Dugat stated that if a third party is appointed then the risks would be on the appointee and not the District.

Director Stone stated that she would hate to lose a seat when we have a voice somewhere, and suggested appointing someone on the seat for one year and then re-evaluate.

After further discussion, Director Stone moved to appoint Director Smith as the District's representative on the Hill Country Conservancy Trust for one year and then to re-evaluate in one year.

Director Larsen seconded the motion and it passed unanimously with a vote of 5 to 0.

5c. Discussion and possible action related to the City of Dripping Springs TPDES permit application to authorize direct discharge of treated wastewater to Onion Creek in the contributing zone of the Barton Springs segment of the Edwards Aquifer.

The Board discussed the draft permit, and Mr. Dugat suggested that the Board should meet in Executive Session for additional consultation.

President Stansberry suggested taking care of item 6 before meeting in Executive Session.

6. Directors' Reports. *(Note: Directors' comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District's Management Plan related to demonstration of effective communication with District constituents.)*

Directors may report on their involvement in activities and dialogue that are of likely interest to 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, stakeholders, and other constituents;**
- **Commendations; and**
- **Issues or problems of concern.**

Director Dorsett reported the following:

Met with District staff
Attended Creedmoor Maha Board meetings

Director Larsen reported the following:

Attended the TAGD Groundwater Summit
Attended the AGWT Workshop in June
Senate Hearing Testimony
Went to the TDS West Bay site three times
Director Stone reported the following:
Attended the TAGD Groundwater Summit
Several phone calls from constituents

Director Smith reported the following:

Attended a presentation by the Austin Water Utility on storm water runoff for re-use
Attended a webinar on the Coyote Lake legal case
Attended the TAGD Groundwater Summit

Director Stansberry reported the following:

Meeting with the Board Legislative Committee
Meetings with the Board Dripping Springs Committee
Attended the TAGD Groundwater Summit

5d. Discussion and possible action related to evaluation of the performance of the General Manager in FY 2016 including assessment of incentive compensation.

President Stansberry stated that the Board would meet in Executive Session on items 5c. and 5d.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney), and Section 551.074 (Personnel Matters) at 9:20 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 9:58 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

Director Larsen moved that the Board finds that the General Manager has exceeded or met all of the FY 16 goals, and award him 10% of his salary as a one-time payment of \$9228.00 for his incentive compensation, award him a cost of living increase of 1.5 % of his salary and a one-time performance bonus in the amount of \$1250.00.

Director Smith seconded the motion and it passed unanimously with a vote of 5 to 0.

The Board took no action on item 5c.

7. Adjournment.

Without objection, President Stansberry adjourned the meeting at 10:01 p.m.

Approved by the Board on September 8, 2016:

By: Blayne Stansberry
Blayne Stansberry, President

Attest: Blake Dorsett
Blake Dorsett, Secretary