

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting & Public Hearing
April 14, 2011**

Board members present at commencement: Mary Stone, Gary Franklin, Craig Smith, and Jack Goodman. Bob Larsen was out of town. Staff present: Kirk Holland, John Dupnik, Brian Smith, Dana Wilson, and Tammy Raymond. Bill Dugat of Bickerstaff, Heath also participated. 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.

Ms. Stone 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 public comments of a general nature.

4. Public Hearing.

The Board will hold a Public Hearing concerning a proposed amendment of the District's fiscal year 2011 Fee Schedule to consider a reduction in the application fee for minor amendments to Non-exempt Domestic Use Permits. Note: At the conclusion of this Public Hearing the Board may approve the amendment of the FY 2011 Fee Schedule.

Ms. Stone opened the Public Hearing at 6:02 p.m.

Mr. Holland explained that the minor amendment fee for an NDU permit would be reduced from \$400 to \$50 as approved in a prior meeting pending a Public Hearing.

There were no public comments.

Ms. Stone closed the Public Hearing at 6:04 p.m.

5. Board discussions and Possible Actions.

5a. Discussion and possible action on approval of an amendment to the FY 2011 Fee Schedule.

Mr. Smith moved to amend the Fee Schedule to reduce the fee associated with minor amendments of Non-exempt Domestic Use permits, as shown in the backup.

Mr. Goodman seconded the motion and it passed unanimously with a vote of 4 to 0.

5b. Discussion and possible action on assessing status of drought triggers and declaring a Stage II-Alarm Drought.

Staff updated the Board on the aquifer conditions relative to the drought triggers, which indicated that the District was on the cusp of, but not yet in, a groundwater drought, with the likelihood that in the next meeting the Board would be considering declaring a Stage II – Alarm Drought.

No further Board action was warranted.

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 from the March 24, 2011, regular Meeting.**
 3. **Approval of a correction to the March 10, 2011, Board meeting minutes.**
 4. **Approval of a technical correction to the authorized pumpage amount in the Agreed Order for the Manchaca Optimist Youth Sports Complex production permit.**

Mr. Holland explained the basis for the two, staff-initiated corrections and confirmed that the other party in the Agreed Order was in support of the change in item 3.a.4.

Mr. Goodman moved approval of items 3.a.1, 2, 3 and 4 of the consent agenda, noting an invoice from Bickerstaff in the amount of \$7578.55.

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

- 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 on them in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.
1. **Personnel matters and utilization;**
 2. **Upcoming public events of possible interest;**

3. **Aquifer conditions and status of drought indicators.**
4. **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 team activities.**
 - ii. **Update on the status of the annexation of Ridgewood Village Water System by Travis County Water District No. 10.**
 - iii. **Update on the status of the discussions between City of Hays and Oak Forest WSC concerning the use of their emergency interconnect.**
 - iv. **Update on the status of the evidentiary hearing process for TCEQ's recommendation concerning GCDs in the Hill Country PGMA.**

Mr. Holland, Mr. Dugat and staff updated the Board and answered directors' questions on the teams' activities concerning the items listed above.

5c. Discussion and possible action related to scheduling a work session on objectives and performance standards to be included in the next revision of the Management Plan.

The Board set a tentative work session with the Team Leaders, to review progress of and provide input and guidance on possible changes to the objectives and performance standards for the next revision of the Management Plan, for 6:30-8:30 PM, Thursday, May 19th at the District.

5d. Update, discussion, and possible action related to developments concerning the District's legislative agenda and other relevant legislative initiatives that potentially affect the District.

Mr. Holland briefed the Board on the progress and status of legislative bills of interest, and in particular developments concerning the District's bills.

Mr. Franklin moved to a) authorize the General Manager and designated representatives to provide testimony and assertions to legislators that are consistent with the District's current business approaches on tactical matters in addition to Board-approved positions on other matters that are more strategic or contentious in nature, and b) validate previous testimony and assertions by the General Manager and designated representatives as Board-authorized.

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

5e. Discussion and possible action relating to *City of Kyle vs. Goodman et al. and the Barton Springs Edwards Aquifer Conservation District, Cause No. 10-1267, 22nd District Court, Hays County, Texas.*

The Board adjourned into Executive Session under Texas Government Code Section 551.071 (Consultation with Attorney) at 7:17 p.m. Ms. Stone stated that no action would be made while in Executive Session.

The Board reconvened in Open Session at 7:24 p.m. Ms. Stone stated that no action was taken while in Executive Session.

No Board action was taken in Open Session.

6. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 7:25 p.m.

Approved by the Board:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary