

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
August 11, 2011**

Board members present at commencement: Gary Franklin, Jack Goodman, and Bob Larsen. Mary Stone and Craig Smith were absent. Staff present: Kirk Holland, John Dupnik, Dana Wilson, Brian Smith and Tammy Raymond. Bill Dugat 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 6:00 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.

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 Board's July 28, 2011, Regular Meeting and Public Hearing.**
3. **Approval of the re-designations of a) Brian Hunt to be the District Representative to the GMA 9 Coordinating Committee and b) Kirk Holland to be the District Representative to the GMA 10 Coordinating Committee.**
4. **Approval of the recommendation to the GMA 10 Committee of John Dupnik to be the GMA 10 Representative to the Lower Colorado Regional Water Planning Group (Region K.)**

Mr. Goodman moved approval of items 3.a.1 through 4 of the Consent Agenda, noting two invoices from Bickerstaff Heath for \$8862.05 and \$7873.66.

Dr. Larsen seconded the motion, and it passed unanimously with a vote of 3 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. Standing Topics.

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

2. Special Discussion Topics, 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 status of DOJ pre-clearances associated with HB 1060, the District's de-annexation of Bastrop County, and the change in director election date.
- iii. Update on the activities of GMA 9 and GMA 10.

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

4. Board discussions and Possible Actions.

4a. Discussion and possible action concerning the renewal of District production permits that are not in violation of District Rules for FY 2012.

Mr. Holland stated that staff recommended approval of all District production permit renewals, contingent on payment of all accrued FY2011 Drought Management Fees, and receipts of FY2012 water use fees to be invoiced.

Dr. Larsen moved approval of renewal of the production permits of all permittees, with all permits contingent on payment of FY2011 Drought Management Fees and FY2012 water use fees, and of the invoicing of those water use fees within the next two weeks.

Mr. Goodman seconded the motion and it passed unanimously with a vote of 3 to 0.

4b. Discussion and possible action related to approving a contract with Clean Water Fund as part of a matching grant program awarded to CWF to canvass selected high-water use neighborhoods to distribute water-conservation education materials to individual residents and to sign up interested parties to the Friends of the Aquifers emailing lists.

Mr. Holland said that staff recommended approval of a contract with Clean Water Fund as part of a matching grant program awarded to them to canvass selected high-water use neighborhoods to distribute water-conservation education materials to individual residents and to sign up interested parties to the Friends of the Aquifers emailing lists.

Mr. David Foster of CWF reported the benefits to the District from a similar project conducted during the last drought.

After discussion, Dr. Larsen moved approval of the contract with Clean Water Fund as included in the backup, in an amount not to exceed \$2500.

Mr. Goodman seconded the motion and it passed unanimously with a vote of 3 to 0.

4c. Discussion and possible action related to the compliance by District permittees with their User Drought Contingency Plans, including initiation of enforcement actions, as warranted.

Mr. Dupnik stated that no enforcement actions were warranted and that staff would continue to monitor the permittees' water usage.

4d. Discussion and possible action related to developments concerning the District response to the results of the mediation of the Jeremiah Ventures TLAP contested case.

Mr. Dugat updated the Board on the developments of the contested case.

No Board action was needed.

4e. Discussion and possible action relating to further action on *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. Dugat stated that there were no new updates to report.

4f. Discussion and possible action related to the resolution of a District personnel matter.

Mr. Holland updated the Board on an unexpected vacancy on the the Regulatory Compliance Team with the resignation of Guy Rials, and that efforts were already underway to hire another staff member to meet the prospective needs of the District.

No Board action was required.

5. Adjournment.

Without objection, Mr. Franklin adjourned the meeting at 7:15 p.m.

Approved by the Board:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary