

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Special Called Meeting, Public Hearing Continuation and Work Session
September 17, 2011**

Board members present at commencement: Mary Stone, Gary Franklin, Craig Smith, Jack Goodman and Bob Larsen. Staff present: Kirk Holland, John Dupnik, 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.

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development) 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

1. Call to Order.

Ms. Stone called the meeting to order at 8:05 a.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. Public Hearing.

The Board will continue its public hearing on proposed changes to the Rules, generally related to: modifying certain provisions applicable to non-public water supply fresh Edwards Aquifer Historical Production Permits during District-declared Emergency Response Period and applications approved during District-declared drought; clarifying eligibility requirements for authorizing nonexempt domestic use wells; clarifying provisions related to retirement of fresh Edwards Aquifer Historical Production Permits; modifying provisions related to the fresh Edwards Aquifer Extreme Drought Withdrawal Limitation; and making other, more general administrative clarifications and corrections.

Ms. Stone opened the Public Hearing at 8:05 a.m.

Mr. Bill Bunch representing Save Our Springs Alliance, urged the Board to be transparent, and stated that he was against the proposal from Centex regarding Rule 3-7.7(B)(4).

Mr. David Loftis representing Centex stated that if the Board passed the rule that they would continue to explore other options including drilling a Trinity test well.

Mr. Holland recommended that the Board address all proposed rule changes with the exception of Rule 3-7.7(B)(4) at this time.

Ms. Stone closed the Public Hearing at 8:17 a.m.

5. Regular Business: Board Discussion and Possible Actions.

5a. Discussion and possible action concerning the approval of some or all of the proposed changes to the Rules, generally related to: modifying certain provisions applicable to non-public water supply fresh Edwards Aquifer Historical Production Permits during District-declared Emergency Response Period and applications approved during District-declared drought; clarifying eligibility requirements for authorizing nonexempt domestic use wells; clarifying provisions related to retirement of fresh Edwards Aquifer Historical Production Permits; modifying provisions related to the fresh Edwards Aquifer Extreme Drought Withdrawal Limitation; and making other, more general administrative clarifications and corrections.

Mr. Smith stated that he would like to adopt all rules except 3-7.7(B)(4) stating that it would benefit the District to explore other ideas.

Ms. Stone stated that she believes the rules as stated would benefit the aquifer and would like to see all of them adopted.

Dr. Larsen stated that he thought that the 3rd version submitted by Centex was the best one to adopt.

Mr. Franklin agreed.

After further discussion by the Board, Mr. Smith moved adoption of all rules except 3-7.7(B)(4).

Mr. Goodman seconded the motion, and it passed unanimously with a vote of 5 to 0.

Dr. Larsen made a second motion to adopt the latest recommendation submitted by Centex known as the 3rd version.

Mr. Franklin seconded the motion.

Mr. Smith stated that the 3rd version would not require Centex to use an alternative water Supply and that he would not vote for it.

Ms. Stone called for a vote and the motion passed 4 to 1, with Mr. Smith voting nay.

4. Work Session.

The Board will hold a work session on the annual goals/objectives for the District and for the General Manager in FY 2012; and will consider the GM's role in making progress towards FY 2011 goals and meeting Board expectations.

The Board held a work session on the annual goals and objectives for the District and the General Manager for FY2012, and the progress on the approved FY 2011 goals and the General Manager's performance in their participation.

5. Regular Business: Board Discussion and Possible Actions.

5a. Discussion and possible action related to setting the District's FY 2012 Goals and Objectives.

Dr. Larsen moved to direct the General Manager to utilize the discussion in the Work Session and produce a draft of the FY 2012 Goals to present to the Board at the next meeting.

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

5b. Discussion and possible action related to awarding the General Manager's incentive compensation for FY 2011 performance.

The Board adjourned into Executive Session at 10:23 a.m. under Texas Government Code 551.074 (Personnel Matters). Ms. Stone stated that no decisions or actions would be made while in Executive Session.

The Board reconvened into Regular Session at 10:54 a.m. Ms. Stone stated that no decisions or actions were made while in Executive Session.

Mr. Smith moved to allocate the General Manager's full compensation for 2011 equal to 10% of his salary.

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

6. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 10:56 a.m.

Approved by the Board:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary