

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
October 14, 2010**

Board members present at commencement: Mary Stone, Bob Larsen, Gary Franklin, Jack Goodman, and Craig Smith. Staff present: Brian Smith, John Dupnik, and Dana Wilson. Kirk Holland arrived at 6:13 p.m. Claudia Russell and 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.

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 September 23, 2010, Regular Meeting and September 25, 2010 Called Meeting and Work Session.**
 - 3. Approval of FY 2010 Conservation Credits for eligible permittees.**
 - 4. Approval of the date for the annual holiday party for stakeholders and public officials.**
 - 5. Approval of making routine Blue Cross/Blue Shield health insurance payments greater than \$5000 but within the approved budget without individual Board action.**

Mr. Goodman moved approval of items 3a. 1 and 2 of the consent agenda, noting invoices from C & C Groundwater Services in the amount of \$45,525 and TexPool in the amount of \$7361.33.

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

Ms. Stone moved items 3.a.3, 3.a.4, and 3.a.5 to New Business for more discussion by the Board.

3. Approval of FY 2010 Conservation Credits for eligible permittees.

Mr. Dupnik explained that these credits are for those permittees that have had no violations in District rules for the past year.

Mr. Smith moved to approve the conservations credits in the spread sheet provided.

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

4. Approval of the date for the annual holiday party for stakeholders and public officials.

The holiday gathering was set for Friday, December 3rd from 7-9 p.m. at Mary Stone's residence.

5. Approval of making routine Blue Cross/Blue Shield health insurance payments greater than \$5000 but within the approved budget without individual Board action.

After discussion, Dr. Larsen moved to approve the monthly Blue Cross Blue Shield payments without individual Board action as long as they are within the budgeted amount.

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

4. Regular Meeting: New Business.

4a. Discussion and possible action on approving a new cooperative agreement with Texas State University-San Marcos and Texas Disposal Systems, Inc. to collaborate on a Congressionally-directed grant project for researching the feasibility of Saline Edwards.

Dr. Larsen and Mr. Holland explained the contribution commitments of the three collaborators and the document was revised to reflect those amounts that had just been established the previous day.

Dr. Larsen moved approval of a new Cooperative Agreement among the District, TSU-SM, and TDS, as revised in this meeting, to collaborate on a Congressionally-directed grant project for researching the feasibility of the Saline Edwards in the eastern part of the District.

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

4b. Discussion and possible action on the establishment of the District's goals for FY 2011.

Dr. Larsen moved approval of the District goals for FY 2011 as discussed in the September 25th work session and as listed in the backup documentation for this meeting.

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

4c. Discussion and possible action on approving changes to the Employee Policy Manual (including its appendices and sub-policies.)

Mr. Holland explained the changes to the Employee Policy Manual including timesheets, travel expense reports, and other corrections outlined in the Board back-up, noting that most of these changes had been previously reviewed by the Board in earlier meetings.

Mr. Smith moved approval of the changes to the Employee Policy Manual as discussed.

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

5. Regular Meeting: Continued Business.

5b. Update, discussion, and possible action on the District's prospective legislation.

Ms. Claudia Russell and Mr. Holland updated the Board on the progress of the prospective legislation for the District.

5c. Discussion and possible action on approving a resolution for the District to seek party status in the SOAH hearing concerning the TCEQ recommendation for groundwater conservation districts in the Hill Country Priority Groundwater Management Area (in TCEQ's "Groundwater Conservation District Recommendation Report", July 2010.)

Mr. Holland stated that the Board had previously authorized seeking party status, but Mr. Dugat has requested a Resolution with a vote of the Board to that effect when he presents the District's case in the preliminary hearing.

Mr. Smith moved approval of Resolution to seek party status in the TCEQ SOAH hearing.

Mr. Goodman seconded the motion and it passed unanimously 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 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 operational team activities.
- ii. Update on recent activities associated with District grant projects.
- iii. Update on testimony provided to Travis County Commissioners in public hearing on proposed temporary suspension of approvals of subdivisions relying on the Trinity Aquifer in southwestern Travis County.
- iv. Update on status of USGS reporting of results from supplemental sampling and analysis program.

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

4d. Discussion and possible action concerning a minor permit amendment that has been noticed by TCEQ for comment on a prospective change from the currently authorized storage pond to a fabricated tank at Hays County WCID #1 wastewater treatment plant serving the Belterra community.

5a. 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.*

Ms. Stone opened both of these agenda items together, and heard public comment on the Kyle case agenda item from Mr. Bill Bunch, SOS Alliance. The Board then adjourned into Executive Session at 7:33 p.m. to discuss items 4d. and 5a. Ms. Stone stated that no actions or decisions would be made while in Executive Session.

The Board reconvened in Open Session at 8:03 p.m. Ms. Stone stated that no action or decisions were made while in Executive Session. No further Board actions on these agenda items were required.

6. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 8:04 p.m.

Approved by the Board:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary