

**Barton Springs/Edwards Aquifer Conservation District**  
Board of Directors Meeting Minutes  
Regular Meeting  
June 13, 2024

Board members present at commencement: Blayne Stansberry, Dan Pickens, and Christy Williams. Vanessa Puig-Williams arrived at 5:15pm. Staff present included: Tim Loftus, Erin Swanson, Jacob Newton, Jeff Watson, Justin Camp, Shay Hlavaty and Hannah Riggs. 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.**

President Stansberry called the meeting to order at 5:01pm.

**2. Citizen Communications (Public Comments of a General Nature).**

There were no public comments at this time.

**3. 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 a separate item of Regular Business on this agenda.)*

a. **Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, renewal of the biannual agreement with the U.S. Geological Survey for Lovelady Well continuous water level data collection for \$14,740, and Specified Expenditures greater than \$5,000.**

b. **Approval of minutes of the Board's May 9, 2024, Regular Meeting.**

President Stansberry asked a question about the Budget vs Actual report and asked about the progress that is being made with cleaning up the Accounting records. Dr. Loftus replied that we are making steady progress and expect to be finished by the end of the fiscal year.

President Stansberry asked that the check register be added to the next Board Meeting's reports.

No questions or concerns on item 3b.

Vice President Pickens moved to approve the financial reports, the invoices over \$5,000, and the previous minutes. Secretary Williams seconded. The motion passed 3-0.

4. **General Manager’s Report. Discussion and possible action.**

**Topics**

a. **Review of key team activities/projects.**

Dr. Loftus called out the Staff Status Reports.

i. **Team-Building Workshop**

Dr. Loftus updated that the team building workshop was time well spent that that Staff proposes a workshop with the Board in a Special Called Meeting in the early part of FY25 that would last 1-2 hours.

ii. **Salamander Conservation grant and new multiport well**

Dr. Loftus updated that the District received the check from the City of Austin grant and that we are in the black on the budget on this item.

iii. **New RFQ issued for legal services in FY25**

Dr. Loftus updated that the RFQ has been issued. Bill Dugat has offered to share with people within his network that he thinks would be a good fit.

Dr. Loftus updated the Board on what the Communication and Outreach Manager, Shay Hlavaty, has been working on this year alone. She created a Fact Sheet for the Sierra West Drilling Application, worked with Groundwater to the Gulf, volunteered at the Nature Nights at the Lady Bird Johnson Wildflower Center, hosted a Permittee Event, and hosted the Groundwater Symposium.

Dr. Loftus updated the Board on the Trinity Sustainable Yield. He mentioned that in the future we might hold two (2) Special Called Meetings to updated the whole Board on what they have been working on.

b. **Aquifer status update.**

Director Puig-Williams arrived during the Drought Update at 5:15pm.

Justin Camp gave the drought update. Discussed the rainfall we received this year is just short of average but we do continue to see recharge.

c. **Upcoming events of possible interest**

Dr. Loftus called attention to Groundwater to the Gulf which just wrapped up and the TAGD Summit in August which all of Staff will be attending.

5. **Discussion and possible action.**

**5a. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.**

Jacob Newton went through the UDCP.

**5b. Discussion and possible action b. Discussion and possible action related to a Well-Drilling Authorization during District-declared drought for Aqua Texas Sierra West public water supply. The well location is in Hays County on a 0.18-acre tract located at 272 Canna Lily Circle, Driftwood, TX 78619, in Precinct 1; Lat/Long: 30.06392° N, 98.00746° W. The well is proposed to be completed in the Middle Trinity Aquifer**

Public Comments – Steve Schiber, Chris Elliott, and Stephanie Gillette made Public Comments against the Board authorizing Aqua Texas to drill a back-up well. All three (3) public comments addressed their mistrust that Aqua Texas will stay in compliance once the well is drilled and production is granted.

Erin Swanson began her presentation. She stated that this well is being used as a back-up well for the existing well that is used for the neighborhood. Aqua Texas does plan on asking for more production for this well but not right away. She explained that they would need more water so that they can expand and build more homes in the area. She stated the obligation the District has to objectively apply our rules to all permittees.

The Aquifer Test was submitted at the same time as the well drilling authorization and this is because it gives Aqua Texas more time than if they requested the Aquifer Test with the production permit. Jeff Watson presented on the Aquifer Test. He stated that the District is coordinating with consultants to determine the correct test for the area. He also stated that we do want to monitor wells in the area during the Aquifer Test.

Director Puig-Williams asked if their production permit would be the only way to add more production to their permit or if they could ask for an increase in water with the well they currently have. Erin Swanson answered that they could ask for an increase in production with the well that they have; right now this new well they are proposing is for back-up purposes. President Stansberry added that right now they are at risk having only one well as a sole water source for their customers.

Executive Session began at 5:55pm.

Executive Session ended at 6:16pm.

No action or decision was made in Executive Session.

President Stansberry stated that when they do ask for a production permit we will have the results of the Aquifer Test and we can evaluate the effect of the surrounding wells better. The Aquifer Test will be for the full amount they are asking for, so for the increase plus the production amount they currently have.

Director Puig-Williams moved to approve their well drilling authorization. Secretary Williams seconded. The motion passed 3-1 with Vice President Pickens voting nay.

**5c. Discussion and possible action related to a Well-Drilling Authorization during District-declared drought for Aqua Texas Oak Meadows public water supply. The well location is in Hays County on**

**a 0.60-acre tract located at Oak Meadows Rd, San Marcos, TX 78666, in Precinct 1; Lat/Long: 29° 57' 54.21" N, 97° 58' 39.29" W. The well is proposed to be completed in either the Upper or Middle Trinity Aquifer.**

Erin Swanson presented. Aqua Texas has three (3) Edwards wells in Oak Meadows. They want to add a Trinity well because of effects they are seeing during drought. This well could end up being in either the Upper Trinity or Middle Trinity. Since we don't have many Trinity wells in the area we don't know the quality expectations.

Director Puig-Williams asked if Aqua Texas wanted to increase their volume. Erin Swanson stated that their Edwards wells are permitted by Edwards Aquifer Authority. Lauren Savior, from Aqua Texas, stated that they want to minimize their reliance on Edwards water. President Stansberry asked if the Trinity in that area is different than what we see in the west. Jeff Watson stated that we have very little data on the Trinity in the area.

Director Puig-Williams moved to approve their well drilling authorization. Secretary Williams seconded. The motion passed 3-1 with Vice President Pickens voting nay.

**5d. Discussion and possible action on a request for support for Milestone Community Builders Service Extension Request of the City of Austin for the Hays Commons development.**

Public Comments – Michelle Camp and Jim Camp made public comments. They both suggested that this item get tabled and gather more information before making any decisions.

President Stansberry asked Andrew Cortes from Milestone Community Builders to speak on their plan for the land. Andrew Cortes stated that right now they have a concept plan that is mostly single-family homes with commercial space at the highway. They are placing most of the karst features in the conservation space and they are agreeing to plug the wells that are on the land or turn them into monitor wells if that is better for the District.

Director Puig-Williams asked what this has to do with us right now. President Stansberry stated that we can use this time to get more information on the project. Andrew Cortes added that Milestone does not want to use their wells and the TLAP but they will have to go that route if they do not get the service extension from the City of Austin; they want to show the City of Austin that they have support.

Public Comment – Darlene Starr made a public comment where she said that she does not trust the developer as their plans often change.

Secretary Williams asked Andrew Cortes if Milestone has addressed if they put the three (3) wells on the property into production if they would be able to build or would that change their plans. Andrew Cortes stated that the water quality may be poor and the TLAP may look different.

Director Puig-Williams stated that she doesn't think the District should be a part of this at this point. Secretary Williams agreed.

There was no action was made on this item.

**5e. Discussion and possible action on submitting comments to the Texas Commission on Environmental Quality in connection with Hays Common Development, Inc. Water Quality Land Application Permit for Municipal Wastewater.**

Public Comments – Michelle Camp, Darlene Starr, and Jim camp made public comments in opposition to the proposed MUD and TLAP.

Secretary Williams asked if there is a president for the District to intervene in this way. Director Puig-Williams added this this is another threat to the aquifer. President Stansberry asked Andrew Cortes if there are alternatives to this plan. He stated that septic systems are not a financially viable option for Milestone.

Vice President Pickens moved to approve. Secretary Williams seconded. The motion passed 4-0.

**5f. Discussion and possible action on a work order under an existing Master Service Agreement with the Austin Alliance Group.**

Dr. Loftus stated that we have been operating under smaller Task Orders, however, with the increased work that Tina Cooper has been asked to do for the District we are asking for a Task Order for the rest of the fiscal year. Vice President Pickens asked a question about the amount time they have listed to process payroll.

Director Puig-Williams moved to approve the Task Order. Vice President Pickens seconded. The motion passed 4-0.

**5g. Discussion and possible action on (1) the annual audit including requirements for securing an auditor and conducting an annual audit under District rule 4-8.4, and Water Code sections 36.057 (c) and 36.153; and, (2) the July 20, 2023 contract for auditing services with Montemayor Britten Bender PC.**

Dr. Loftus stated that it is not uncommon to change auditors after several years to maintain objectivity.

Vice President Pickens moved to approve. Director Puig-Williams seconded. The motion passed 4-0.

President Stansberry called a short recess.

Recess began at 7:51pm.

Recess ended at 7:56pm.

**5h. Discussion and possible action on preliminary FY 25 budget.**

Dr. Loftus stated that there are still some line items that need dollar amounts but this is still a work in progress. Dr. Loftus also called out that we are adding more to the legislative budget this year. Director Puig-Williams asked about budgeting for a new lawyer since Bill Dugat is retiring at the end of the year and other lawyers may have higher rates. Vice President Pickens had a question about the Communications budget and suggested it be increased to have more events throughout the year and to promote the Trinity Sustainable Yield more.

Vice President Pickens moved to approve. Director Puig-Williams seconded. The motion passed 4-0.

**6. Director Reports.**

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;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

Without objection President Stansberry skipped the Director Reports.

**9. Adjournment.**

With no objection, President Stansberry adjourned the meeting at 8:40pm.

Approved by the Board on August 8, 2024.

By: \_\_\_\_\_  
Blayne Stansberry, Board President

Attest: \_\_\_\_\_  
Christy Williams, Board Secretary