

Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
February 7, 2013

Board members present at commencement: Mary Stone, Gary Franklin, Craig Smith, Bob Larsen and Blake Dorsett. Staff present: Kirk Holland, John Dupnik, Brian Smith, Kendall Bell-Enders, 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.

Ms. Stone called the meeting to order at 6:05 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments).

There were no comments of a general nature.

5. Board Discussion and Possible Action.

5e. Discussion and possible action related to *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 updated the Board regarding the law suit with the City of Kyle.

After discussion, Mr. Smith moved that the Board approve the joint Motion on the agreed final judgment and agreed final judgment on remand.

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

5c. Update, discussion and possible action related to the pursuit of the District's legislative agenda in this legislative session, including the consideration of specific bills and bill language to be advanced, and a briefing on other introduced bills of particular interest to the District.

Ms. Claudia Russell and Mr. Holland briefed the Board on legislation pertaining to the District, and answered questions from the Board. The Board generally agreed with the approach being taken on all three bills being pursued, and directed Kirk and Claudia to talk to potential sponsors of the fee-change bill so that a go/no-go decision could be made by the Board in its next meeting.

No formal Board action was taken.

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

Mr. Dupnik briefed the Board on the pre-enforcement meeting held with St. Andrew's School, noting their commitment to implement specific measures to comply with pumping curtailments. He also informed the Board that not all meter readings had been received and validated because of the early Board meeting date; therefore the compliance report for January pumping will be given at the next meeting.

No Board action was taken.

5d. Discussion and possible action related to approving certain non-regulatory elements and commitments required for one or more desalination demonstration projects.

Mr. Holland reported that there has not been a lot of new development, but that the District was approached by Plum Creek CD regarding the drilling of saline Edwards/lower Trinity test wells outside of our District, and that some District participation may be requested in the future..

No Board action was taken.

5a. Discussion and possible action related to the District's protocol and recent activity associated with the regulation of abandoned wells.

Mr. Dupnik provided an overview of the District's procedures for responding to abandoned wells. He described that landowners are responsible for plugging or bringing abandoned wells into compliance within 180 days of notification, and that conversion into District monitor wells was an option provided that the well is not deteriorated.

No Board action was taken.

4. Presentations.

4a. Presentation by staff hydrogeologists on recent reports and investigations conducted by the Aquifer Science Team.

Dr. Smith and Mr. Hunt gave a slideshow presentation on projects and investigations conducted by the Aquifer Science Team in the past few years.

3. Routine Business.

3.c. Directors' Reports. Note: Board Member comments in this part of the agenda cannot address any aspect of an agenda item posted elsewhere on this agenda, and no substantive

discussion among the Board Members or action by the Board on these comments will be allowed in this meeting.

Individual Board Members may, on a voluntary basis, make a brief report to the entire Board on their personal involvement in activities and dialogue that are of likely interest to the rest of the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Conversations with public officials, permittees, other stakeholders, and private citizens;
- Kudos and recognition of people doing good things for groundwater management in the District;
- Concerns about specific issues or problems for groundwater management in the District.

Ms. Stone, Dr. Larsen and Mr. Smith gave reports.

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 of the Board's January 24, 2013, Regular Meeting.**
3. **Approval of out-of-state travel for staff members Brian Smith and Brian Hunt to attend and present papers at the sinkhole conference in Carlsbad, New Mexico, the week of May 6, 2013.**

Dr. Larsen moved approval of the consent agenda, noting an invoice from Bickerstaff in the amount of \$5880.00, and out-of-state travel for Brian Smith and Brian Hunt to attend a conference in Carlsbad, New Mexico, in May.

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

3b. 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. 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 activities of teams and directors;**
- ii. Update on permitting and non-drought regulatory activities;**
- iii. Update on Stakeholder Advisory Committee developments.**

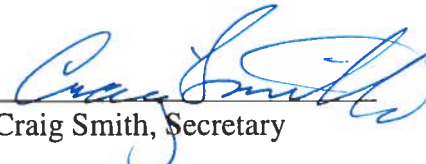
Mr. Holland and staff updated the Board and answered directors' questions on the teams' activities concerning the items listed above.

6. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 8:32 p.m.

Approved by the Board on February 21, 2013:

By: 
Mary Stone, President

Attest: 
Craig Smith, Secretary