

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Special Meeting
Telephone & Videoconference
November 12, 2020**

Board members present at commencement: Blayne Stansberry, Blake Dorsett, Craig Smith, and Mary Stone. Bob Larsen was absent. Staff present included: Vanessa Escobar, Michael Redman, Dana Wilson, Brian Smith, Justin Camp, Erin Swanson, Jackie Vay, Kendall Bell-Enders, and Tammy Raymond. 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 virtual meeting to order at 4:00 p.m., noting that a quorum of the Board was present.

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

Brett Mundy of Jumping Jack Ranch, conveyed her issue regarding her Class C Conditional permit. She stated that she can no longer pump water from her well when drought is declared and that the well is also supplying water to four homes where she and other employees live. She asked the Board to look into another type of permit to remedy this type of situation.

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, and Specified Expenditures greater than \$5,000.

b. Approval of minutes of the Board's October 8, 2020 Special Meeting.

Director Smith moved approval of Consent Agenda Items 3.a. and b. noting an invoice from Bickerstaff, Heath in the amount of \$6513.50.

Director Stone seconded the motion and it passed unanimously with a vote of 4 to 0.

4. Discussion and Possible Action.

4a. Update on Save Our Springs Alliance lawsuit regarding the Dripping Springs Wastewater Discharge Permit.

Kelly Davis, staff attorney for Save Our Springs Alliance, stated that on October 29th the District Court reversed the permit issued by TCEQ to the City of Dripping Springs to discharge over 800,000 gallons of treated wastewater into Onion Creek per day. She said that the Judge reversed it and did not remand it, so that it will not automatically go back to the agency. She said that she also provided additional relief in the form of an injunction that barred the City and TCEQ from taking actions in reliance on the unlawful permit. The City of Dripping Springs filed a motion within three days to correct/modify the judgement. She said that the fight is not over but that they are happy with the ruling.

The Board congratulated Ms. Davis and Save Our Springs Alliance.

4b. Discussion and possible action related to finalizing the November 3, 2020 General Election and qualifying directors for office including, but not limited to:

- i. **canvassing the Board of Directors Precinct 4 Election**
- ii. **issuing Certificates of Election to directors of Precincts 1, 3 and 4**
- iii. **ensuring completion and receipt of Statement of Elected Officer**
- iv. **administering Oath of Office**
- v. **approval of Director bonds and**
- vi. **welcoming new Board members**

4bi. canvassing the Board of Directors Precinct 4 Election

Ms. Escobar stated that the purpose of this item is to approve an Order to Canvass the November 3, 2020 Director Election and accept the results provided by Travis and Hays County elections. Adoption of the Order would constitute the official tabulation for the total votes received by each candidate.

Election results casted in both counties:

Bob Larsen 11,040 votes
Christy Williams 34,493 votes

Director Stone made a motion that the Board, as the canvassing authority for the Director elections, canvass the results of the November 3, 2020, General Election of the Barton Springs/Edwards Aquifer Conservation District by adopting the proposed Order found with this agenda item, and declare that Christy Williams is the winner of the Precinct 4 election.

Director Smith seconded the motion and it passed unanimously with a vote of 4 to 0.

4bii. issuing Certificates of Election to directors of Precincts 1,3 and 4

President Stansberry presented the following signed Certificates of Election.

- 1) To Christy Williams the duly elected Director Precinct 4.
- 2) To Blake Dorsett, who ran unopposed and is duly elected Director Precinct 3 for purpose of the November 3, 2020 election, pursuant to the September 10, 2020 Order Cancelling Election for Precinct 3.
- 3) To Dan Pickens, who ran unopposed and is duly elected Director Precinct 1 for purpose of the November 3, 2020 election, pursuant to the September 10, 2020 Order Cancelling Election for Precinct 1.

4biii. ensuring completion and receipt of Statement of Elected Officer

Ms. Raymond confirmed completion and receipt of Statement of Elected Officer for Blake Dorsett, Dan Pickens, and Christy Williams.

4biv. administering Oath of Office

Ms. Raymond as a Notary Public, administered the Oath of Office to Blake Dorsett, Dan Perkins, and Christy Williams.

Congratulations were given to the incumbent and two new Directors.

4bv. approval of Director bonds

Director Smith moved to approve the Director bonds for Blake Dorsett, Dan Pickens and Christy Williams.

Director Dorsett seconded the motion and it passed unanimously with a vote of 4 to 0.

4bvi. welcoming new Board members

President Stansberry congratulated Dan Pickens and Christy Williams and stated that the new Board consists of:

Craig Smith
Blake Dorsett
Dan Pickens
Christy Williams
Blayne Stansberry

Director Smith left the meeting at 4:38 p.m.

4c. Discussion and possible action related to approving resolutions # 11122020-01, #11122020-02 in honor of Director Mary Stone and Director Robert Larsen's public service.

President Stansberry gave a review of the accomplishments of Director Mary Stone, and Director Bob Larsen, during their tenure at the District.

Director Dorsett moved approval of resolutions #11122020-01 and #11122020-02.

Director Pickens seconded the motion and it passed unanimously with a vote of 4 to 0.

Farewells were given.

4d. Discussion and possible action related to an update from Special Counsel John Vay to the Board on SOAH Docket 957-18-4985.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) at 4:49 p.m.

President Stansberry stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into open session at 5:36 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

No Board action was taken in open session.

5. 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 unless the topic is specifically listed elsewhere in this agenda for consideration. 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.)*

Topics

- a. Update on Drought
- b. Update on development activities related to the Western Travis County Public Utility Authority (WTCPUA).
- c. Update on Trinity Aquifer sustainable yield study and development of groundwater modeling tools.
- d. Review of Status Report and update on team activities/projects.
- e. Upcoming public events of possible interest.

Ms. Escobar, and staff gave updates to the Board.

6. Directors' 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.

Board members that had outside and Zoom meetings gave reports.

7. Adjournment.

Without objection, President Stansberry adjourned the meeting at 6:09 p.m.

Approved by the Board on December 10, 2020

By: Blayne Stansberry
Blayne Stansberry, Board President

Attest: Blake Dorsett
Blake Dorsett, Board Secretary