

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
November 20, 2014**

Board members present at commencement: Bob Larsen, Mary Stone and Blake Dorsett. Craig Smith arrived at 6:11 p.m. Direct-elect, Blayne Stansberry, was also present but not in an official capacity as an acting director until approval of the bond under the Consent Agenda. Staff present: John Dupnik, Brian Smith, Dana Wilson, Robin Gary, Kendall Bell-Enders and Tammy Raymond. Bill Dugat of Bickerstaff, Heath, Delgado, Acosta and Kirk Holland of Holland Groundwater Management 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.

Dr. Larsen called the meeting to order at 6:02 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments).

There were no 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 of the Board's October 23, 2014, Regular Meeting.**
 3. **Approval of the bond for newly-elected Director of Precinct 2.**
 4. **Approval of a letter of engagement with RPS, an engineering consulting firm, to prepare a grant application for assistance in funding the District's efforts to characterize the saline zone of the Edwards Aquifer.**

Mr. Dupnik briefed the Board on the consent agenda items above.

Ms. Stone moved approval of consent agenda items 3a. 1 through 4 as presented, noting an invoice from Bickerstaff in the amount of \$11,793.89 and Hicks and Co. in the amount of \$8,942.36.

Mr. Dorsett seconded the motion and it passed with a vote of 3 to 0.

The bond approval for the newly-elected Director of Precinct 2 was the final order of business required for Ms. Stansberry to act in an official capacity on the Board; therefore, all five Board members were present.

4. Presentations.

Presentation of the Permittee of the Year Award to Sage Hill Inn Above Onion Creek.

The Board recognized Sage Hill Inn Above Onion Creek as permittee of the year.

Ms. Gary gave a brief presentation showing the Inn's conservation efforts.

Mr. Dupnik presented a banner and plaque, and the Board took a brief recess to take pictures and give congratulations.

5. Discussion and Possible Action.

5a. Discussion and possible action related to approval of the District's progress towards achieving goals and objectives in the District Management Plan in FY 2014, to be included in the District's Annual Report.

Mr. Dupnik provided a brief presentation of the method approved by the Board last fiscal year for reporting and assessing progress towards the Management Plan Objectives. He then presented staff's assessment of the progress towards each of the six objectives.

After discussion, Ms. Stone moved that the District made satisfactory progress towards achieving each of the Management Plan's six objectives noting that PS 1-2 and PS 1-5 should be rescored as being met.

Mr. Dorsett seconded the motion and it passed with a vote of 4 to 0. Ms. Stansberry abstained from the vote.

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

Ms. Bell-Enders provided a summary of permittee pumping during October noting that all Tier 3 permittees were in compliance, therefore; no enforcement action was recommended.

No Board action was taken.

5b. Discussion and possible action related to approval of the proposed Draft HCP for final editing and submittal to the USFWS in support of an ITP from the United States Fish and Wildlife Service

Mr. Dupnik provided a brief presentation of the status of the draft HCP indicating that the staff had completed the Board's directives from the previous meeting. He also noted that staff had drafted an executive summary to be included in the HCP and which was provided to the Board.

After discussion, Mr. Smith moved approval of the Draft HCP with inclusion of the executive summary and minor edits discussed in this meeting, for submittal to the US Fish and Wildlife Service in support of an application for an Incidental Take Permit under the Endangered Species Act.

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

5d. Discussion and possible action related to an agreement with TxDOT and CTRMA in connection with proposed State Highway 45 Southwest and the 1990 Consent Decree.

The Board adjourned into executive session as authorized by the Texas Government Code Section 551.071 Consultation with Attorney at 7:00 p.m. Dr. Larsen stated that no actions or decisions would be made while in Executive Session.

The Board re-convened into open session at 7:33 p.m. Dr. Larsen stated that no actions or decisions were made while in Executive Session.

Mr. Smith moved approval of the draft agreement discussed in Executive Session, and directed the District's attorney to submit it to TxDOT for their response.

Ms. Stone seconded the motion and it passed unanimously 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 unless the topic is specifically listed elsewhere in this agenda.)*

1. Standing Topics.

- i. Personnel matters and utilization
- ii. Upcoming public events of possible interest
- iii. Aquifer conditions and status of drought indicators

Mr. Dupnik and staff updated the Board and answered Directors' questions on the items listed above.

2. Special Topics. *(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. Review of Status Update Report – at directors’ discretion**
- ii. Update on noteworthy team activities**
- iii. Update on activities related to GMA and regional water planning**
- iv. Update on interim legislative activity**
- v. Update on efforts to characterize the saline zone of the Edwards Aquifer**
- vi. Update on activity related to area roadway projects**
- vii. Update on the status of the City of Kyle’s remanded permit application**

Mr. Dupnik and staff updated the Board and answered Directors’ questions on the items listed above.

3c. Directors’ Reports. *(Note: Directors’ comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District’s Management Plan related to demonstration of effective communication with District constituents.)*

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;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Recognition of people doing good things for groundwater management in the District; and
- Issues or problems of concern.

Mr. Dorsett reported the following:

Met with Charles Laws of Creedmoor Maha in regard to rate structures
Met with Mario Tobias of Goforth Special Water Utility in regard to rate structures
Attended the Creedmoor Maha Board Meeting
Taught the District Employees CPR

Ms. Stone reported the following:

Met with David Loftis of Centex in regard to donating to the camp scholarship program
Met with Industrial Asphalt in regard to their WPAP and violations
Met with John Dupnik and Craig Smith in regard to the TxDOT State Hwy 45
Met with the Mayor of Mountain City in regard to a new subdivision proposed for 2200 homes

Mr. Smith reported the following:

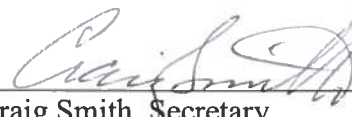
Met with John Dupnik and Mary Stone on the TxDOT State Hwy 45
He will meet with RWQPG in Wimberley the following day regarding waste disposal in the hill
country

6. Adjournment.

Without objection, Dr. Larsen adjourned the meeting at 8:20 p.m.

Approved by the Board on December 11, 2014:

By: 
Robert D. Larsen, Acting President

Attest: 
Craig Smith, Secretary