

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
December 11, 2014**

Board members present at commencement: Bob Larsen, Craig Smith, and Blayne Stansberry. Mary Stone arrived at 6:45 p.m. and Blake Dorsett was absent. Staff present: John Dupnik, Brian Smith, Dana Wilson, Kendall Bell-Enders and Tammy Raymond. Bill Dugat of Bickerstaff, Heath, Delgado, Acosta 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).

Ms. Tiffany Curnutt, Mayor of Mountain City, gave the Board an update on the Anthem Development of 2200 homes.

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 November 20, 2014, Regular Meeting.**
3. **Approval of the effectiveness of Directors' communications with stakeholders and constituents for the 1st Quarter FY 2015 per the collective judgment of the Board, as required by the District's Management Plan.**
4. **Approval to reschedule the regular January Board meetings from Jan 8th and 22nd to January 15th and 29th.**

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

Mr. Smith moved approval of consent agenda items 3a. 1 through 4 as presented, noting the change in Board Meeting dates from January 8th and 22nd to January 15th and 29th.

Ms. Stansberry seconded the motion and it passed with a vote of 3 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. Update on noteworthy team activities
- ii. Update on regulatory and enforcement activities
- iii. Update on current Aquifer Science team projects
- iv. Update on efforts to characterize the saline zone of the Edwards Aquifer
- v. Update on activity related to area roadway projects
- vi. Update on the City of Kyle's remanded permit application

4. Discussion and Possible Action

4b. Presentation, discussion, and possible action related to receipt and approval of the FY 2014 Annual Financial Audit report by the District's financial auditor.

Ms. Kim McDonald of Figer and Company, presented the FY2014 Annual Financial Audit Report to the Board. She stated that it was considered a "clean audit" with no problems to report.

Ms. Stone questioned Note J which referred to the City of Austin as a "major customer" and suggested that they should not be described as a "customer" since their fee payments were required by statute.

The Board suggested that section J be redefined to represent “major revenue sources”. They also requested that future reports be provided further in advance so they could review them prior to the presentation.

After discussion, Mr. Smith moved approval of the FY 2014 Audit with the minor correction of a major revenue source under Note J.

Ms. Stone seconded the motion.

The Board thanked Ms. Wilson for another clean audit.

Dr. Larsen called for a vote and the motion passed with a vote of 3 to 0. Ms. Stansberry abstained.

4c. Discussion and possible action related to approving the FY 2014 Annual Report and submitting it to the TCEQ

Mr. Dupnik presented the Annual Report noting that the Board had previously approved Appendix B (management plan assessment) and Appendix A (auditor’s report). He stated that the remainder of the Annual Report was the body, which presented an overview of aquifer conditions and team activities.

Ms. Stone asked about the cover page of the report in regard to the vacancy of Precinct 2.

Mr. Dugat suggested that Mr. Franklin should be listed with the date of his resignation.

Mr. Smith moved approval of the FY 2014 Annual Report with an amendment to reference the term that Gary Franklin served as Director of Precinct 2 on the report cover page.

Ms. Stone seconded the motion and it passed with a vote of 3 to 0. Ms. Stansberry abstained.

4a. Discussion and possible action related to the annual election of the officers of the BSEACD Board of Directors and appointment of deputy secretary.

The Board decided to delay the annual election of officers until a full Board was present.

Mr. Dupnik explained that the Board may want to appoint a deputy secretary of the Board in the event that the Board Secretary is not available to attest documents. He then suggested Tammy Raymond who serves as the Board Liaison.

After discussion, Ms. Stone moved to appoint Tammy Raymond as the deputy secretary of the Board.

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

4d. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments

Ms. Bell-Enders presented the drought compliance report noting that one permittee, the Manchaca Optimists, was slightly over the threshold that would trigger pre-enforcement.

After discussion, the Board suggested that rather than hold a pre-enforcement meeting, the permittee could be contacted by staff.

No formal action was taken.

4e. Discussion and possible action related to pursuit of the District's legislative agenda including possible formation of a legislative subcommittee.

Mr. Dupnik presented an overview of the pre-filed bills and draft TWCA bills that may affect the District.

The Board had questions about the draft ASR bill and how the language may affect the District's efforts to develop ASR concepts.

Mr. Dupnik stated that he would ask the District's Lobbyist to attend the January 15th meeting to facilitate discussion on these and other bills of interest.

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. Smith reported the following:

Attended the Regional Water Quality Protection Working Group meeting

Ms. Stansberry reported the following:

Familiarizing herself with Chapter 36 of the Water Code.

Completed the Open Meetings Act training

Will meet with Mr. Dupnik and Robin Gary on Education and Outreach

Ms. Stone reported the following:

Attended the Regional Water Quality Protection Working Group meeting
Spoke with Commissioner Mark Jones in regard to the Anthem project
Attended a meeting with TxDOT in regard to Hwy 45

Dr. Larsen reported the following:

Attended a meeting with TxDOT in regard to Hwy 45
Met with RPS on the contract and grant

4f. Discussion and possible action related to a draft 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 8:26 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 9:02 p.m. Dr. Larsen stated that no actions or decisions were made while in Executive Session.

Mr. Dupnik read a letter that was received from SOS at 5:00 this evening into the record.

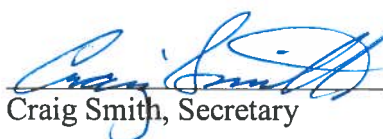
No action was taken.

5. Adjournment.

Without objection, Dr. Larsen adjourned the meeting at 9:03 p.m.

Approved by the Board on January 15, 2015:

By: 
Robert D. Larsen, Acting President

Attest: 
Craig Smith, Secretary