

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
Videoconference & In-person
December 9, 2021**

Board members present at commencement: Blayne Stansberry, Craig Smith, Dan Pickens, Christy Williams, and Lily Lucas. Staff present included: Brian Smith, Dana Wilson, Michael Redman, Erin Swanson, David Marino, Jeff Watson, 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 meeting to order at 4:01, noting that a quorum of the Board was present.

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

There were no public comments of a general nature.

3. Consent Agenda.

3a. 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 November 18, 2021 Regular Meeting.

Director Smith moved approval of consent agenda items 3a. and 3b.

Director Pickens seconded the motion and it passed unanimously with a vote of 5 to 0.

6. General Manager's Report.

Topics

- a. Review of Status Report and update on team activities/projects.**
- b. Aquifer status update.**
- c. Upcoming events of possible interest.**

Staff gave updates on the items above.

4. Presentation.

Presentation by the District's financial auditor on the FY 2021 Annual Financial Audit Report.

Mr. Archie Montemayor gave a brief presentation on the FY 2021 Annual Financial Audit. He stated that no negative findings or weakness were found, and that the audit is considered as a "clean opinion" with no discrepancies to report.

President Stansberry and Director Smith commended Dana Wilson for her work in obtaining a clean audit every year.

5. Discussion and possible action.

5a. Discussion and possible action related to the receipt and approval of the FY 2021 Annual Financial Audit report provided by the District's financial auditor. Under separate cover and emailed

Director Smith moved approval of the FY 2021 Annual Financial Audit Report as given.

Director Pickens seconded the motion and it passed unanimously with a vote of 5 to 0.

5b. Discussion and possible action related to a Report of Investigation, Notice of Alleged Violation, and Draft Agreed Order for initiation and resolving enforcement proceedings concerning Aqua Texas -Bliss Spillar noncompliance with its permit and District Drought Rules.

President Stansberry stated that there is a representative of Aqua Texas present to speak on this issue.

Mr. Scot Foltz stated that he is reviewing the permits and usage and will continue to work with District staff and the operations team. He said that he is the compliance team manager and along with Joakim Montez, will take the lead on notices and reminders to be sent to our customers. He went on to say that he will be working with the operations engineering team to see if any capital investments need to be made, to help better blend the sources and to get the best water to our customers since there is a difference in the quality in the different aquifers. He said that going forward notices and communications will come to the compliance team so there is no communication breakdown.

After further discussion, 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 4:31 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 5:23 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

President Stansberry stated that action on this item will be deferred to our meeting on January 13, 2022.

No action was taken.

5d. Discussion and possible action on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the General Manager.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.074 (Personnel Matters) at 5:25 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 6:12 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

No action was taken.

5c. Discussion and possible action on moving from virtual to in-person meetings and changing the time.

The Board discussed in-person versus videoconference meetings.

Director Williams asked if there is any flexibility.

Mr. Dugat stated that the law allows you to make the decision to be in-person or by videoconference for each meeting, as long as it is posted 72 hours prior. He said that to be in compliance, the Board President has to present at every meeting.

The Board decided to have in-person meetings starting at 5:00 p.m. starting in January.

5e. Discussion and possible action related to the election of Board Officers.

Director Pickens moved to keep the current officers the same.

President – Blayne Stansberry
Vice President – Craig Smith
Secretary – Christy Williams

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

7. 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.

8. Adjournment.

With no objection, President Stansberry adjourned the meeting at 6:37 p.m.

Approved by the Board on January 13, 2022

By: Blayne Stansberry
Blayne Stansberry, Board President

Attest: Christy Williams
Christy Williams, Board Secretary