

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
July 26, 2012**

Board members present at commencement: Mary Stone, Gary Franklin, Jack Goodman, and Craig Smith. Bob Larsen was absent. Staff present: Kirk Holland, John Dupnik, Brian Smith, Robin Gary, Kendall Bell-Enders, Dana Wilson 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 6:01 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 from the Board's July 12, 2012, Regular Meeting.**
 3. **Approval of purchasing a down-hole camera using up to \$12,500 in FY 2012-budgeted funds, in lieu of \$9,000 of FY 2013-budgeted funds as now proposed.**
 4. **Approval of issuing a letter of intent to join with other GCDs in GMA 9 in participating in jointly contracted studies related to DFC monitoring, with financial participation of \$1000 in FY 2012-budgeted funds and up to \$1500 in proposed FY 2013-budgeted funds.**
 5. **Approval of modifying the currently proposed FY 2013 Budget before adoption by: reducing the Regulatory Compliance Team expenses by \$9,000 for the included down-hole camera cost, now to be expensed in FY**

2012 (item 3 above); increasing the General Management Team expenses by up to \$2,000 for actual GMA-related contractual expenses associated with DFC monitoring (item 4 above); and moving the balance of \$7,000 as a transfer from the operational budget into reserves.

Mr. Holland suggested taking items 3.a.3 and 3.a.5 off of the consent agenda and moving them to the Regular Agenda for explanation. After explanatory comments by staff, Mr. Smith moved approval of the consent agenda items 3.a.1, 2, and 4 as presented. Mr. Goodman seconded the motion and it passed with a vote of 4 to 0.

4. Public Hearings.

4a. The Board will hold a public hearing on the Proposed FY 2013 Budget and Proposed FY 2013 Fee Schedule. At the conclusion of the public hearing, the Board may take action to approve and adopt the Proposed FY 2013 Budget and to approve by resolution the Proposed FY 2013 Fee Schedule. (6:05 p.m.)

Ms. Stone opened the Public Hearing at 6:05 p.m.

Staff provided a short summary of the Proposed FY 2013 Budget and Fee Schedule. There were no public comments. Ms. Stone closed the Public Hearing at 6:13 p.m.

5. Board Discussion and Possible Action.

5b. Discussion and possible action on approving the resolution adopting the Proposed FY 2013 Fee Schedule, as revised if warranted.

Mr. Holland stated that there were no changes between the FY 2012 and FY 2013 Fee Schedule, other than the date.

Mr. Franklin moved approval of Resolution 072612-01 adopting the FY 2013 Fee Schedule.

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

3. Routine Business Consent Agenda Items moved to the Regular Agenda.

3a.3. Approval of purchasing a down-hole camera using up to \$12,500 in FY 2012-budgeted funds, in lieu of \$9,000 of FY 2013-budgeted funds as now proposed.

After discussion, Mr. Franklin moved to approve the staff's request to use up to \$12,500 of the Capital Fund for purchasing a down-hole camera rather than operating budget funds, and then to amend the proposed FY 2013 Budget to remove \$9000 included for the camera as a 2013 Regulatory Compliance expense item.

Mr. Smith seconded the motion and it passed with a vote of 3 to 0, with Mr. Goodman off the dais.

3a.5. Approval of modifying the currently proposed FY 2013 Budget before adoption by: reducing the Regulatory Compliance Team expenses by \$9,000 for the included down-hole camera cost, now to be expensed in FY 2012 (item 3 above); increasing the General Management Team expenses by up to \$2,000 for actual GMA-related contractual expenses associated with DFC monitoring (item 4 above); and moving the balance of \$7,000 as a transfer from the operational budget into reserves.

After discussion, Mr. Smith moved to approve the staff's request to add \$2000 to the General Manager's expenses for the previously approved GMA-9 contractor support in FY 2013, and adding the \$7000 balance as an additional contribution to reserves.

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

5. Board Discussion and Possible Action.

5c. Discussion and possible action on revising, approving and adopting the Proposed FY 2013 Budget as the Annual Budget for FY 2013.

Mr. Franklin moved approval of adopting the Proposed FY 2013 Budget with the changes outlined and approved in the previous agenda items.

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

5a. Discussion and possible action related to the application submitted by the DDC Creekside Villas, Ltd. for a Class C Conditional Production Permit to withdraw an annual permitted volume of approximately 1,998,200 gallons per year of groundwater from an existing water well producing from the freshwater Edwards Aquifer. DDC Creekside Villas, Ltd. will operate the well, located at 590 FM 967, Buda, TX, as an irrigation well, providing water only for landscape irrigation of grass, shrubs, bushes and trees during non-drought conditions.

Mr. Dupnik stated that this permit has been brought back to the Board for consideration. He said that staff recommends approval of the permit with the additional special provisions below:

- 1) There shall be no direct discharge from the well to the on-site storm water pond.
- 2) If the well is to be plumbed into a common distribution system used for irrigation of the property grounds with storm water and/or reclaimed water, an inline check valve or backflow preventer shall be installed to prevent flow back of fluids other than groundwater into the well. The device shall be installed, inspected, tested, and maintained in accordance with all applicable state and local regulations.

Ms. Tommy Poer, a citizen of Buda, stated that she did not agree with giving a permit for irrigation.

After discussion, Mr. Smith moved to approve the Class C Conditional Production Permit for DDC Creekside Villas, Ltd. with the additional special provisions outlined above.

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

4. Public Hearings.

4b. The Board will hold a public hearing on the Proposed District Management Plan. (6:30 p.m.)

Ms. Stone opened the Public Hearing at 6:34 p.m.

The staff's gave a summary of the basic changes from the proposed plan to the 2008 approved Plan. There were no public comments.

Ms. Stone closed the Public Hearing at 6:47 p.m.

3. Routine Business

3.b. 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

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

Mr. Holland updated the Board on the Standing Topics.

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. Review of Status Update Report – at Directors' discretion.**
- ii. Update on activities of GMA 9 and GMA 10.**
- iii. Update on coordination with TDS and possibly other parties concerning saline zone investigations.**

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

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.

Mr. Franklin gave a report.

6. Adjournment.

Without objection, Ms. Stone adjourned the meeting at 7:05 p.m.

Approved by the Board on August 9, 2012:

By: Mary Stone
Mary Stone, President

Attest: Gary Franklin
Gary Franklin, Vice President