

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
January 14, 2010**

Board members present at commencement: Bob Larsen, Gary Franklin, and Craig Smith. Mary Stone arrived at 6:28 p.m. Jack Goodman was absent. Staff present: Kirk Holland, Brian Smith, John Dupnik, Robin Gary, and Tammy Raymond. 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 6:05 p.m., noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments).

There were no public 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 December 17, 2010, Regular Meeting.**

Mr. Smith moved approval of the consent agenda as stated above, noting invoices from Bickerstaff for \$6659.21, Brian Zavala for \$8100, and Bryan Brooks for \$6249.76.

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

- 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. Personnel matters and utilization;
2. Upcoming public events of possible interest;
3. Aquifer conditions and status of drought indicators.
4. 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. Update on 319(h) and HCP grant projects.
 - ii. Update on Technical Team activities
 - iii. Update on progress and schedule in developing the District's 2009 Annual Report
 - iv. Update on desalination facility feasibility planning and project funding
 - v. Update on legislator and county commissioner interfaces concerning TCEQ reports and permitting decisions.

Mr. Holland and staff updated the Board and answered directors' questions on the teams' activities concerning the items listed above. No Board action was taken.

4. Regular Meetings: New Business.

4a. Discussion and possible action related to amending the Agreed Order with Ridgewood Village Water System, to include more specifically drought management fees incurred before the effective date of the Agreed Order as part of the financial obligations to be offset by successful implementation of the Agreed Order.

Dr. Larsen stated that this item would return to the next agenda due to an illness of the RVWS representative.

4b. Discussion and possible action on funding a joint engagement to facilitate progress with Centex and Texas Lehigh about negotiated rulemaking prospects and about the related evaluation of using treated effluent as an alternate water supply.

The Board discussed additional meetings with Texas Lehigh and Centex to hear a summary report by Brigid Shea on work that she has performed for them. They also agreed that Gary Franklin and Jack Goodman would attend the meeting scheduled for February 2nd.

No formal action was taken.

4c. Discussion and possible action related to the May 2010 election for two director precincts, including issuing an Order for the appointment of a Records Custodian and Agent for the District in that election and reviewing the election timeline.

Ms. Stone moved to approve the Order that appoints Dana Wilson as the Records Custodian and Agent for the May 2010 election for Precincts 2 and 5.

Dr. Larsen stepped out of the role of Presiding Officer to second the motion.

Ms. Stone called for a vote. The motion passed unanimously with a vote of 4 to 0.

5. Regular Meeting: Continued Business.

5a. Discussion and possible action related to status and progress on the contested-case SOAH proceedings associated with the TCEQ preliminary decision on the TLAP for Jeremiah Venture, L.P.

Mr. Holland updated the Board on the developments including the agreed abatement of the hearing's schedule to early March, and the completion of the field work by Dr. Chock Woodruff, the third-party geologist that was retained to assess the karst features on the site.

No Board action was required.


5b. Discussion and possible action related to the evaluation of withdrawals of non flood flows from Onion Creek that could diminish recharge and prolong drought.

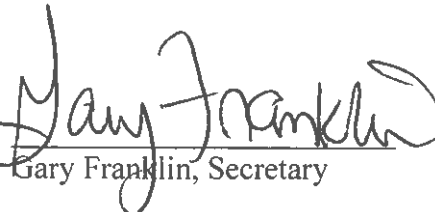
The Board heard a brief report on the communications with LCRA and with Dan Wheelus, the representative of the property owner who has been filling a large reservoir with Onion Creek flows. This item will return to a future agenda.

6. Adjournment.

Dr. Larsen adjourned the meeting at 7:32 p.m.

Approved by the Board:

By: 
Dr. Robert Larsen, President

Attest: 
Gary Franklin, Secretary