

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Regular Meeting  
June 24, 2010**

Board members present at commencement: Bob Larsen, Gary Franklin, Jack Goodman, and Craig Smith. Mary Stone was out of town. Staff present: Kirk Holland, John Dupnik, Brian Smith, Robin Gary, Nathanael Banda, Joe Beery and Tammy Raymond. Mr. Bill Dugat of Bickerstaff, Heath also participated. 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 6:04 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.

**5. Regular Meeting: New Business.**

**5e. Discussion and possible action regarding sponsorship of the Rainwater Revival event in October in Dripping Springs.**

Ms. Gary briefed the Board on the Rainwater Revival event in the fall in Dripping Springs, and asked for sponsorship.

Mr. Smith moved to sponsor the Rainwater Revival event at the Gold level amount of \$2000.

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

**5a. Discussion and possible action on the annual election of Board Officers.**

The Board elected to postpone the election of Board Officers until the first meeting in August, when a full board will be present. Dr. Larsen agreed to continue to serve as Board President until that time.

**5b. Discussion and possible action concerning the review of the draft fee schedule for 2011, and setting a public hearing.**

After reviewing the changes in the draft 2011 fee schedule, Mr. Smith moved to set a public hearing on 22<sup>nd</sup>.

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

#### **4. Briefings.**

##### **4a. Presentation by and discussion with NRS Engineers on brackish groundwater desalination in Texas, including technologies, issues, and approaches to developing the state's saline resources. (6:15 pm)**

The Board heard a presentation on brackish groundwater desalination by Maegan Ellis and Mike Irlbeck of NRS Engineering Consultants, including the current state of projects and technologies being used in Texas, and the requirements of the Bureau of Reclamation's funding of grants.

#### **6. Regular Meeting: Continued Business.**

##### **6a. Discussion and possible action concerning a resolution authorizing the participation of the District in a federal Bureau of Reclamation desalination grant project under its WaterSMART Advanced Water Treatment program and the submittal of an application for a grant.**

Mr. Holland stated that authorization is needed to submit the application for the desalination grant project even though the Resolution will not be approved when the application packet is submitted.

Mr. Smith stated that this project has a lot of potential for generating an enormous amount of secondary goodwill benefits, if it works out.

Mr. Holland commented that the application could be completed by the deadline, with a lot of work.

Mr. Smith moved to submit the application by the deadline of Tuesday, June 29<sup>th</sup>, and to approve the Resolution as soon as it becomes available.

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

##### **b. Presentation by staff and discussion of a new, more refined, and rigorous estimate of exempt well use in BSEACD's jurisdiction.**

Mr. Banda and Mr. Beery gave a presentation on the methodology being used in, and the results of, some long-term work to develop a better estimate of exempt use in the District. They estimate about 995 exempt well users, producing about 104 million gallons annually.

The Board recognized the good work being done with this study and suggested that it be published as a District Report of Investigation.

#### **5. Regular Meeting: New Business.**

**5c. Discussion and possible action approving an extension to the financial auditor's contractual agreement.**

After discussion, Mr. Goodman moved to extend the agreement with the current financial auditor, Mike Figer & Company, for an additional five years.

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

**5d. Discussion and possible action on a contract related to Trinity Hydrogeologic Atlas production services with Mr. Doug Wierman.**

After discussion, Mr. Franklin moved to approve the contract with Mr. Doug Wierman related to production services for the Trinity Hydrogeologic Atlas.

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

**5f. Discussion and possible action that clarifies the District's intent under its existing Conservation Credit Policy as it relates to Conditional-Use Permits.**

Mr. Dupnik stated that the Conservation Credit policy language as being interpreted needs modification to ensure that it is clearly indicated that no Conditional Use permits will be eligible for participation in the conservation credit program.

Mr. Smith moved to adopt the amended Conservation Credit Policy as stated on page 39 of the backup.

Mr. Goodman seconded the motion.

Mr. Holland stated that this interpretation would not require a rule change.

Mr. Larsen called for a vote; the motion passed unanimously with a vote of 4 to 0.

**6. Regular Meeting: Continued Business.**

**6b. Discussion and possible action related to amending or taking enforcement actions under the Agreed Order with Ridgewood Village Water System.**

After discussion, Mr. Smith moved to offer an extension until January 1, 2011 to Ridgewood Village Water System on their Agreed Order with the District.

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

**6c. Discussion and possible action related to the previously recommended Trinity Aquifer Desired Future Conditions and the GMA-10 Joint Planning Committee's perspectives on**

**those DFCs, as they relate to Trinity groundwater management by BSEACD and other GCDs.**

Mr. Holland reported that GMA-10 adopted the Freshwater Edwards and Saline Edwards DFCs as this Board recommended, but decided to postpone adoption of the Trinity Aquifer DFC pending additional information to be provided by TWDB.

**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 June 10, 2010 Regular Meeting and June 17, 2010 Work Session.**

Mr. Goodman moved approval of the consent agenda as stated above, noting an invoice from Kent Butler and Associates for \$42,697.70.

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

**3. Routine Business.**

- 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. **Review of Monthly Status Report Update – at Board's discretion.**
    - ii. **Update on status and activities of GMA 9 and GMA 10.**

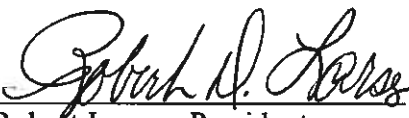
- iii. Update on status of discussions with City of Austin and LCRA concerning a possible ILA related to a potential recharge enhancement project at Stoneledge Quarry.

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

**7. Adjournment.**

Dr. Larsen adjourned the meeting at 8:33 p.m.

Approved by the Board:

By:  Robert Larsen, President      Attest:  Gary Franklin, Secretary