

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Regular Meeting  
June 27, 2013**

Board members present at commencement: Mary Stone, Gary Franklin, Bob Larsen, Craig Smith and Blake Dorsett. Staff present: Kirk Holland, John Dupnik, Brian Smith, Dana Wilson, Kendall Bell-Enders, and Tammy Raymond. Bill Dugat of Bickerstaff Heath 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 6:00 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 of the Board's June 13, 2013, Regular Meeting.**
3. **Annual review and approval review of the District investment policy.**
4. **Review and approval of District's quarterly financial performance reports.**
5. **Approval of sponsoring a table for the Hill Country Conservancy's Hill Country Night's event in September.**

Mr. Holland briefly went over the District investment policy and quarterly financial performance reports.

Mr. Franklin moved approval of the consent agenda items 1 through 5, supporting a \$2500 table at the Hill County Nights event.

Dr. Larsen seconded the motion and it passed with a vote of 5 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 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.**

**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 GMA and regional water planning activities; and**
- iii. Update on the progress of District efforts to characterize the Saline Zone of the Edwards Aquifer.**

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

**3c. 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.**

Reports were given by Ms. Stone, Mr. Franklin, and Mr. Smith.

#### **4. Board Discussion and Possible Action**

##### **4a. Discussion and possible action related to the implementation of certain discretionary Open Meeting-related practices arising from the 83<sup>rd</sup> legislative session.**

After discussion, the Board indicated an interest in considering implementation of the new authority provided by certain bills passed from the 83<sup>rd</sup> legislative session, and report back to them. Specifically, the Board directed staff to provide an analysis of the costs and utility of the open-meetings options and research the history of director compensation rates.

No formal action was taken by the Board.

##### **4b. Discussion and possible action related to the desired process for assessing performance standards and metrics of the District's Management Plan and setting a Board work session.**

Mr. Dupnik presented a high-level summary of the upcoming Director commitments under the new approved Management Plan.

After discussion, the Board directed staff to present a set of the more time-sensitive metrics for Board consideration in upcoming Board meetings. At that time, the Board may consider setting a work-session to provide input into a tracking methodology to be presented and developed by staff for Board consideration.

No formal action was taken by the Board.

##### **4c. Discussion and possible action related to retaining Kirk Holland as a professional consultant in FY14 to provide continued support for certain services.**

After discussion, Mr. Smith moved that the Board president appoint a committee of two Directors to negotiate a scope of work and contract rate for work to be performed by Kirk Holland, beginning September 1, 2013 through January 2014.

Mr. Franklin seconded the motion and it passed with a vote of 5 to 0.

Ms. Stone appointed Mr. Franklin and Mr. Smith as the Directors on the committee.

##### **4d. Discussion and possible action related to planning, scheduling, and other logistics associated with a retirement event occurring near the end of FY13.**

Mr. Dupnik stated that a retirement celebration for Kirk Holland has been scheduled for August 15<sup>th</sup> at the Wildflower Center, and that all of his colleagues and friends will be invited.

**4e. Discussion and possible action related to establishing a scope of work and cost limitation for contract with Charles Porter to assist the District in working with the real estate brokerage community to promote timely notice to new well owners of permitting and other requirements.**

Mr. Holland reported that this agenda item was generated due to the district increasingly running across new property buyers that have no idea that they are in a groundwater conservation district, or that they have a well on their property. This is because there are no disclosures on well information on the current real estate property transaction reports. After vetting of other potential consultants, Mr. Porter was chosen and recommended as the most qualified candidate. Mr. Porter is a real estate broker that is motivated to help the District with this task for a nominal fee, substantially lower than his usual rate.

After discussion, Mr. Smith moved that the District proceed with negotiating a scope of work and cost limitation for a contract with Charles Porter, to assist the District in working with the real estate brokerage community to promote timely notice to new well owners of the District's permitting and other regulatory requirements.

Mr. Franklin seconded the motion and it passed with a vote of 5 to 0.

**4f. Discussion and possible action related to approving the conditions of employment of John Dupnik as General Manager, including an employment agreement.**

Mr. Smith moved to adopt the proposed employment agreement with John Dupnik as the District's General Manager beginning July 1, 2013.

Dr. Larsen seconded the motion and it passed with a vote of 5 to 0.

The Board congratulated Mr. Dupnik.

**5. Adjournment.**

Without objection, Ms. Stone adjourned the meeting at 8:25 p.m.

Approved by the Board on July 11, 2013:

By: Mary Stone  
Mary Stone, President

Attest: Craig Smith  
Craig Smith, Secretary