

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Regular Meeting  
September 9, 2010**

Board members present at commencement: Mary Stone, Bob Larsen, Gary Franklin, Jack Goodman, and Craig Smith. Staff present: Kirk Holland, Brian Smith, Robin Gary, John Dupnik, Dana Wilson, 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.**

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 public comments of a general nature.

**4. Award Presentation.**

**Recognition and presentation of the Permittee of the Year award to Goforth Special Utility District.**

The Board awarded the 2010 District Permittee of the Year Award to Goforth Special Utility District, presenting a trophy and a banner.

**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 August 26, 2010 and August 31, 2010 Regular Meetings.**

Mr. Goodman moved approval of items 1 and 2 of the consent agenda, noting the following invoices.

Groundwater Services - \$43,700.00  
Bickerstaff, Heath - \$5573.36  
Schlumberger - \$33,340.00

Schlumberger - \$41,580.00

Mr. Smith seconded the motion, and it passed unanimously with a vote of 5 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. Update on operational team activities.
  - ii. Update on status and activities of grant projects.
  - iii. Update on progress in advancing the District's 2011 legislative agenda.
  - iv. Update on progress of USGS supplemental sampling and analysis for wastewater indicators in area streams and aquifers.

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

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

#### **5b. Discussion and possible action to discuss whether, and on what basis to seek party status to the upcoming SOAH hearing on TCEQ's final report on providing GCDs in the Hill Country PGMA.**

After discussion, Mr. Goodman moved to authorize General Counsel and staff to seek party status to the upcoming SOAH hearing on TCEQ's final report on providing GCDs in the Hill County PGMA, and to draft a resolution evidencing this decision for use in the Preliminary Hearing.

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

#### **5c. Discussion and possible action on revisions to the District's Incentive Compensation Plan.**

Dr. Larsen moved to accept the changes in the Incentive Compensation Plan as staff proposed on page 43 of the backup.

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

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

### **6a. Discussion and possible action relating to *City of Kyle vs. Goodman et al. and the Barton Springs Edwards Aquifer Conservation District, Cause No. 10-1267, 22<sup>nd</sup> District Court, Hays County, Texas.***

Mr. Holland stated that he had no new information to report, and that this item would return to the next agenda.

### **6b. Discussion and possible action on the scope and schedule of a work session to discuss operational goals for the District in Fiscal Year 2011.**

The Board tentatively set a work session on Saturday, September 25<sup>th</sup> from 9:00 to 11:30 AM for all Board members, along with the staff Planning Team, to develop the District goals and objectives for 2011, including consideration of potential changes to the Budget to reduce use of reserves.

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

### **5a. Discussion and possible action on the implications to the District of a newly issued AG opinion concerning land that is in the jurisdictions of more than one political subdivision for the same regulatory purpose.**

Mr. Dugat explained the ramifications and options resulting from two new AG opinions.

After discussion, Mr. Goodman moved to direct the General Manager (GM) and General Counsel to make appropriate contacts with legislators and with the GM of the Lost Pines GCD in regard to developing a local bill to remove from BSEACD jurisdiction the small part of the District in Bastrop County that overlaps with the Lost Pines GCD.

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

## **7. Adjournment.**

Ms. Stone adjourned the meeting at 7:36 p.m.

Approved by the Board:

By: \_\_\_\_\_  
Mary Stone, President

Attest: \_\_\_\_\_  
Craig Smith, Secretary