

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
September 23, 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.

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 September 9, 2010 Regular Meeting.**
- 3. Approval of the addition of one additional Personal Day in FY2011 for those staff members that are making satisfactory progress on their individual objectives.**

Mr. Goodman moved approval of items 3a. 1 and 2 of the consent agenda.

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

After some discussion of item 3a. 3 and at the suggestion of Mr. Holland, Ms. Stone moved it to New Business for more discussion by the Board.

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 Status Update Report – Discussion at Directors' discretion.
 - ii. Update on recent regulatory activities and discussions.

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

4. Regular Meeting: New Business.

4a. Discussion and possible action on setting Board meeting dates for the holiday months of November and December 2010.

The Board agreed to hold one meeting for the months of November and December, and set the dates for November 18th and December 16th.

4b. Discussion and possible action related to progress on the legislative agenda, including approval of a resolution requesting the legislature to remove that portion of the District's existing jurisdiction in Bastrop County that overlaps with the Lost Pines GCD.

Mr. Dugat gave a presentation on the District's jurisdiction that overlaps with Lost Pines GCD in Bastrop County.

After discussion, Dr. Larsen moved approval of Resolution 092310-01 as revised with word changes discussed by the General Manager.

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

3a. Routine Business.

3. Approval of the addition of one additional Personal Day in FY2011 for those staff members that are making satisfactory progress on their individual objectives.

Mr. Holland explained that due to budget cuts the staff's Incentive Compensation was cut in half for FY2011. He recommended giving the staff one additional personal day to help compensate the loss of funds.

Ms. Stone stated that she did not believe that it was appropriate to provide additional benefits to the staff in the current economic climate, and other alternatives should be considered.

Mr. Smith commented that it would not change the budget and he felt that it was a good idea.

After discussion by the Board, Dr. Larsen moved approval of one additional Personal Day approved by the General Manager for FY 2011 only.

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

5. Regular Meeting: Continued Business.

5b. Discussion and possible action on re-scheduling the work session originally set for September 25th, if required.

The work session remains on its originally scheduled day and time. No action was required.

5c. Discussion and possible action on providing additional funds to enable the preparation of a final report by USGS, including interpretation of results, concerning their supplemental sampling and analysis for wastewater indicators in area streams and aquifers.

Mr. Dupnik requested \$5000 toward the production of an interpretative report on the monitoring performed by USGS in its supplemental water quality monitoring studies that the District and its partners previously funded.

After discussion, Dr. Larsen moved approval of up to \$5000 in additional funds toward preparation of a final report by USGS, these funds will only be expended if some combination of LCRA, Hays County, the City of Austin, Travis County, and the City of Dripping Springs can make up the balance of the needed non-USGS funds.

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

5d. Discussion and possible action on amending the follow-on contract to provide administrative support services to the Texas Alliance of Groundwater Districts.

Mr. Holland explained that the previously approved contract needed amending due to the resignation of Greg Ellis as the TAGD Executive Director.

Dr. Larsen moved approval of amending the follow-on TAGD contract previously approved by the Board to reflect language changes that removed references to Mr. Ellis by name.

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

5a. 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, 22nd District Court, Hays County, Texas.

The Board adjourned into Executive Session at 7:10 p.m. Ms. Stone stated that no actions or decisions would be made while in Executive Session.

The Board reconvened at 7:53 p.m. Ms. Stone stated that no action or decisions were made while in Executive Session.

Mr. Smith moved to request an opinion from the Attorney General's Office regarding an Open Records Request made by Save our Springs Alliance for information associated with this case.

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

6. Adjournment.

Ms. Stone adjourned the meeting at 7:57 p.m.

Approved by the Board:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary