

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
November 18, 2010**

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

Mr. Franklin presiding in Ms. Stone's absence called the meeting to order at 6:15 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 October 28, 2010, Regular Meeting.**

Mr. Goodman moved approval of items 3a.1 and .2 of the consent agenda, noting an invoice from Bickerstaff Heath in the amount of \$5506.08.

Dr. Larsen seconded the motion, and it passed unanimously with a vote of 3 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 Status Update Report – at Directors’ discretion.**
 - ii. **Update on recent regulatory activities and discussions.**
 - iii. **Update on grant projects and proposals.**
 - iv. **Update on nomination of the General Manager to serve on a TCEQ Review Panel for a GMA/GCD inquiry.**

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 related to an HCP contract extension request.

Mr. Holland requested that this item be returned to a future agenda.

5. Regular Meeting: Continued Business.

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.*

Mr. Dugat stated that the judge has not made a decision on the City of Kyle’s Motion to Strike the Intervention by Save our Springs Alliance.

No action was needed.

5b. Update, discussion, and possible action on progress concerning our legislative agenda.

Mr. Holland and Mr. Dugat briefed the Board on the status of prospective legislation. Mr. Holland stated that active discussions with legislators are occurring, and sponsors are being identified.

No Board action was needed.

5c. Update, discussion, and possible action on the status of the contested case with Jeremiah Venture’s TLAP.

After discussion, Dr. Larsen moved to direct the staff to work with the other Protestants and the Applicant on the Jeremiah Venture TLAP to have Dr. Chock Woodruff extend his findings in his Geologic Assessment to include TCEQ-like scoring of the karst features, and to have a better definition of all of the terms used.

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

5d. Discussion and possible action related to possible District responses to initiatives to support or oppose the establishment of Chapter 36 groundwater conservation district protection in the Hill Country PGMA that are currently without such protection.

Mr. Dugat, Mr. Holland, and Mr. Dupnik updated the Board on the Hill Country PGMA hearing status and the positions being espoused by various public and private parties.

No Board action was taken.

6. Adjournment.

Without objection, Mr. Franklin adjourned the meeting at 7:17 p.m.

Approved by the Board:

By: Mary Stone
Mary Stone, President

Attest: Craig Smith
Craig Smith, Secretary