

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting & Public Hearing**

**In-person
March 10, 2022**

Board members present at commencement: Blayne Stansberry, Dan Pickens, and Lily Lucas. Craig Smith arrived at 5:10 p.m. and Christy Williams arrived at 5:15 p.m. Staff present included: Tim Loftus, Brian Smith, Dana Wilson, Michael Redman, Erin Swanson, David Marino, Jeff Watson, and Tammy Raymond. These minutes represent a summarized version of the meeting; the complete discussion of the following items is recorded digitally.

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development) 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

1. Call to Order.

President Stansberry called the meeting to order at 5:03, noting that a quorum of the Board was present.

2. Citizen Communications (Public Comments of a General Nature).

There were no public comments of a general nature.

3. Consent Agenda.

3a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.

b. Approval of minutes of the Board's February 10, 2022 Regular Meeting.

c. Approval of designating Tim Loftus as the General Assembly Representative to the Capital Area of Council of Governments.

d. Approval of adding Tim Loftus as a signatory to the District bank accounts and removing the past General Manager and Directors.

Director Pickens moved approval of consent agenda items 3a. through 3d., noting an invoice from Bickerstaff, Heath in the amount of \$7729.00.

Director Lucas seconded the motion and it passed unanimously with a vote of 3 to 0.

4. General Manager's Report.

Topics

- a. Review of Status Report and update on team activities/projects.**
- b. Aquifer status update.**
- c. Update on District/Hill Country development activities.**
- d. Upcoming events of possible interest.**

Staff gave updates on the items above.

Director Smith arrived at 5:10 p.m. and Director Williams arrived at 5:15 p.m.

5. Public Hearing.

Public Hearing to receive comments on proposed plan for redistricting the Director precincts.

President Stansberry opened the Public Hearing at 5:23 p.m.

There were no public comments received by the deadline or oral comments at the meeting.

Mr. Dugat gave a presentation on the Plan A maps with new boundaries to the Board Precincts. He said that the maps were published in three newspapers and in the counties and there were no public comments received. He said that if the Directors are satisfied with the new boundaries, that they will approve a Resolution that documents factually why Precincts 1, 2 & 3 are not balanced population wise.

President Stansberry closed the Public Hearing at 5:29 p.m.

6. Discussion and possible action.

6a. Discussion and possible action related to proposed redistricting plan for director precincts, any amendments, if necessary, to finalize the proposed plan for adoption and possible adoption by resolution.

Director Smith moved adoption of Resolution #03102022-02 approving the Redistricting of single member Director Precincts and establishing increased boundaries for the Board of Director elections, as shown on page 53 of the agenda backup.

Director Pickens seconded the motion and it passed unanimously with a vote of 5 to 0.

6b. Discussion and possible action related to a Report of Investigation, Notice of Alleged Violation, and Draft Agreed Order for initiation and resolving enforcement proceedings concerning Aqua Texas -Bliss Spillar noncompliance with its permit and District Drought Rules.

Mr. Dugat stated that Aqua Texas agreed to obtain a bond in the amount of \$15,675.00 along with the terms set by the Board for the Bliss Spillar Historical Edwards permit. He said that the Agreed Order needs a couple of tweaks, one to address that the Bond will be in place during the term of the Agreed Order and explained that there is a provision that says they are required to include the enumerated items in their UCP, and they want the language to say that they will and have included that. He went on to say that we got a deal with Aqua Texas almost to the letter to what the Board proposed. He ended with saying that he recommended that the Board approve the Agreed Order subject to finalizing the language with the general manager, staff, and general counsel, and once that is complete to authorize the Board President and general manager to sign it.

After discussion, Director Smith moved that the Board adopt the Agreed Order subject to the final adjustments and authorize the Board President and general manager to sign it.

Director Williams seconded the motion and it passed unanimously with a vote of 5 to 0.

6c. Discussion and possible action related to proposed modifications to the Employee Policy Manual.

Dr. Loftus stated that there are modifications needed to the employee policy manual and that they would be brought to the Board in stages. He went on to say that at this meeting, he requested approval of adding a mandatory 30-minute meal break for Full-Time employees and updating the Telecommuting policy.

After discussion, Director Lucas moved approval of adding the meal break and Telecommuting policy changes as discussed.

Director Pickens seconded the motion and it passed unanimously with a vote of 5 to 0.

6d. Discussion and possible action related to the TCEQ Sunset Review process.

Dr. Loftus stated that staff drafted an outline of comments that they plan to submit to the Texas Sunset Advisory Commission on the TCEQ review.

After reviewing the outline, the Board suggested including comments on TCEQ processes and rules that can be improved such as expanding the Texas Land Application Permits (TLAP) conditions and requirements, expanding the prohibition on discharges in the Edward Aquifer Recharge Zone to the Edwards Aquifer Contributing Zone, closing loopholes for onsite septic systems, and emphasizing water reuse in decentralized wastewater systems. It was suggested that recommending a moratorium (or use of the term) on anything should be avoided if there are superior ways of achieving an objective.

No formal action was taken.

7. Staff Presentation: "Trinity Aquifer Sustainable Yield Study: State of the Science and Near-term Timeline" Dr. Brian Smith, Principal Hydrogeologist.

Dr. Brian Smith gave a presentation on the current status of the Trinity Aquifer Sustainable Yield Study and answered questions from the Board regarding the scope and timelines.

8. Directors' Reports.

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

Board members gave reports on activities they have been involved with since the last meeting.

8. Adjournment.

With no objection, President Stansberry adjourned the meeting at 7:34 p.m.

Approved by the Board on April 14, 2022.

By: Blayne Stansberry
Blayne Stansberry, Board President

Attest: MCWR
Christy Williams, Board Secretary