

**Barton Springs/Edwards Aquifer Conservation District  
Board of Directors Meeting Minutes  
Special Meeting & Public Hearing  
Telephone & Videoconference  
June 10, 2021**

Board members present at commencement: Blayne Stansberry, Christy Williams, and Dan Pickens. Craig Smith joined at 4:06 p.m. and Blake Dorsett was absent. Staff present included: Vanessa Escobar, Michael Redman, Dana Wilson, Brian Smith, Justin Camp, Erin Swanson, Kendall Bell Enders, 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 virtual meeting to order at 4:00 p.m., 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 May 13, 2021 Work Session, May 15, 2021 Special Meeting and May 19, 2021 Work Session.**

Director Pickens moved approval of the consent agenda items 3a. and 3b. noting an invoice from Bickerstaff Heath in the amount of \$6187.50.

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

**4. Public Hearing - GMA 10 DFCs**

The District will hold a public hearing on: 1) proposed Desired Future Conditions (DFCs) for the Austin Chalk (Uvalde County), Buda Limestone (Uvalde County), Edwards (BFZ) San

Antonio Segment within Edwards Aquifer Authority, Freshwater Edwards Aquifer (BFZ) Northern Subdivision, Freshwater Edwards Aquifer Western Subdivision (Kinney County), Saline Edwards Aquifer (BFZ) Northern Subdivision Zone, Leona Gravel (Uvalde County) and 2) proposed Non-Relevant Aquifer classification for the Trinity (Plum Creek Conservation District) adopted by GMA-10. The Board will accept oral comment, testimony, and written documentation and information relevant to the proposed DFCs and Non-Relevant Aquifer Classifications.

President Stansberry opened the Public Hearing at 4:06 p.m.

Mr. Redman stated that to this date we have not received any comments written or verbal on the DFCs, but that the public comment period extends to July 22<sup>nd</sup>. He then explained that during an Open Meeting held on April 20, 2021, GMA 10 voted and approved for distribution the DFCs for the regional groundwater planning process. He went through the timeline.

Director Smith asked if there were any changes in DFCs from the last process.

Mr. Redman said there are no changes in this cycle, but they will use the Trinity Sustainable Yield to determine if changes are needed. He explained that the official time to adopt DFCs is every five years, but they can be changed anytime within that period if needed.

With no public comments, President Stansberry closed the Public Hearing at 4:18 p.m.

## **5. Presentation.**

### **5a. Presentation related to an update from Brian Zabcik with 'No Dumping Sewage' organization.**

Mr. Zabcik gave a presentation on a study that was conducted on wastewater discharges in the hill country from 2017-2020. He went on to say that a group has been formed to fight further discharge permits from being granted.

## **6. Discussion and possible action.**

### **6a. Discussion and possible action related to permittee's monthly drought compliance.**

Ms. Swanson gave an update on the monthly drought compliance of the permittees. She said that in the six month of drought staff starts monitoring Tier 1 along with 2 and 3. She said that all of Tier 3 permittees are in compliance, but that Aqua Texas in Tier 2 is still out of compliance.

Mr. Redman said that they met with Aqua Texas in early May, then sent them a follow up letter on May 18<sup>th</sup> asking for additional criteria and they only submitted one. He said that the GM and Board President or the Precinct Director, Dan Pickens would need to step in at this point.

Ms. Escobar stated that staff asked for basic information and that they ignored the request. As Mr. Redman stated a meeting with the GM and Precinct Director would be the next step.

Director Pickens agreed to meet with them.

No formal action was needed.

**6b. Discussion and possible action on a Drilling Authorization extension request for Gragg Tract LP to drilling a Lower Trinity well.**

Ms. Swanson stated that this authorization is for a fourth well in the lower Trinity. She explained that there is no production permit associated with this permit.

Mr. Walters explained that they had decided to delay drilling the well due to the lack of supplies available during the pandemic.

President Stansberry asked if there was a time frame.

Mr. Walters said they are monitoring things on a week to week basis but would like to start drilling within the next 90 to 150 days.

Director Smith moved approval of a one-year extension on the well drilling authorization.

Director Williams seconded the motion and it passed unanimously with a vote of 4 to 0.

**6c. Discussion and possible action on rule making efforts.**

Mr. Redman walked the Board through the rule making process and requested permission to schedule a Public Hearing.

Mr. Pickens moved to direct staff to schedule a Public Hearing on July 8, 2021.

Director Smith seconded the motion and it passed unanimously with a vote of 4 to 0.

**6d. Discussion and possible action related to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. (General Manager & Assistant General Manager).**

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) at 5:18 p.m.

President Stansberry stated that no final actions or decisions would be made while in Executive Session.

The Board reconvened into open session at 5:48 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

No action was taken in open session.

**6e. Discussion and possible action on the preliminary draft budget.**

Ms. Escobar explained the District's bank accounts and budget cycle.

Director Smith moved to approve the preliminary draft budget and direct staff to schedule a Public Hearing on July 8, 2021 on the proposed budget.

Director Pickens seconded the motion and it passed unanimously with a vote of 4 to 0.

The Board took a brief recess from 6:05 p.m. to 6:20 p.m.

**4. General Manager's Report.**

**Topics**

- a. Update on cybersecurity training.
- b. Update on Aquifer conditions and status of drought indicators.
- c. Update on regulatory matters relating to Vintage Oaks Wedding Venue.
- d. Review of Status Report and update on team activities/projects.
- e. Upcoming events of possible interest.
- f. Update on Cause N. D-1-GN-000835 in 250<sup>th</sup> Judicial District Court of Travis County, *TESPA v BSEACD and Needmore Water LLC*.

Ms. Escobar, staff, and Mr. Dugat gave updates on the items above.

**7. 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 that had outside and Zoom meetings gave reports.

**8. Adjournment.**

With no objection, President Stansberry adjourned the meeting at 6:56 p.m.

Approved by the Board on July 8, 2021

By: Blayne Stansberry  
Blayne Stansberry, Board President

Attest: Tammy Raymond  
Tammy Raymond, Assistant Secretary  
to the Board of Directors