

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting & Public Hearing
August 22, 2019**

Board members present at commencement: Blayne Stansberry, Bob Larsen, Craig Smith and Blake Dorsett. Mary Stone arrived at 6:05 p.m. Staff present included: Alicia Reinmund-Martinez, Brian Smith, Brian Hunt, Dana Wilson, Lane Cockrell, Erin Swanson, Jackie Vay 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 6:02 p.m., noting that a quorum of the Board was present.

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

No public comments of a general nature were given.

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 a separate item of Regular Business on this agenda.)*

- 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 of the Board's July 25, 2019 Regular Meeting, July 29, 2019 Public Hearing and August 1, 2019 Special Called Meeting.**
- 3. Approval for out-of-state travel for Robin Gary to attend the Geological Society of America Annual Meeting in Phoenix, Arizona from September 22-25, 2019.**

Director Smith moved approval of Consent Agenda Items 1, 2 and 3, noting invoices from Sledge Law in the amount of \$9442.50, and Intera in the amount of \$6042.11

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

Director Stone arrived at 6:05 p.m.

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 unless the topic is specifically listed elsewhere in this agenda for consideration. 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.)

Topics

1. Personnel matters.
2. Aquifer conditions and status of drought indicators.
3. Upcoming public events of possible interest.
4. Review of Status Report Update – at directors' discretion.
5. Update on projects and activities of individual teams.
6. Update on Board Committee activity.
7. Update on development activities over aquifer recharge and contributing zones.
8. Update on the State Office of Administrative Hearings proceedings for the Electro Purification LLC permit applications.

Updates were given by Ms. Reinmund-Martinez and staff.

4. Public Hearing.

The Board will hold a public hearing on the proposed FY 2020 Annual Budget and amended FY 2020 Fee Schedule.

President Stansberry opened the Public Hearing at 7:00 p.m.

There were no public comments.

President Stansberry closed the Public Hearing at 7:01 p.m.

5. Discussion and possible action.

a. Discussion and possible action to adopt the amended FY 2020 fee schedule.

On July 11th the FY 2020 Fee Schedule was approved. Additional amendments to application fees were proposed that night but were not posted.

The Board discussed the Aquifer Test fee of \$75 per hour after staff worked 80 hours on the permit. There was a consensus that the amount of hours before the fee is assessed is very high.

Director Stone moved to adopt the amended FY 2020 fee schedule proposed changes included in the backup with an additional change. The Aquifer Test Fee hours before a \$75 an hour fee would be assessed for staff time, would change from 80 hours to 20 hours.

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

b. Discussion and possible action related to renewal of annual Production Permits for FY 2020 contingent on compliance with District rules and renewal requirements.

Ms. Reinmund-Martinez explained that per our District Rules permits are renewed annually, contingent upon all payments and documents are up to date. There are ten permittees that have not sent in their updated UCP/UDCP's documents. She further explained that District staff gave these permittees additional time – a deadline of August 29th - to submit these documents.

Director Larsen moved renewal of the annual Production permits for FY 2020 excluding the Permittees listed below. Upon the completion of the necessary paperwork and requirements of the District those permittees will be issued a certificate at that time.

Extra Space Properties
McCoy Corporation
Mision Cristiana Maranatha
Oak Forest Water Supply
Onion Creek Kennels
St. John's Presbyterian Church
Stripe-Susser (7-11)
Whittington
Wimberley Glassworks
Byron Benoit & Co.

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

c. Discussion and possible action related to approving an Interlocal Funding Agreement and Memorandum of Understanding with Travis County for conducting investigations related to Groundwater Studies in Southwestern Travis County.

President Stanberry stated that this item will be deferred to the next meeting pending review by the County.

d. Discussion and possible action to adopt the proposed FY 2020 Annual Budget.

Ms. Reinmund-Martinez stated that the version before the Board is the final version after a lot of work by Ms. Wilson, the teams and the Board subcommittee of President Stansberry and Director Larsen. She went through the Budget line items.

The Board discussed minor changes.

After further discussion, Director Stone moved adoption of the FY 2020 annual Budget as proposed, noting an increase in the annual retirement fees to \$28,000, and to approve the transfer of \$150,000 from the Contingency fund to the General Fund to provide a buffer needed to cover budgeted expenditures when expenses exceed monthly revenue.

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

e. Discussion and possible action related to certain budget policies and guidelines.

Ms. Reinmund-Martinez explained that there was discussion at the last meeting to develop a five-year fiscal year plan. A five-year fiscal plan would identify the costs of anticipated expenses to successfully fulfill the District's responsibilities, duties and expected revenue over the next five years. It also includes a savings plan and identifies the difference between revenue and expenses.

Director Larsen explained that this is needed in order to take to our Legislators, because 17 cents per thousand gallons is a ridiculously low fee. He feels like that needs to be changed. Looking at last year's and this year's budget, and where we are going in the future, if we can show the legislature our position and that it is infringing on what we are legally obligated to do, maybe they will not just reject it because it's a fee.

Ms. Reinmund-Martinez gave an explanation of the Contingency Fund, General Fund, and Out of State travel.

Director Stone stated that we are all things for all people and suggested having a work shop to discuss these items further. She said that it is time for us to look at everything we do, look at our mission, look at what we are required by law to do, and the needs of our constituents now. Identify a strategic plan and a budget that are tied together.

After further discussion, Director Stone moved approval of the Budget policies and guidelines, and the removal of the word "or" on the 3rd sentence in the Contingency Fund section.

Director Larsen seconded the motion and it passed with a vote of 4 to 0. Director Dorsett had left the Dais.

f. Discussion and possible action related to the proposed draft rules presented to groundwater conservation districts to govern oil and gas pipelines in their jurisdictions.