

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
Videoconference
November 18, 2021**

Board members present at commencement: Blayne Stansberry, Dan Pickens, and Christy Williams. Craig Smith arrived at 4:08 p.m. Staff present included: Brian Smith, Dana Wilson, Kendall Bell Enders, 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 4:00, 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 October 14, 2021 Regular Meeting.

Director Pickens moved approval of consent agenda items 3a. and 3b., noting an invoice from Bickerstaff, Heath in the amount of \$7645.00.

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

4. Discussion and possible action.

4d. 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.

President Stansberry asked if there was a representative from Aqua Texas present, and if they would like to speak as to why they have not been communicating with the District on this matter.

Mr. Brent Reeh stated that he is the area manager for Aqua Texas - Bliss Spiller. He apologized for the lack of communication within his organization. He said that he thought someone else was taking care of the situation and they thought he was.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) on items 4d. and 4e. at 4:11 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 5:23 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

President Stansberry stated that the Board would like the person responsible for the permit to come to the next meeting to address the Board. She also stated that a sub-committee will be looking into the issue.

Mr. Reeh said he understood and apologized again.

No formal action was taken.

4e. Discussion and possible action on approving FY 2021 Conservation Credits.

Director Smith moved to grant the permittees 85% of the conservation credit that they would have earned since the policy was omitted in the rule changes on July 8, 2021, before the end of the fiscal year.

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

4a. Discussion and possible action on interviewing and appointing a director to fill the vacancy in the office of Precinct No. 3 of the Barton Springs Edwards Aquifer Conservation District.

President Stansberry stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.074 (Personnel Matters) at 5:28 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 5:37 p.m. President Stansberry stated that no final actions or decisions were made while in Executive Session.

Director Pickens moved to appoint Lily Lucas as the District Representative for Precinct 3.

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

4b. Discussion and possible action on moving from virtual to in-person meetings.

President Stansberry stated that since vaccines were now available for children that she feels that Board meetings should go back to in-person.

Director Williams asked if we could re-visit this item in January after all of the holidays have passed and we see how things look.

No action was taken.

4c. Discussion and possible action related to calling a Special Called Meeting on December 2nd to administer the oath of office, sworn statement and approval of bond for a new Director for Precinct 3, to conduct interviews of candidates for the General Manager position, and to changing the regular Board meeting in December from the 9th to the 16th.

After discussion, the Board called a Special Meeting on December 2, 2021 at 4:30 p.m. to administer the oath of office, sworn statement and approval of a bond for Lily Lucas, and to interview the candidates for the General Manager position. They elected to keep the regular Board meeting on December 9, 2021.

4f. Discussion and possible action on approving the FY 2021 Annual Report and Appendix B.

After discussion, Director Smith moved approval of the FY 2021 Annual Report including Appendix B.

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

4g. Discussion and possible action on an Interlocal Agreement between the District and Hays County for access to drill and complete a groundwater monitor well and to conduct groundwater monitoring.

Director Smith moved approval of an Interlocal Agreement between the District and Hays County for drilling, completing, and monitoring of a groundwater monitor well.

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

5. General Manager's Report.

Topics

- a. Updates on the hiring committee activities for General Manager vacancy.
- b. Review of Status Report and update on team activities/projects.
- c. Aquifer status update.
- d. Upcoming events of possible interest.

Staff gave updates on the items above.

6. 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.

President Stansberry stated that due to the time, reports would be deferred until the next regular meeting.

7. Adjournment.

With no objection, President Stansberry adjourned the meeting at 6:15 p.m.

Approved by the Board on December 9, 2021

By: Blayne Stansberry
Blayne Stansberry, Board President

Attest: Christy Williams
Christy Williams, Board Secretary