

**Barton Springs/Edwards Aquifer Conservation District
Board of Directors Meeting Minutes
Regular Meeting
Videoconference
October 14, 2021**

Board members present at commencement: Craig Smith, Christy Williams, and Dan Pickens. Blayne Stansberry was absent. Staff present included: Brian Smith, Dana Wilson, Kendall Bell Enders, Michael Redman, 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.

Vice President Smith presiding in President Stansberry's absence, called the virtual meeting to order at 4:02, 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 September 9, 2021 Special Meeting

c. Approval of an FY 2022 budget amendment.

d. Approval of engagement letter from Montemayor Britton Bender PC regarding the FY 2021 Audit.

Director Pickens moved approval of consent agenda items 3a. through 3d., noting invoices from Montemayor Britten in the amount of \$5412.50 and TML in the amount of \$10,107.72.

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

4. Discussion and possible action.

4a. Discussion and possible action related to enforcement against Aqua Texas -Bliss Spillar for noncompliance with District Drought Rules and its Permit.

Vice President Smith stated that the Board would meet in Executive Session as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney) at 4:06 p.m.

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

The Board reconvened into open session at 4:55 p.m. Vice President Smith stated that no final actions or decisions were made while in Executive Session.

Director Williams moved to direct staff to develop a NOAV package including penalty calculations and an agreed order by the December Board meeting. At a minimum she would like to see the penalty calculations related to non-compliance at the November Board meeting.

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

4b. Discussion and possible action on scheduling the November Board meeting to November 18, 2021 due to the 2nd Thursday of the month falling on a District holiday.

Director Pickens moved to change the November 11th Board meeting to November 18th, for staff to observe the Holiday.

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

4c. Discussion and possible action on establishing a process and schedule for selecting a replacement director for Precinct No. 3 of the Barton Springs Edwards Aquifer Conservation District.

Vice President Smith asked Mr. Dugat the specifics of selecting a new director.

Mr. Dugat stated that Chapter 36 of the water code states that if there is a vacancy the Board may appoint a new Director. The statute also states that if the term left on the vacancy is 2 years or more that the District will be required to hold a special election. The next election would be November of 2022.

The Board discussed interviewing potential candidates.

Director Pickens moved to include interviewing candidates at the November Board meeting and completing all necessary paperwork.

Director Williams seconded with the caveat that the applicants can attend the meeting and that all necessary paperwork can be available.

Director Pickens agreed to include the comments from Director Williams in his motion.

Vice President Smith asked for a vote. The motion passed unanimously with a vote of 3 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.

Board members that had outside and Zoom meetings gave reports.

7. Adjournment.

With no objection, Vice President Smith adjourned the meeting at 5:40 p.m.

Approved by the Board on November 18, 2021

By: Blayne Stansberry
Blayne Stansberry, Board President

Attest: Christy Williams
Christy Williams, Board Secretary