

**MINUTES**  
OF THE  
**SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT**

At the  
**Bee Cave School House**  
**13333-A Highway 71 West**  
**Bee Cave, Texas 78738**  
**(the Bee Cave Schoolhouse is located adjacent to Lake Travis Fire and Rescue Station 603)**

**Wednesday, February 13, 2019 at 10:00 am**

**1. Call to order, declare meeting open to the public, and take roll**

Director and Board President Scadden called the meeting of the Southwestern Travis County Groundwater Conservation District (SWTCGCD or District) Board of Directors to order at 10:01 AM on February 13, 2019. Five District Directors were present, including Directors Davis, Hennings, O'Malia, Scadden and Urie. Director Buddin was absent. Director Dower arrived at 11:35 AM and Director Hennings left at 12:00 PM. Also present were visitors Eileen Brzoska from West Travis County Public Utility Agency, Ron Fieseler from Blanco-Pedernales GCD/GMA 9, Robert Bradley from the Texas Water Development Board, George Wissmann and Emily Green from the Trinity Glen Rose GCD, Linda Kaye Rogers from Hays Trinity GCD, Vicky Kennedy and Jon White from Travis County, Kirk Holland and Alicia Reinmund-Martinez from Barton Springs Edwards Aquifer Conservation District, Saj Zappitello from Austin Watershed Protection Department, Charlie Flatten from Hill Country Alliance, Christy Muse from Shield Ranch, Texas State Representative Vicki Goodwin (part-time) and Kodi Sawin and Susan Nelson from Representative Goodwin's office, and visitors Vanessa Plug-Williams, John Hatchett, Gene Lowenthal, and Pete Golde.

***The meeting sign-in sheet is attached as Exhibit A***

**2. Public comments**

Director Scadden called for public comments and there were no comments. Director Scadden stated that Representative Goodwin would have comments when she arrives at the meeting.

**3. Discuss, consider and take action on legislative issues and discussion with State Representative Goodwin**

***Item Deferred until later in the meeting***

**4. Open discussion on considerations, experience and lessons learned for starting a GCD**

***Item Deferred until later in the meeting***

**5. Discuss, consider and take action on previous meeting minutes**

- a. December 12, 2018
- b. January 9, 2019

***Item Deferred until later in the meeting***

**6. Committee Reports**

- a. Finance – Director Urie provided the monthly Financial Report.

***The Financial Report is attached as Exhibit B***

- b. Legislative

***Item Deferred until later in the meeting***

- c. Science-Outreach – Director Hennings briefed the Board on the GMA 9 meeting in Kerrville which she and Director Scadden attended. She advised that the next GMA 9 meeting is scheduled for April 22<sup>nd</sup> and will be hosted by SWTCGCD in the Bee Cave City Hall meeting room above the library at 10:00 AM. Ron Fieseler added that it is normal practice of GMA 9 to move the location of their meetings around the GMA area.

***Item 5. Deferred earlier was now taken up***

- a. Approval of the December 12, 2018 Meeting Minutes

***Upon motion by Director Hennings, seconded by Director O’Malia, the Board approved the minutes of the December 12, 2018 Board meeting without changes – 5 ayes to 0 nays***

***The approved meeting minutes are attached as Exhibit C***

- b. Approval of the January 9, 2019 Meeting Minutes

***Upon motion by Director O’Malia, seconded by Director Hennings, the Board approved the minutes of the January 9, 2019 Board meeting without changes – 5 ayes to 0 nays***

***The approved meeting minutes are attached as Exhibit D***

***Item 6.b. Deferred earlier was now taken up***

- b. Legislative – Director Davis briefed the Board on discussions with Senator Buckingham’s office. Senator Buckingham has filed Senate Bill 669 which Director Davis characterized as the shortest bill of the legislative session. She describe a surprising aspect of the bill. She explained that the original enabling legislation gave the GCD two confirmation election opportunities. As written SB 669 sets the date for the second election to be in November 2019, meaning that the first election opportunity was spent when the May 2018 election was cancelled and leaving only one confirmation election opportunity. In the event of failure of the November 2019 confirmation election new enabling legislation would have to be sought in 2021. Director Scadden advised that he has discussed the cost of the November 2019 election and they estimate the cost to be between \$45K and \$50K versus \$185K to \$200K for the cancelled May 2018 election. Director Davis discussed what happens if the Nov. 2019 fails. She said the GCD would stay as is until 2021 or the TCEQ would form a GCD. Director Davis said that this TCEQ action never happens since the preferred route to

formation of a GCD is through local legislation. Director Davis also advised that the bill (SB 669) is effective September 1, 2019. Since it takes three months to get on the ballot we need to start the process in August 2019 and we need to confirm that we can get on the ballot before September 1<sup>st</sup>.

***A copy of SB 669 was provided by Director Davis and is attached as Exhibit E***

Representative Vikki Goodwin arrived and was welcomed by Director Scadden who expressed his appreciation for her being at the meeting. She said she was trying to pick up the ongoing discussion and talked about November 2021 and November 2019 election dates and said that 2020 might be less expensive and allow more time for public education regarding the GCD. Representative Goodwin said she wants to have a one-on-one meeting with Senator Charles Perry. It would be helpful she said to get some support for not having a confirmation election or if the Board wants to have an election please let me know. She added that it seems like you don't need a \$45K expense and maybe an additional \$45K for a second election. There will still need to be director elections but the director positions may not be contested. Ron Fieseler stated that since the SWTCGCD is not a taxing authority there is no need to hold an election. Director Scadden stated that the requirement for a confirmation election is in the SWTCGCD enabling legislation. Mr. Fieseler added that the TCEQ will not require an election to form a GCD. Director Hennings pointed out that Senator Perry has said that he considers fees to be a form of taxes. The following comments were contributed by attendees; This is a Priority Groundwater Management Area; Does Senator Perry know what the election costs are? ; Comal County had a failed confirmation election but later was passed without an election, it was on and off for 20 years, it took 50+ stakeholders to get passed, you need stakeholders (advocates) to show support. Gene Lowenthal reviewed the history of the SWTCGCD sharing that the TCEQ was ready to set up the GCD, there was a hearing and then Representative Workman asked the TCEQ to back off. Ron Fieseler added that it was not for lack of stakeholders, there was lots of discussion. Gene added that a GCD in a PGMA without taxing authority needs no election by law. The following additional comments were contributed by attendees: There are fee based GCDs formed without elections; This Board can recommend an amendment for 2019 election plus a second election in 2020. Mr. Fieseler pointed out that you could have a failed confirmation election and unopposed directors with no GCD.

Director Scadden asked Representative Goodwin to confirm that she wants direction from this Board and a discussion among the Board members ensued regarding their opinions. Director Davis stated opinion that not having a confirmation election is a good idea but it will not pass the Senate. Director O'Malia said that given precedent and what has happened before it seems like we are forced to have an election. He added that he does not think it is in the GCD's best interest when the cost could be zero dollars without an election. Director Hennings observed that we would be driven to set the fee structure to pay the \$45K debt, fee holders would pay this cost and actual work would be delayed. Gene Lowenthal added that the cost of educating the public for the election needs to be added to the \$45K. Linda Kaye Rogers suggested that the SWTCGCD develop a preliminary budget to present as part of the public education process prior to the election. Director Scadden said that we need a well inventory to do that. Director Hennings suggested that the Comal and Hays GCD budgets would be good to look at.

At 10:47 AM Representative Goodwin said she had to leave to be back at the Capital. She said she would like to have several priorities identified for her meeting with Senator Perry and she

would let everyone know the results of that meeting. Director Scadden stated that he was in favor of dropping the confirmation election which seems like an unnecessary impediment. Director Urie said that he was conflicted, it's like a "Catch 22", the public should have a vote but the expense of an election makes the GCD not viable. Director Davis suggested that, with new people at the TCEQ, we could ask them to help us out. They have the authority but they have never done this in the past. Christy Muse added that in the past Representative Workman did not want the TCEQ to form the GCD. If Representative Goodwin now wants them to and this Board wants them to that is a significant change. Robert Bradley stated that two north Texas GCDs were formed without elections but the county had to approve them.

Kodi Sawin said that at Representative Goodwin's meeting with Senator Perry she will ask for the elimination of the confirmation election and if that is not possible then she will ask for a second election in 2022. Director Scadden stated that he prefers a November 2019 election and Christy Muse added with a November 2020 fallback election. Director Hennings asked if Travis County knew what the cost would have been during the 2016 presidential election. Vicky Kennedy said she could find out. Ron Fieseler added that you could hold an election if only one director position is contested for about \$1K to \$2K. John Hatchett suggested that if the Bill includes a confirmation election the election should be in 2019 but if it does not include a confirmation election then the directors' election should be in 2020 to allow time for revenue to be collected for the election. Director Hennings said that she had looked at Travis County population data and the population of southwest Travis County was 85K at the last census and is currently 100K with 34K households. Vicky Kennedy agreed to check on these numbers.

Director O'Malia suggested that the Board entertain a motion as to direction of the Board for Representative Goodwin. Director O'Malia then made a motion to recommend that the SWTCGCD not be required to have a confirmation election. Director Urie said that he could not support that position until Representative Goodwin's discussion with Senator Perry. Director Davis said she agreed with Director Urie. Director Scadden seconded the motion saying that it would put Representative Goodwin in a better position for her discussion with Senator Perry.

***Upon the motion by Director O'Malia seconded by Director Scadden the Board voted to recommend to Representative Goodwin that the SWTCGCD not be required to hold a confirmation election – 3 ayes (O'Malia, Scadden, and Hennings), and 0 nays, with 2 abstaining (Urie and Davis).***

Director Urie then asked if Travis County would still be willing to make a loan to the SWTCGCD to cover the cost of an election. Vicky Kennedy and Jon White responded yes. Director Urie added that the last time the Board did not know what terms Travis County would require, this time we can get the terms in advance.

***Item 4. Open discussion on considerations, experience and lessons learned for starting a GCD which was deferred earlier was now taken up***

Director started the discussion by asking who has experience with failed confirmation elections. Linda Kaye Rogers advised that the Hays Trinity GCD failed the first time. She said you need to educate constituents as to what the GCD will do for them "Keep your well running for the next 50 years". Emily Green shared that the Trinity Glen Rose GCD had two failed elections and two bills that failed in committee. She said that you need to educate the public that you will not be

metering people's domestic wells which are exempt. This is the number one issue with most people (residential). They need to understand that only non-exempt wells will be metered and you need to define non-exempt. The main message should be – No metering of domestic wells and no taxes. Delay implementing administrative fees like Comal did. Don't throw up barriers to getting wells registered. Registration needs to be a one-time fee. Linda Kaye Rogers advised that Comal is now considering implementing an annual administrative fee of \$25. She added that the main message should be to conserve, preserve and protect groundwater quantity and quality. This message needs to be communicated by constant presence at HOAs, and Commissioners' Court. You need to educate the public on the implications of not participating in the work of GMA 9. Vanessa Plug-Williams commented that she is aware of volunteer well owners requesting registration. Linda Kaye Rogers stated that all new wells drilled since 2003 need to be registered with the Texas Water Development Board. Ron Fieseler shared that Kendall County had an annual administrative fee and it cost them \$5,500 just to mail bills. They got a poor response and anger resulting in having to send out second and third bills. Certified mail and legal fees cost more than they collected. He added that you need to get the message out to municipalities on surface water that they will not be affected by a GCD and also that groundwater feeds the lakes. Gene Lowenthal pointed out that municipalities have irrigation wells so they don't want regulation. Director Scadden pointed out that most people have irrigation wells to save on the cost of surface water. Linda Kaye Rogers added that some counties prohibit well drilling if you have surface water available but agricultural wells are OK. Director Scadden advised that Travis County and BSEACD are conducting a study to identify a well inventory.

***Director Dower arrived at 11:35 AM.***

Director Scadden asked the attendees to comment on how you get started and the following comments were shared; The TCEQ says it takes \$250K per year to run a GCD but you can get started with \$80K to \$100K; Comal County provided \$20K in reimbursements of expenses and they first researched well inventory and rules for collecting revenue while operating out of an old fire station. Hays Trinity GCD receives \$175K per year from the county and \$9,100 for well monitoring. Hays Trinity was originally funded by a \$300 registration fee. Ron Fieseler said he started out with a budget of \$175K and now it is \$300K. The Texas Water Development Board offers Loans but no grants and has a wealth of data including well registrations since 2003. Ron Fieseler said that prior to getting tax revenue he got a small (\$5K) loan from a bank. BSEACD said that of 2000 wells 50 or 60 are non-exempt and production fees could be as much as \$240K from the non-exempt wells. Production fees are much easier to administer than Admin. Fees and service connection fees. Linda Kaye Rogers added that connection fees are also an unstable revenue source and they can't survive on production fees alone which amount to \$100 of a \$400K budget. Director Scadden said that the Board needs to make policy decisions within the bounds of the enabling legislation including deciding what fees to charge and how much. Ron Fieseler advised that you need a Management Plan first then rules per Chapter 36. Director Hennings pointed out that we are currently prohibited from working on a Management Plan until confirmation. Robert Bradley said that the Texas Water Development Board does "Pre-Reviews" of management plans which is helpful to do. Linda Kaye Rogers pointed out that all GCDs have their management plans and rules posted on-line so you can cut and paste. Vanessa Plug-Williams asked have you discussed the idea of having a ballot for taxing authority now that we have a different state representative. She added that the election question does not necessarily need to go through Senator Perry's committee.

Director Scadden asked for input from the attendees regarding hiring staff versus using consultants. Comments contributed were; contracting with other GCDs is a good way to get

resources at very attractive rates; and you need long term resources not consultants who you may never hear from again. Director Davis asked about the use of interns and got the following comments: They are useful for general field work but not for P.R efforts at the start. Linda Kaye Rogers said you may only need part time resources at first but you need someone who is going to stay with you since turnover is not good. Interns will likely be looking for full time work later. Ron Fieseler added that Interns requires a lot of supervision and can be a burden.

Director Scadden then asked the attendees to describe their biggest challenge or success. Comments included: Your primary contact person will make or break your district; you need a cohesive board where everyone works well together and you don't get bogged down by in-fighting; all other GCDs are willing to help out; biggest challenge is inter-personal relationships with constituents; you need to be personable and an asset to the community and be viewed as such: need to be good at social media. Ron Fieseler said tht he hired a person who had worked for the county surveyor who was known in the community and was a good administrator.

Christy Muse shared that on a statewide level there is a feeling of conformity and an effort to align rules with neighboring GCDs. Director Davis added that Senator Perry has a bill regarding GCD conformity and TAGD has an effort to pull together all management plans and rules and Linda Kaye Rogers said that GMA 9 has a similar effort. Don't go rogue with rules, especially don't cause permitting delays. Ron Fieseler commented that this meeting alone shows that you are looking to work with neighboring GCDs.

Director Scadden thanked everyone and asked if there was anything more they wanted to share. Vicky Kennedy said that on March 25th BSEACD is going to present before the Travis County Commissioners Court on the Well Testing Program. Ron Fieseler suggested that SWTCGCD might want to consider who you want to invite to the GMA 9 meting including possibly news reporters. Water quality is particularly important in all of this and well construction rules are important to water quality and should be a priority. Rules are critical and you need a management plan first. You can work on a draft management plan.

**7. Discuss, consider, and act on a SWTCGCD Document Retention Policy**

*Item Deferred to Future Meeting*

*Director Davis provided a copy of a Document Retention Policy from the Texas State Library which is attached as Exhibit F.*

**8. Discuss, consider, and act on SWTCGCD Talking Points Document**

*Item Deferred to Future Meeting*

**9. Discuss and Establish Agenda Items for Next Meeting Agenda**

The following items were suggested for the future meeting agendas:

- Drafting a Management Plan, Rules, and Policies
- Can we accept donations
- Do we want a non-profit arm
- Microsoft Office License for Board Secretary

**10. Discuss, consider, and act on setting the date, time and location for the next Board meeting**

The Board agreed that the next meeting would be held on Wednesday March 13, 2019 at 10:00 AM.

**11. Adjourn**

***On a motion by Director O'Malia and a second by Director Dower the Board voted to adjourn the meeting – 5 ayes to 0 nays. The meeting was adjourned at 12:33 AM***

PASSED, APPROVED AND ADOPTED THIS 13 day of March, 2019

  
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John O'Malia, Secretary

**Exhibit A**

Attendee Sign-in Sheet







## **Exhibit B**

SWTCGCD Financial Summary report

8:37 AM

02/13/19

**SWTCGCD**  
**Reconciliation Detail**  
Independent Bank, Period Ending 01/31/2019

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						5,710.67
<b>Cleared Transactions</b>						
<b>Checks and Payments - 2 items</b>						
Bill Pmt -Check	01/09/2019	107	Juli Hennings	X	-275.00	-275.00
Bill Pmt -Check	01/09/2019	106	Rick Scadden	X	-275.00	-550.00
Total Checks and Payments					-550.00	-550.00
<b>Deposits and Credits - 2 items</b>						
Deposit	01/09/2019		Texas Municipal ...	X	293.54	293.54
Deposit	02/28/2019			X	0.24	293.78
Total Deposits and Credits					293.78	293.78
Total Cleared Transactions					-256.22	-256.22
Cleared Balance					-256.22	5,454.45
Register Balance as of 01/31/2019					-256.22	5,454.45
<b>New Transactions</b>						
<b>Checks and Payments - 1 item</b>						
Bill Pmt -Check	02/11/2019	108	Rick Scadden		-90.00	-90.00
Total Checks and Payments					-90.00	-90.00
Total New Transactions					-90.00	-90.00
<b>Ending Balance</b>					<b>-346.22</b>	<b>5,364.45</b>

## **Exhibit C**

Approved Minutes for December 12, 2018 Meeting

**MINUTES**  
OF THE  
**SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT**

At the  
**Bee Cave School House**  
**13333-A Highway 71 West**  
**Bee Cave, Texas 78738**

**(the Bee Cave Schoolhouse is located adjacent to Lake Travis Fire and Rescue Station 603)**

**Wednesday, December 12, 2018 at 10:00 am**

**1. Call to order, declare meeting open to the public, and take roll**

Director and Board President Scadden called the meeting of the Southwestern Travis County Groundwater Conservation District (SWTCGCD or District) Board of Directors to order at 10:02 AM on November 14, 2018. Six District Directors were present, including Directors Buddin, Davis, Hennings, O'Malia, Scadden and Urie. Director Dower was absent. Also present were visitors Linda Kaye Rogers and John Worrell from HTGCD, Charlie Flatten from Hill Country Alliance, Vicky Kennedy from Travis County, Ron Fieseler from BPGCD & GMA 9, Jackie Vay & Robin Gary from BSEAGCD, Jean Bessent, John Hatchett, Gene Lowenthal and Pete Golde.

*The meeting sign-in sheet is attached as Exhibit A*

**2. Public comments**

Director Scadden called for public comments and there were no public comments.

**3. Discuss, consider and take action on previous meeting minutes**

Approval of the November 14, 2018 minutes.

*Upon motion by Director O'Malia, seconded by Director Hennings, the Board approved the minutes of the November 14, 2018 Board meeting without changes - 6 ayes to 0 nays.*

*The approved meeting minutes are attached as Exhibit B*

**4. Committee Reports**

*Item 4. Was deferred until later in the meeting to allow guests from GMA 9, HTGCD and BSEAGCD to make their presentations*

**5. Discuss, consider, and act on GMA 9 and Hays Trinity GCD activities**

Ron Fieseler from GMA 9 presented an overview and history of the Groundwater Management Area (GMA) process. He said the process started in 2003 when the Texas Legislature mandated that the Texas Water Development Board (TWDB) divide the state into planning areas based on aquifer units. Sixteen different GMAs were formed by TWDB in 2005 based on both aquifer units and public process – resulting more GMAs than the number of aquifers. The Trinity Aquifer has three GMAs. The original Hill Country Alliance morphed into GMA 9. Desired future Conditions (DFC)s for a 50-year planning horizon for each GMA were to be developed within 5 years.

In September 2005 GMA 9 held its first meeting and discussed possible basis for DFC including aquifer drawdown, spring flow, etc. The first report was filed in August 2010. Dozens of models were tried with a DFC of 90% of spring flow based on the drought of record. The TWDB found that the 90% spring flow DFC couldn't be met. Spring flow was not a suitable basis for the DFC since the basis needs to be measurable. They started to look at aquifer drawdown as a basis and UT did a 2-year study of what aquifer users want. GMA 9 set an overall DFC based on not exceeding more than a 30 ft. drawdown. Two protests were filed one saying that 30 ft. was too much and the other saying that 30 ft. was not enough. A 30 ft. draw down is an average across GMA 9. Individual GMAs vary from 19 ft. to 62 ft. Each GCD is responsible for groundwater monitoring wells. BPGCD has 19 monitoring wells, HTGCD has 40, and BSEACD has 40. Each GCD provided data for model runs and each was evaluated by the TWDB and their allowable drawdown was determined. BPGCD for example had 7 or 8K ac.ft. of groundwater available before the 30 ft maximum drawdown was violated. One of the protests was dropped but TWDB decided that the proposed DFC was unreasonable because exempt wells were not controlled. They coined the term Managed Available Groundwater now referred to as Modeled Available Groundwater. It took 2 to 2.5 years and another hearing to get settled, and the DFC was set at 30 ft. of drawdown with some consideration for exempt wells.

In the second cycle of DFC modeling the TWDB required that an explanatory report be included. The explanatory report for GMA 9 was prepared by Blanton & Assoc. and James Beach at a cost of \$65K which was split between 9 districts. There was no reason to change the DFC so the effort focused on the explanatory report. It was submitted on September 28, 2015 and there were no protests on the second cycle.

The third cycle report was originally due in 2020, but the deadline has now been extended to May 1, 2021. GMA 9 has been looking at common rules since the enabling legislation differs between GCDs. Director Hennings pointed out that the May 1, 2021 deadline is 2.5 years away and asked what dates the GCDs will need to meet during that time. Mr. Fieseler said that GMA 9 will meet every 2 or 3 months the first year and probably even more often the second year. The TWDB had cuts in both its modeling experts and funds so it could not do modeling during the last planning cycle, so the models currently being used were built before the 2010 report was issued. There is hope for new modeling to occur during this upcoming planning cycle.

Comal County and Travis County had no GCDs during the first DFC cycle but GMA 9 tried to determine how they would be affected. Both counties assigned a person to attend the GMA meetings in a non-voting role. Vicky Kennedy was assigned for Travis County and Comal County assigned a county commissioner. Comal County now has a GCD. Travis County's new GCD (SWTCGCD) is awaiting a confirmation election. The SWTCGCD will need a successful confirmation election to vote on GCD 9 matters. GMA 9 rarely votes on anything except DFCs. The SWTCGCD is encouraged to attend GMA 9 meetings. Representation on GMA 9 is either the president of each GCD or a designee. The GMA 9 Board is made up mostly of GCD General Managers or hydrogeologists. Travis County will continue to participate after the SWTCGCD designates a representative. The next GMA 9 meeting is scheduled for February 4<sup>th</sup> in Kerrville. GCD boards need to be careful not to have a quorum present at GMA meeting unless the meeting has been properly posted as a GCD meeting.

Linda Kaye Rogers, president of the Hays Trinity GCD, spoke about HTGCD experience as a startup GCD, since inception in 2003. She started by saying that cooperation among GCDs is most important and she and the HTGCD are pleased that the SWTCGCD exists and shares a boundary with the HTGCD. Southwestern Travis County GCD is extremely important to Hays Trinity. HTGCD

is willing to loan their hydrogeologist and geotechnician to SWTCGCD if needed. She stated that the HTGCD would be glad to assist our District. There has been slow but steady decline in the aquifer and wells are important for setting and monitoring DFCs. They have seen some wells go dry and some wells can't go any deeper. Ms. Rogers said that she can provide the names of original HTGCD board members who can share startup and confirmation experience. She said enabling legislation can make the job of the GCD difficult. HTGCD funding comes from permit fees of \$3K to \$4K, and connection fees of \$300 to \$800 per connection to groundwater supply. The HTGCDs funding is in the black but not stable. It is very dependent on the building cycle. They have an annual budget of \$300K to fund two employees, two trucks and office rent. HTGCD is currently working on a Special Management Zone for Jacob's Well. Jacob's Well has gone dry four times mostly in the last 10 years. John Worrell lives on the Travis County border where the Henley area is the designated to become the next Special Management Zone. The area has a Modeled Available Groundwater (MAG) of 9,200 ac.ft. but it is not pumping anywhere near that much.

Ron Fieseler added that it is important to stay in touch with neighboring districts when developing rules and policies. They have been through it all and if not, they know someone who has. He recommended joining the Texas Alliance of Groundwater Districts (TAGD) – the first-year membership is free. Take advantage of the TAGD experience, knowledge and resources. Linda Kaye said that TAGD does a lot of legislative support and has huge resources. She added that Hays Trinity has their rules published on their website. Ron Fieseler pointed out that a Management Plan is needed before permitting rules. All GCDs have plans that can be used as a template. Administrative rules can be the same but permitting rules need to meet enabling legislation requirements. Linda Kaye observed that enabling legislation sometimes seems to be designed to make us fail. Their district is supported by residents – a friend not an enemy.

Director Urie asked about connection fees and who collects them. Linda Kaye said that their enabling legislation allowed connection fees but limited them to \$100 per connection. They got the legislature to increase that to a limit of \$1,000 per connection. Director Buddin asked if there was any effort by legislature to create uniform GCD rules. Ron Fieseler responded that Senator Perry is looking at "Relative Rights" where pumping is based on surface acreage, which works for some aquifers, but makes no sense for aquifers in the Hill Country. Some people are thinking about combining districts which was not successful in the past but is always on the agenda. There is lots of discussion about brackish aquifers due to interest in desalination. The controversy there is about how you define brackish. Linda Kaye added that the issue of interplay between surface water and groundwater is a good reason to join TAGD. Eighty plus districts out of 100 belong to TAGD. Some districts are unique such as Plum Creek which is a combined river authority and GCD.

## **6. Discuss, consider, and act on scientific data collection, outreach and education**

- a. Robin Gary from BSEACD provided handout depicting activities of the neighborhood site visits conducted as part of the Southwest Travis County Hydro-logic Study being performed by Travis County and BSEACD. She commented that the SWTCGCD has nearly 2000 wells v. 450 wells in the BSEACD. Jackie Vay also of BSEACD discussed the approach of the site visits which she said seek to gather data on both water levels and water quality. In Hays County 30 wells were visited and 53 wells were visited in southwestern Travis County. Thirteen of the wells were in the mid Trinity aquifer and 35 were in the lower Trinity aquifer. One well was in the upper Trinity and three were unknown. Drawdown tests were performed at the majority of sites with one "mini-aquifer" drawdown test with two wells 50 feet apart with one pumping and the second being drawn down. The teams also recorded how fast wells recovered after drawdown. Water level data collected is not corrected for elevation. The



study will develop an aquifer topo map corrected for elevation. Director Hennings asked about dry v. wet period measurements. Robin responded that all measurements were done during a wet period. She added that summary data from the site visits show TDS levels greater than 1,000 ppm and she questioned – Is that brackish? Director Scadden asked if there were plans to go back and collect more data from these wells. Robin replied that there are no current plans but they are interested in collecting data in the rainy season. There is a need to identify wells that are particularly ideal for monitoring. They will be developing a historic well monitoring data map and a map of water level elevations and gathering down-hole videos. Director Hennings asked how many wells were cased and Robin replied that older wells are more often not cased and have less driller reports and geophysical logs. Director Hennings asked about resistivity data and Gamma Ray Analysis to which Robin replied “we get it when we can” but it only works in uncased wells. It does provide detailed lithology and chemistry of the aquifer. Robin and Jackie ended with a summary of successes which include well-owner education and relationships and they said the entire effort was well received by owners.

***The handouts provided by Robin are attached as Exhibit C***

***Item 4. Was deferred earlier in the meeting and later taken up here***

#### **4. Committee Reports**

- a. Finance – Director Buddin provided the monthly Financial Report. He said the only additions were a check to TAGD for Director Davis’ attendance at the Leadership Training Conference and a refund from TML for bonding which has not been deposited yet. He added that he now has a new bill from TML for the bonding which he will pay since it has already been approved. Director Scadden thanked Jon White and Travis County for the \$5,000 support.

***The Financial Report is attached as Exhibit D***

- b. Legislative – Director Davis said that she had met with Representative-Elect Vicki Goodwin who said that her thought is that it might be good to try to eliminate the SWTCGCD confirmation election. She also shared her thoughts about possible combination with BSEACD. Director Urie suggested that maybe they could maintain the SWTCGCD and subcontract operations to BSEACD. He also asked if there are any GCDs that were initiated without confirmation elections. Director Hennings responded that confirmation elections are unusual and only recently have been required. Director Davis said that she and Directors Buddin and Urie are planning to meet with Senator Buckingham. Director Scadden is planning to meet with Commissioner Dougherty and he said that there are questions being asked about the possibility of merging with other GCDs. Director Davis said that people want local control and shared science. She added that the Governor may push school finance reform and school safety during the upcoming session. We don’t want to wait to get our legislation in and we will find out at the meeting with Senator Buckingham what the thinking is.
- c. Science-Outreach – Director Hennings advised that BEG folks prefer Hamilton Pool for a Geo-Sign about groundwater in southwestern Travis County. It will take several months to design and produce the sign. We could consider a smaller poster for West Cave Preserve or Bee Cave. BEG envisions sign showing how the Hamilton Pool waterfall formed which is not our GCDs vision. She shared a link to a video from Hays Trinity GCD about groundwater that may be a good resource for developing a poster. [HTGCD Video](#)

**Item 6. Discussion resumed here with Item 6.b.**

- b. GCD Workshops – Director Scadden said that today’s meeting with presentations from GMA 9, HTGCD and BSEACD is a good example of the benefit of workshops with other GCDs. However, he felt that there was a lot to absorb. Director Hennings suggested that there should be only one “big thing” for each meeting, Ron’s, Linda Kaye’s, and Robin and Jackie’s presentation all together at one meeting may have been too much. Director O’Malia suggested that the workshop should be separate from regular meetings. Director Davis asked if we should make the February 4<sup>th</sup> GMA 9 meeting in Kerrville a workshop. Director Hennings questioned whether the whole board would be able to drive to Kerrville and suggested a January workshop in Austin possibly before the regular meeting. Director Scadden expressed a preference for a workshop at the schoolhouse in Bee Cave and Director O’Malia added that it just should not be part of a regular Board meeting. Director Buddin said that he prefers having workshops as part of regular Board meetings but one topic at a time versus a separate workshop. Mr. Hatchett suggested separate workshops that could be advertised to the public since he felt that the public might be more interested in workshops than Board meetings. Director Hennings summarized three options 1. Single Workshop, 2. Precursor Meetings before regular Board meetings with only one topic (like Dr. Robert Mace’s presentation), and 3. Topics at regular Board meetings. Director Buddin said he was fine with one workshop but not every month. Director Hennings asked if it was possible to replace a regular Board meeting with a workshop. Director Davis said that a workshop should be scheduled for February 13<sup>th</sup> and then we can still call a special meeting if needed for urgent legislative issues. Director Scadden summed up saying we can decide at the January meeting.

**7. Discuss, consider and act on information from Travis County staff on their funding support, staff support, and county budget requests**

Director Scadden stated that the \$5,000 funding had been received from Travis County and cooperation is ongoing.

**8. Discuss, consider and act on public outreach, branding the SWTCGCD, preparing a logo and related matters**

The Logo Committee is talking and will have something at January meeting.

**9. Discuss, consider, and act on requests for additional funding or donations, fund raising**

This was deferred until the next meeting

**10. Discuss, consider, and act on a SWTCGCD Travel Policy**

This was deferred until the next meeting

**11. Discuss, consider, and act on a SWTCGCD Document Retention Policy**

Director O’Malia provided a preliminary draft of policy based on his experience with Homeowner’s Associations. He requested review by all directors for discussion at next meeting.

***The proposed policy provided by Director O’Malia is attached as Exhibit E***

**12. Discuss, consider, and act on a SWTCGCD Board Training**

Director Hennings reminded the Board that the Texas Water Development Board conference is January 23 through 25<sup>th</sup> at the UT AT&T Conference Center. She said she was 50% sure that she could attend and she would know for sure by tomorrow (12/13/18). The deadline for early registration is December 14<sup>th</sup>. Director Davis said she could attend and suggested that maybe Director Scadden could attend if Director Hennings can't. The cost is \$275 for early registration, \$325 by January 15<sup>th</sup> or \$375 at the door the day of the conference. It was agreed that Directors Hennings and Davis would attend or Directors Davis and Scadden if Director Hennings is unable to attend.

***On a motion by Director O'Malia and seconded by Director Urie the Board approved paying up to \$550 for two Directors to attend the TWDB Conference on January 23<sup>rd</sup> through 25<sup>th</sup> 6 Ayes - 0 Nays***

**13. Discuss, consider and act on obtaining a sales tax exemption**

This was deferred until the next meeting

**14. Discuss, consider and act on the SWTCGCD website and email addresses**

Director Davis said she still needed help setting up her new email address

**15. Discuss, consider and act on Board Officer elections in January 2019**

Discussion of officers for the SWTCGCD Board will take place at the January 2019 Meeting at 9:30 AM before the regular meeting in an executive session. Election of Officers will be conducted in the Public meeting.

**16. Discuss and establish agenda items for the next meeting agenda**

The following items were suggested for the future meeting agendas:

Sales Tax Exemption

**17. Discuss, consider, and act on setting the date, time and location for the next Board meeting**

The Board agreed that the next meeting would be held on Wednesday January 9, 2019 at 9:30 AM to allow time for Board office elections prior to the regular start time of 10:00 AM.

**18. Adjourn**

***On a motion by Director O'Malia and a second by Director Urie the Board voted to adjourn the meeting – 6 ayes to 0 nays. The meeting was adjourned at 1:16 pm***

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_\_ day of January, 2019

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John O'Malia, Secretary

## **Exhibit D**

Approved Minutes for January 9, 2019 Meeting

**MINUTES**  
OF THE  
**SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT**  
At the  
**Bee Cave School House**  
**13333-A Highway 71 West**  
**Bee Cave, Texas 78738**  
**(the Bee Cave Schoolhouse is located adjacent to Lake Travis Fire and Rescue Station 603)**

**Wednesday, January 9, 2019 at 9:30 am**

**1. Call to order, declare meeting open to the public, and take roll**

Director and Board President Scadden called the meeting of the Southwestern Travis County Groundwater Conservation District (SWTCGCD or District) Board of Directors to order at 9:40 AM on January 9, 2019. Six District Directors were present, including Directors Buddin, Davis, Hennings, O'Malia, Scadden and Dower. Director Urie was absent. Also present during the public portion of the meeting were visitors Vicky Kennedy from Travis County, Christy Muse from Shield Ranch, and Susan Nelson from Representative Vicki Goodwin's office.

*The meeting sign-in sheet is attached as Exhibit A*

*The Board immediately went into Executive Session to discuss Board Officers for calendar year 2019*

**2. Executive Session to discuss Board Officers for calendar year 2019**

Director and Board President Scadden called the Executive Session of the Southwestern Travis County Groundwater Conservation District (SWTCGCD or District) Board of Directors to order at 9:40 AM on January 9, 2019. Six District Directors were present, including Directors Buddin, Davis, Hennings, O'Malia, Scadden and Dower. Director Urie was absent.

*Director Scadden re-convened the open meeting at 10:10 AM*

**3. Discuss, consider and take action on Board Officers for calendar year 2019**

*Upon motion by Director Buddin seconded by Director Hennings the Board voted to approve the following 2019 officers: Director Scadden as President, Director Davis as Vice President, Director O'Malia as Secretary and Director Urie as Treasurer – 6 ayes to 0 nays.*

**4. Public comments**

Director Scadden called for public comments and Susan Nelson introduced herself, mentioning that Representative Goodwin's office is currently in the process of getting set up.

## 5. Discuss, consider and take action on previous meeting minutes

Approval of the December 12, 2018 minutes.

These minutes are still being commented upon, so approval was tabled and will be addressed at the February meeting. Director Scadden asked Board members to complete their review and email comments to Pete Golde for inclusion in a final draft of the minutes.

## 6. Committee Reports

- a. Finance – Director Buddin provided the monthly Financial Report. He said the only additions were a refund credit for \$293.54 from the Texas Municipal League, interest income of \$0.23, and checks in the amount of \$280 and \$180. Expenses in January include reimbursement of \$275 each for Directors Scadden and Hennings for attendance at the TWDB Water for Texas Conference (January 23-25), and expected mileage reimbursement of up to \$100 for travel to Kerrville for the GMA9 meeting February 4<sup>th</sup> at \$0.58/mile. Current checking account balance is \$6,003.92.

***The Financial Report is attached as Exhibit B***

- b. Legislative – Directors Davis, Buddin and Urie met in mid-December with Senator Buckingham (and staff), Representative Goodwin and Commissioner Daugherty at the offices of Senator Buckingham. Director Davis reported that the legislators decided to prepare 2 drafts of the enabling legislation: one would change the date of the GCD confirmation election to November 2019, and the other would remove the confirmation election requirement and change the date of the board member elections to November 2019. The deadline to file is March 8<sup>th</sup>, but filing as early as possible is advised. Discussion about various options ensued.

***Upon motion by Director Davis seconded by Director O’Malia the Board voted to reiterate its desire to change the date of the GCD confirmation election to November 2019 – 6 ayes to 0 nays.***

- c. Science-Outreach – Director Hennings mentioned 2 upcoming events:
  - a. The TWDB Water for Texas Conference January 23-25 at the UT AT&T Conference Center, which will be attended by Directors Scadden, Hennings and Davis. Directors Scadden and Hennings will be reimbursed for their attendance, and Director Davis is self-funding her attendance.
  - b. Kerrville GMA9 meeting on February 4<sup>th</sup>. Since it is more than 100 miles round trip, (~87 miles each way) Directors Scadden and Hennings will carpool to Kerrville, and mileage will be reimbursed up to \$100 at the IRS rate of \$0.58/mile to the driver.

## 7. Discuss, consider, and act on scientific data collection, outreach and education

- a. Southwest Travis County Hydrogeologic Study by Travis County and BSEACD

In progress, no new findings to report at this time

- b. Discussions with other GCDs and related entities (e.g., Hayes Trinity GCD, Barton Springs Edwards Aquifer Conservation District)

Director Scadden has invited GCD representatives to attend our February 13<sup>th</sup> Board Meeting to discuss the process, experiences, and lessons learned of starting up a GCD. As of now, two have RSVP'd yes. Discussion about use of the event as an outreach opportunity to engage municipal and legislative representatives resulted in a request for Director Scadden to contact Bee Cave, Director Buddin to contact Lakeway, and Director Hennings to contact West Lake Hills officials with an invitation. Director Scadden invited Representative Goodwin's office by verbal invitation to Susan Nelson. Discussion about the size of audience, the format of the interactions and the venue for the event occurred. The Bee Cave Schoolhouse Occupancy Limits are 50 people seated or 75 people standing. Director Scadden will check on options.

- c. Consistent Outreach message for public events, HOA meetings, City Council Meetings, etc.

Director Scadden requested a packet including a 1-2 page fact sheet with talking points (and a possible future PowerPoint slide deck) that provides a consistent message for use by SWTCGCD Directors that addresses "What is the SWTCGCD and why should constituents support it?" Existing resources were discussed, and Vicky Kennedy will forward an additional fact sheet created by Travis County staff member Tom Webber to the entire board. Directors Hennings and Dower will build a 1-2 page fact sheet for further discussion.

**8. Discuss, consider and act on information from Travis County staff on their funding support, staff support, and county budget requests**

No change.

**9. Discuss, consider and act on public outreach, branding the SWTCGCD, preparing a logo and related matters**

Director Davis brought a few logo options. These will be discussed at future board meetings.

**10. Discuss, consider, and act on requests for additional funding or donations, fund raising**

No news.

**11. Discuss, consider, and act on a SWTCGCD Travel Policy**

Director O'Malia will look at Travel Policies provided by other GCDs and create a proposed SWTCGCD Travel Policy. Director Scadden asked if the work done by GMA 9 on consistent GCD rules includes an analysis of Travel Policy.

**12. Discuss, consider, and act on a SWTCGCD Document Retention Policy**

Director O'Malia provided a digital copy of a proposed Document Retention Policy, and requested comment to be directed to him. Director Davis mentioned the TAG-D notes provided at a previous meeting, and Director Scadden asked whether the work done by GMA9 on consistent rules includes an analysis of Document Retention Policy.

**13. Discuss, consider, and act on a SWTCGCD Board Training**

No news.

**14. Discuss, consider and act on obtaining a sales tax exemption**

In progress, no report.

**15. Discuss, consider and act on the SWTCGCD website and email addresses**

Director Davis is still having difficulty receiving email on her computer, but she can see email on her phone. Director Dower will work with her to resolve.

**16. Discuss and establish agenda items for the next meeting agenda**

The following items were suggested for the future meeting agendas:

- The GCD Roundtable discussions
- Report back from TWDB Water for Texas Conference 1/23-25
- Report back from GMA9 meeting 2/4
- Continuing agenda items

**17. Discuss, consider, and act on setting the date, time and location for the next Board meeting**

The Board agreed that the next meeting would be held on Wednesday February 13, 2019 at 10:00 AM. Director Scadden will advise if the venue is changed to accommodate a larger crowd.

**18. Adjourn**

***On a motion by Director O'Malia and a second by Director Dower the Board voted to adjourn the meeting – 6 ayes to 0 nays. The meeting was adjourned at 11:29 am***

PASSED, APPROVED AND ADOPTED THIS \_\_\_\_\_ day of February, 2018

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John O'Malia, Secretary



## **Exhibit E**

Introduced Version of Bill SB 669

86R6253 SLB-D

By: Buckingham

S.B. No. 669

A BILL TO BE ENTITLED  
AN ACT

relating to the date for the confirmation election for the  
Southwestern Travis County Groundwater Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 8871.024(e), Special District Local Laws  
Code, is amended to read as follows:

(e) If the district's creation is not confirmed at an  
election held under Subsection (a), the candidate who receives a  
majority of the votes cast at that election for each of the seven  
positions on the board becomes a temporary director of the  
district. The temporary directors elected under this subsection  
shall order a subsequent election to be held to confirm the creation  
of the district and to elect the initial directors not earlier than  
the uniform election date in November 2019 [~~May 2020~~].

SECTION 2. This Act takes effect September 1, 2019.