

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

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

**Wednesday, January 8, 2020 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 10:00 AM on January 8, 2020. Six District Directors were present constituting a quorum, including Directors Scadden, Dower, Davis, Urie, Van Ackeren and Hennings. Also present were Kirk Holland, Kodi Sawin, and Pete Golde.

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

**2. Public comments**

Director Scadden called for public comments and he advised that Charlie Flatten is the new General Manager for the Hays Comal GCD. There were no public comments.

**3. Discuss, consider and possibly act on approving the previous meeting minutes**

Approval of the December 4, 2019 Meeting Minutes.

***On a motion by Director Hennings and a second by Director Davis the final draft version of the December 4, 2019 meeting minutes was approved – 6 Ayes to 0 Nays***

***A copy of the approved December 4, 2019 Meeting Minutes is attached as Exhibit B***

**4. Receive, discuss and take action as necessary for Board Committee Reports.**

a. Finance

Director Urie presented the financial report for the period ending 12/31/2019. He advised that one check was written to Director Scadden for \$70.99 to reimburse him for mileage driving to the GMA 9 meeting in Bulverde and that the balance in the checking account at the end of the period was \$11,858.92.

***The financial report is attached as Exhibit C***

b. Legislative

Director Davis discussed the Texas Senate public hearing scheduled for January 22<sup>nd</sup>. She said that other sources of water will be a topic (including “produced water”) as well as Senator Perry’s opinion of how GCDs are doing, and a comparison of rules for different GCDs. Director Davis provided a copy of the agenda for the public hearing and said that she plans to attend.

***The public hearing agenda is attached as Exhibit D***

Director Hennings said that she sent an email to the Board regarding a study done by Texas A&M on GCDs.

c. Science-Outreach

Director Hennings advised that on Friday January 10<sup>th</sup> at 10:00 AM the Barton Springs Edwards Aquifer Conservation District will present further progress they have made on the southwestern Travis County hydrologic study. She said that she and Kirk Holland will attend. They will focus on areas that are important to the SWTCGCD Management Plan and rulemaking. Director Scadden said that he would post a notice in case there is a SWTCGCD quorum in attendance.

d. Groundwater Management Plan

Director Scadden commented that the Board has not provided Kirk Holland with much feedback on the draft Management Plan. Mr. Holland advised that he has tried to incorporate what he heard at the last month’s work session. Director Scadden said that the Management Plan Committee needs to call a meeting and proposed January 21<sup>st</sup> at 10:00 AM at the Bee Cave schoolhouse.

e. Nominating Committee for Board Vacancy

The Nominating Committee members are Directors Davis, Dower, and Hennings. They advised that there are two candidates for the vacant Director position. Carl Jones is a Spicewood resident in the northwestern part of the District who depends on a well. The second candidate is Brian Hunt who is a resident of Oakhill and has a well that is used as a monitoring well but is not used for his domestic water supply. Director Scadden said he would like to have an executive session during next month’s meeting to decide on one candidate and then vote to appoint that candidate.

**5. Discuss, consider, and possibly act on having a booth at the HCA Hill Country Living Festival + Rainwater Revival on April 4, 2020.**

Director Hennings advised that the Hill Country Alliance has reserved a booth for the SWTCGCD at the HCA Hill Country Living Festival + Rainwater Revival and offered the early bird booth registration fee of \$125. Director Hennings said that she is willing to donate the \$125 fee. Director Scadden offered the opinion that it was not necessary for Director Hennings to donate the fee and that the District could pay it.

***On a motion by Director Davis and a second by Director Van Ackeren the Board approved paying the \$125 booth registration fee for the HCA Hill Country Living Festival + Rainwater Revival – 6 Ayes to 0 Nays***

**6. Discuss, consider, and possibly act on SWTCGCD budgeting activities, Travis County funding and the ILAs with Travis County.**

Director Scadden provided copies of a draft budget to the Budget Committee. He said it is based on a sample budget provided by Ron Fieseler (GMA 9) and it needs to be expanded to include revenues. Director Scadden went on to say that the Board needs to adopt a fiscal year and he proposed October 1<sup>st</sup> through September 30<sup>th</sup> which is the same as Travis County.

***On a motion by Director Dower and a second by Director Hennings the Board approved adopting a fiscal year running from October 1<sup>st</sup> through September 30<sup>th</sup> – 6 Ayes to 0 Nays***

Director Dower pointed out that the draft budget should be for a full fiscal year (October 2019 through September 2020). Director Scadden said that Travis County is looking for office space for the SWTCGCD to use. He added that he does not think an in-kind service like office space would be deducted from the \$100K committed to the SWTCGCD by Travis County so there is \$0 in the draft budget for rent. Kirk Holland suggested that the budget should include revenue sources even if it is a grant. A brief discussion of several of the budget items and amounts ensued with no specific changes proposed.

***The draft budget provided by Director Scadden is attached as Exhibit E***

Director Scadden pointed out that TAGD may waive the first year dues so the \$1,300 in the budget may not be required. Director Davis said that she plans to attend the TDGD quarterly meeting and she will pursue application for waiver of the first year dues. Director Van Ackeren said that he would like to attend the TAGD meeting as well.

***On a motion by Director Dower and a second by Director Davis the Board approved funding for two directors to attend the TAGD quarterly meeting up to \$240 per person – 6 Ayes to 0 Nays***

Director Scadden said that the SWTCGCD's obligation to pay their share of the GMA 9 study charges has not been resolved yet but the goal is for the SWTCGCD Board to approve a budget at the February meeting.

**7. Discuss, consider, and possibly act on By-Laws for the SWTCGCD.**

Kodi Sawin drafted a By-Laws document which Director Scadden and Mr. Holland reviewed and commented on. Mr. Holland suggested that the By-Laws should ultimately be rolled into the SWTCGCD rules. The Board reviewed the Draft By-Laws and comments and reached a consensus on the comments. Ms. Sawin will prepare a revised draft and distribute it to the directors with the goal of approving them at the February meeting.

**8. Discuss, consider and possibly act on the draft Management Plan, including but not limited to, concepts for guiding principles and intended approaches in developing the initial SWTCGCD Management Plan.**

Director Hennings started the discussion of the Management Plan by saying that she is concerned that not all the Trinity Aquifer in the District is "Non-Relevant", just Area 2 is. Director Scadden and Mr. Holland said that Ron Fieseler from GMA 9 has reminded that the Desired Future Condition (DFC) is an average over the entire GMA. Kirk Holland added that the DFC applies to the entire District. The SWTCGCD can establish a Management Zone and there is a good basis for sub-

dividing the GMA, but until the GMA is sub-divided, we can only declare “Non-Relevant” and manage as SWTCGCD sees appropriate. Mr. Holland suggested talking with Robert Bradley at the Texas Water Development Board about our hydrology information and the inability to meet the GMA 9 DFC. Director Scadden asked the Directors to review Mr. Holland’s Management Plan document and be prepared to discuss at the committee meeting on the 21<sup>st</sup> with the goal of approving at the February meeting.

**9. Discuss and possibly establish agenda items for next Board meeting.**

- BSEACD presentation on the final study results
- TAGD membership
- Board Vacancy
- Hiring GM and Legal Counsel
- Budget
- By-Laws
- Management Plan

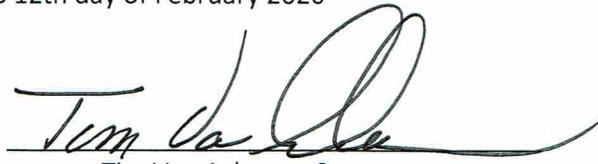
**10. Discuss, consider and possibly act on setting the date, time, and location for next Board meeting.**

The next monthly meeting will be on February 12, 2020 at 10:00 AM (Mr. Holland will not be available to attend)

**11. Adjourn.**

***On a motion by Director Dower and a second by Director Hennings the Board voted to adjourn the meeting – 6 ayes to 0 nays. The meeting was adjourned at 1:04 PM.***

PASSED, APPROVED AND ADOPTED THIS 12th day of February 2020

  
Tim Van Ackeren, Secretary

**Exhibit A**

Attendee Sign-in Sheet



## **Exhibit B**

Approved Minutes from December 4, 2019 Board 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**  
**(Bee Cave Schoolhouse is located adjacent to Lake Travis Fire and Rescue Station 603)**

**Wednesday, December 4, 2019 at 9:00 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 9:01 AM on December 4, 2019. Five District Directors were present constituting a quorum, including Directors Hennings, Dower, Urie, Scadden, and Van Ackeren. Director Davis arrived at 9:04 AM. Also present were Kirk Holland, Charlie Flatten, Kodi Sawin, Vicky Kennedy, Carl Jones, 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 possibly act on approving the previous meeting minutes**

Approval of the November 15, 2019 Meeting Minutes.

Pete Golde advised that there were a few last minute edits from Attorney Golde. He read these changes including:

- Changing the reference to the “Order to Approve the Canvassing of Returns” to the full formal name which is the “Order Canvassing the Returns and Declaring the Results of November 5, 2019 Special Election and Other Matters in Connection Therewith” in three places in Item 4.
- Minor clarifications of the process for signing the Statements of Officers and administration of the Oaths of Office in Item 5.
- Clarification of Director O’Malia’s former position as Temporary Director and clarification that the vacant director position was not included in the drawing for terms in Item 7.

***On a motion by Director Hennings and a second by Director Dower the final draft version of the November 15, 2019 meeting minutes was approved – 5 Ayes to 0 Nays***

***A copy of the approved November 15, 2019 Meeting Minutes is attached as Exhibit B***

***Director Davis arrived at 9:04 AM***

4. **Work Session on Management Planning and Rulemaking.** The SWTCGCD Board will hold a work session to initiate development of concepts for an initial Management Plan (MP) for the GCD and for rules that support the MP. The work session is open to the public but public participation during the work session will be limited. No actions will be taken by the Board in the work session. Topics to be taken up in the work session include, but are not limited to:
  - a. **Orientation of Board to the MP and Rules**
  - b. **Discussion of potential guiding principles for developing MP**
  - c. **Discussion of possible intended approaches to groundwater management activities**
  - d. **Review the Director assignments to the Management Plan Committee**
  - e. **Review of next steps**
  - f. **Recap and Q&A**

Director Scadden turned the work session over to Kirk Holland who outlined the process. Mr. Holland said that no final decisions would be made at today's work session. Only concepts would be discussed including guiding principles which are the underpinnings of the process, intended approaches which are specific objectives and strategies, statutory provisions provided by enabling legislation and Chapter 36 (Water Code). Mr. Holland said that the goal for today's work session is a set of guiding principles and intended approaches for use in the first draft of the Management Plan (MP) in early 2020. He and Ron Fieseler and Vicky Kennedy have developed a draft based on the Blanco Pedernales Management Plan. Director Scadden added that we are using the Blanco Pedernales based plan as a starting point after evaluation of the plans from numerous GCDs.

***A copy of the About This Work Session, Guiding Principles, and Intended Approaches document provided by Mr. Holland is attached Exhibit C***

Kirk Holland then handed out a document titled Some Things to Consider about Management Plans and Rulemaking for the SwTCGCD Board Work Session. Director Scadden said that time is of the essence in getting the Management Plan and Rules established. Director Hennings commented that it will be an iterative process. Vicky Kennedy asked if a rule to collect fees can be implemented before the Management Plan is approved and Kirk Holland said no it cannot. Director Scadden said that there needs to be a public review process. Director Hennings said that the Texas Water Development Board (TWDB) approves the Management Plan and the SWTCGCD Board approves the rules. Kirk Holland added that this would be after public hearings which will require 10 days' notice and a 30 day comment period. He went on to say that you can have parallel paths of developing the Management Plan and rules but any changes to the rules require a public process (hearings and comment period) and the Management Plan provides the basis and authorization for the rules.

***A copy of the Some Things to Consider about Management Plans and Rulemaking for the SwTCGCD Board Work Session hand-out document is attached as Exhibit D***

Kirk Holland then initiated a discussion of "Area 2" as defined in the Travis County/BSEACD Groundwater Study as the area between the Bee Creek Fault and the Mount Bonnell Fault. He said that in Area 2 the Middle Trinity can never achieve Desired Future Conditions (DFC) and needs to be designated needs to be designated as "non-relevant" since the lack of adequate recharge indicates that part of the aquifer will never be able to achieve the current DFC. The groundwater in this area is being depleted as the withdrawal exceeds the limited recharge. He added that part of Area 2 is in northern Hays County. Mr. Holland said the there is also a need to

subdivide the Trinity Aquifer into Upper, Middle, and Lower subdivisions each with a different DFC. If a new subdivision is approved by GMA 9 then the TWDB is obligated to model the new subdivision. Director Hennings provided three graphics she had prepared illustrating groundwater “mining” in Bee Cave, pumping in the Middle and Lower Trinity and the problem with drawdown and the DFC in the Middle Trinity.

***Copies of the three graphic illustrations from Director Hennings are attached as Exhibit E***

Mr. Holland then handed out and reviewed the Guiding Principles Spreadsheet titled CONSIDERATION OF OVERARCHING GUIDING PRINCIPLES Potential Statements of Guiding Principles for SwTCGCD. Director Scadden asked the Board to consider if they agree with each of the Guiding Principle statements. Mr. Holland then reviewed the Intended Approaches. After some discussion it was agreed that he would reword some of the Intended Approaches to be less provocative. He asked the Directors to review the Guiding Principles and the Intended Approaches and provide him with comments.

***A copy of the CONSIDERATION OF OVERARCHING GUIDING PRINCIPLES Potential Statements of Guiding Principles for SwTCGCD spreadsheet is attached as Exhibit F***

**5. Public Comment on development of the initial SWTCGCD Management Plan**

There was no public comments on the SWTCGCD Management Plan

**6. Discuss, consider, and possibly act on concepts for guiding principles and intended approaches in developing the initial SWTCGCD MP.**

Director Hennings said that she is meeting with Ron Fieseler before the celebration tomorrow to talk about Area 2 concerns and options to address these from a GMA9 perspective. Director Scadden said that he would email Mr. Fieseler on this subject as well and request that this item be added to the next meeting agenda for GMA9. Mr. Holland also said he would talk to Mr. Fieseler.

**7. Adjourn.**

***On a motion by Director Dower and a second by Director Urie the Board voted to adjourn the meeting – 6 ayes to 0 nays. The meeting was adjourned at 11:48 AM.***

PASSED, APPROVED AND ADOPTED THIS 8th day of January 2020

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Tim Van Ackeren, Secretary

## **Exhibit C**

Financial report for the period ending 12/31/2019

**SW Travis Cty. Groundwater Conservation Dist.**  
**Reconciliation Detail**  
 Independent Bank, Period Ending 12/31/2019

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						11,929.41
<b>Cleared Transactions</b>						
<b>Checks and Payments - 1 item</b>						
Bill Pmt -Check	12/04/2019	116	Rick Scadden	X	-70.99	-70.99
Total Checks and Payments					-70.99	-70.99
<b>Deposits and Credits - 1 item</b>						
Deposit	12/31/2019			X	0.50	0.50
Total Deposits and Credits					0.50	0.50
Total Cleared Transactions					-70.49	-70.49
Cleared Balance					-70.49	11,858.92
Register Balance as of 12/31/2019					-70.49	11,858.92
<b>Ending Balance</b>					<b>-70.49</b>	<b>11,858.92</b>

**Exhibit D**

Texas State Senate January 22<sup>nd</sup> Public Hearing Agenda

**SENATE**  
**NOTICE OF PUBLIC HEARING**

COMMITTEE: Water & Rural Affairs  
TIME & DATE: 10:00 AM, Wednesday, January 22, 2020  
PLACE: Senate Chamber  
CHAIR: Senator Charles Perry

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**The Senate Committee on Water and Rural Affairs will meet jointly with the Senate Committee on Natural Resources and Economic Development to consider the following interim committee charges:**

- **Future Water Supply:** *Examine current laws, processes, and water storage options and availability. Make recommendations promoting the state's water supply, storage, availability, valuation, movement, and development of new sources.*
- **Groundwater Regulatory Framework:** *Study the state's groundwater regulatory framework and make recommendations to improve groundwater regulation, management, and permitting.*

Public testimony will be limited to 3 minutes per person. If submitting written testimony, please provide 30 copies to committee staff with your name on each copy. Copies will be distributed to members of each committee and will be made part of each committee's official records.

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**NOTICE OF ASSISTANCE AT PUBLIC MEETINGS**

PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE, SUCH AS A SIGN LANGUAGE INTERPRETER OR PERSONAL ASSISTIVE LISTENING DEVICES, ARE REQUESTED TO CONTACT THE SENATE COMMITTEE COORDINATOR AT 512/463-0070, 72 HOURS PRIOR TO THE MEETING SO APPROPRIATE ARRANGEMENTS CAN BE MADE.

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## **Exhibit E**

Draft Budget provided by Director Scadden

## Southwestern Travis County Groundwater Conservation District

DRAFT Budget for the period January - September, 2020

### Expenses

#### Personnel Expenses

General Manager	\$0
Office Administrator/Administrative Assistant (50% Part-time)	\$0
Technical Employee (Database/GIS Analyst) (25% Part-time)	\$0
Professional Development/Licensing/Cont. Edu.	\$0
Staff Bonding	\$0
Workers Compensation Insurance	\$0

*Subtotal* **\$0**

#### Transportation and Vehicle Expenses

Reimbursement for use of personal vehicle on approved travel	\$2,000
Automobile Insurance	\$0
Fuel/Oil/Wash	\$0
Vehicle Maintenance	\$0
Vehicle Purchase/	\$0

*Subtotal* **\$2,000**

#### Contract Services

Professional Services (Part-Time GM)	\$50,000
Legal Services	\$15,000
Public Relations and Outreach	\$1,000
IT Services	\$5,000
Auditor Services	\$5,000

*Subtotal* **\$76,000**

#### Office and Administrative Expenses

Computer Equipment and Software	\$0
Election Misc. Expenses	\$0
Director General Liability Insurance	\$650
Director Bond Insurance	\$300
Internet Services, Website, Email	\$1,000
Mail Expenses/Postage/Shipping	\$500
Membership Dues	\$1,300
Miscellaneous	\$500
Office Equipment & Furniture	\$500
Office Rent	\$0
Office Supplies	\$500
Printing/Copying	\$500
Telephone/FAX/Television	\$0
P.O. Box Rental	\$134
Utilities	\$0

*Subtotal* **\$5,884**

#### Technical Operations Expenses

GMA 9 Studies / Report Preparation	\$ 2,500
Participation in Meetings and Technical Conferences	\$ 10,000

*Subtotal* **\$12,500**

**Total FY2020 Budget Expenses**

**\$96,384**