



BOARD MEETING MINUTES

OF THE

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Via Telephone Conference

In accordance with the order of the Office of the Governor issued March 16, 2020, the SWTCGCD Board of Directors conducted the June Board Meeting as a remote access only meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The meeting was open to the public and instructions for accessing the conference call were provided with the Notice of Meeting

Wednesday, January 13, 2021 at 10:00 am

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

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 10:03 AM on Wednesday January 13, 2021. Seven District Directors were present on the conference call constituting a quorum, including Directors Hennings, Dower, Scadden, Hunt, Davis, Urie and Van Ackeren. Also present were Kodi Sawin, Kirk Holland, Ty Embrey, and Cole Ruiz with Lloyd Gosselink, Charlie Flatten, hydrogeologist Andy Donnelly, Lane Cockrell, and Pete Golde.

At the request of Director Scadden all present introduced themselves.

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

November 11, 2020 Minutes
November 16, 2020 Minutes
December 9, 2020 Minutes

Director Scadden asked if there were any comments or questions on the minutes presented for approval and there were no comments or questions from the Directors.

On a motion by Director Dower and a second by Director Van Ackeren, the Board approved the minutes from the November 11, 2020 and November 16, 2020 meetings – 7 Ayes to 0 Nays

A copy of the Minutes for November 11 and November 16, 2020 are attached as Exhibit A



Action on approval of the December 9th minutes, which were not ready in time for this meeting, was deferred until the February meeting.

4. General Manager's Report

General Manager Sawin presented the General Manager's report covering the following topics:

- Stakeholder communication and public inquiries
- Application and registration inquiries and status
- Drought stage status and outlook
- Regulatory Items and Updates
 - TWDB
 - TCEQ
 - GMA 9
 - Others
- Other Items of Interest not requiring Board action

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

- a. Finance – Director Urie reviewed the Financial Report. Currently there is a \$6,110.65 balance in the checking account and there is a total of \$36,853.50 in outstanding bills. He said that the District is waiting on payment of Invoice #7 by Travis County.

Director Scadden presented a spreadsheet showing the outstanding bills and invoices as of January 8th. He went on to explain that because the ILA was not approved until December 22, 2020 not all of the bills that the District included in Invoice #7 to Travis County can be paid and we will need to revise and re-submit Invoice #7. Director Scadden said he feels it is important for the Directors to see these numbers to understand that it is a significant amount of debt and it doesn't include the money loaned to the District by three of the Directors. He said the District has a significant financial challenge in front of it and we need to figure out what to do about it. General Manager Sawin said that the one big area of ILA funding that can be cut is the General Manager position but there would have to be some amendments to the ILA to allow those funds to be applied to other expense categories. Director Scadden asked the other Directors if they had any suggestions for other sources of funding that might be pursued. Director Van Ackeren asked if the District has used all the money from last year's ILA? Director Scadden said there was about \$35,000 left in last year's ILA, but it was rolled over into the new ILA. Director Dower asked if the level of sending for Lloyd Gosselink and Kirk Holland are expected to be reduced now that the rulemaking process is complete? General Manager Sawin said that she expected the Legal expenses to continue to be significant through the permitting process. General Counsel Embrey said that Lloyd Gosselink is very mindful of the need to keep expenses to a minimum and bringing Cole Ruiz on is a way to reduce costs since he is billed at a lower rate. Director Hunt expressed the opinion that the Existing Well permitting process should be more straight forward requiring little legal involvement, but he acknowledged that



the New Well permitting is more complex and may require more assistance from Legal Counsel. Mr. Holland confirmed that his efforts are on hiatus and he does not plan to bill the District any further for the remainder of his current contract which ends March 31st. Director Scadden thanked Mr. Holland and asked the Directors to keep thinking about this financial challenge and possible strategies to address it. Director Hennings said she keeps seeing communications from the Texas Water Development Board talking about all the funding they have provided to other organizations for flood and groundwater projects, and she asked if the District is not eligible for that type of funding. Director Scadden responded that he talked with Larry French at the TWDB and asked for information about this and it has been pretty discouraging. He offered to share the information he got with Director Hennings and she agreed to pursue it further. Director Davis commented that she had worked with some of the folks at TWDB and she was told that the money Director Hennings is referring to has been “frozen up” for a while. She also said she was willing to help to pursue it further.

A copy of the January Financial Report (Including Director Scadden’s Outstanding Bills and Invoices Spreadsheet) is attached as Exhibit B

Legislative – Director Davis said she sent out the 87th Legislative Session Water Report listing relevant water Bills. HB 152 is a TWDB Bill relating to groundwater conditions in certain counties and HB666, 668 and SB 152 are all related to Chairman Perry’s Rule changes. Director Dower commented that SB 668 requires notice to adjacent landowners of permit applications. General Counsel Embrey added that the Applicants are responsible to provide notice. Director Davis advised that some say the intent was for GCDs to be responsible for notice and Director Dower opined that this is a huge problem for this District with so many new regulations of existing wells. General Counsel Embrey suggested that the Board may want to authorize Director Davis to represent the District at the Legislature. Director Scadden said the District will look to Director Davis and General Counsel Embrey for guidance as to when you think you need action from the Board.

- b. Science-Outreach – Director Hunt advised that the Travis County Commissioners are concerned about groundwater pumping around the western side of the District west of the Bee Creek Fault in the vicinity of Hamilton Pool and Reimers Ranch Parks. The County has funded a three-year study with Director Hunt as the lead working with Vicky Kennedy at the County. The first year, hopefully starting in March, will consist of establishing monitoring wells. The end result could be a nascent numerical model that the District can use. He added that this is separate from the \$50K in the ILA for studies. Director Van Ackeren said he thought the County had drilled a monitoring well Near Hamilton Pool and the RV park. Director Hunt said they actually drilled two monitoring wells and those wells will be part of the network. Director Dower advised that the website page views were 139 and there were no downloads last month.

Rules Committee – Director Scadden advised that the Rules Committee met regarding the ability of small non-exempt users to deal with the District permitting process. Director Dower commented that non-domestic or non-exempt users need operating permits and that is a significant burden on small users. General Manager Sawin said that she and the



staff have concentrated on larger users first as directed by the Board. They have gone through all the public water supply user list and are now down to smaller users. She agreed that the permitting process is certainly a burden on some small users. Director Hunt asked Director Dower where he sees the bulk of the burden, is it meters, tests, fees? Director Dower responded saying that it is the ability to comply by February 28th that is his concern. He went on to say that his neighbor's house is an example. It is used as a rental, so it is non-exempt. He said he was not sure that waiting until several hundred users are not in compliance is the best strategy for the District. Director Scadden said that he was not sure the District intended that use as an Air-BNB, or having a small business in a home, is a basis for making a user non-exempt. He said that the District has worked at "warp-speed" to develop Rules is it is not surprising that we need to make small course corrections along the way. Director Dower agreed but said this is a large issue affecting several hundred users.

6. Discuss and possibly act on matters related to implementing District Rules, including but not limited to plans, forms, guidelines, templates, and possible future Rules changes.

Director Scadden asked General Manager Sawin if she had anything to discuss regarding Rules implementation that has not already been discussed earlier. General Manager Sawin responded saying as applications come in, we will continue to evaluate where we do see problems and where we do need to shore up our Rules to make our process as effective as possible for people depending on their scale of production. She suggested a Rules workshop for the Board possibly in March as well as a possible stakeholder workshop. General Manager Sawin said that Lane Cockrell and Director Hunt are working on the Tier 1 Testing Procedure and she is editing "What Property Owners Need to Know" about the Rules document that Kirk Holland developed previously. She asked that Board members who have a well on their property fill out the Well Registration Form and provide any comments they may have regarding possible changes. Director Scadden said that he had filled out the Well Registration Application and there is some information required that may be difficult for some users to provide such as pump data, well depth, latitude and longitude, and distance to septic. General Counsel Embrey said that the huge message for the first phase of this process is to get every well registered. Director Dower asked if a non-exempt user needs to submit a Well Registration Application, a Production Authorization Application and maybe even an Operating Permit Application. General Manager Sawin said commercial users need to submit their Well Registration Application and a Production Authorization Application as the first step. Director Hunt said that this discussion seems to support the idea suggested by Director Dower and General Manager Sawin of having a Rules revision workshop to look at these smaller users and maybe we need a class of users that would need only a General Permit by Rule. Director Dower said that General Manager Sawin does not seem to be as concerned about this, but he is. General Manager Sawin said that we do not know yet what the problems are and is it hard to make changes when you don't know what to fix. Director Scadden opined that the District has always demonstrated responsiveness in the past.



7. Discuss and possibly act on matters related to the funding from Travis County and the new Interlocal Agreement.

Director Scadden advised that the Travis County Commissioner's Court approved the new ILA on December 22, 2020 and it is effective on January 8, 2021 due to a delay in signing by the County Judge so all of our expenses between December 22nd and January 8th are not eligible for reimbursement. He added that the ILA itself is a challenge as well requiring a separate Escrow Account. Director Scadden asked Director Urie if the Escrow Account has been set up and Director Urie responded that it has not since the bank requires a resolution from this Board to open the account and to designate who can sign. Director Dower asked if we could clarify with the County if we need a separate account on our books or an actual separate bank account. Director Scadden and General Manager Sawin said that the County clearly wants a separate bank account and has asked for new direct deposit information. After some brief further discussion, it was agreed to authorize Directors Scadden, Van Ackeren, Urie and General Manager Sawin to pursue setting up the new bank account and signing the required documents.

On a motion by Director Scadden and a second by Director Van Ackeren, the Board authorized Directors Scadden, Van Ackeren, Urie and General Manager Sawin to pursue setting up the new bank account and signing the required documents – 7 Ayes to 0 Nays

8. Discuss, and possibly act on matters related to hiring a bookkeeping company and auditor.

Director Scadden said that he thinks the District needs to be reporting its overall financial condition and we need to start having a monthly update where we show monthly and year-to-date amounts against the budget. He then asked the Bookkeeper/Auditor search committee for an update on their search efforts. Director Davis said the committee had heard back from the Audit firm that performs audits for Hays Trinity GCD and they will provide a quote, but they first need 2020 Balance sheet and P&L. Director Van Ackeren said he spoke to West Davis and Company and they said they were not taking on any new GCD clients and Director Davis said she got a second referral which she is pursuing.

Regarding bookkeeping Director Davis said that Mr. Golde has volunteered to do the bookkeeping. He offered to establish a subscription to QuickBooks online which would allow three users and he will pay the monthly cost of around \$30. Given the current financial constraints and the relatively small number of financial transactions the District has, she felt this would be a good solution. Pete Golde discussed what he felt were the advantages of using the online version of QuickBooks and expressed the opinion that these advantages outweigh the additional cost. Director Scadden asked Mr. Flatten how Hayes Trinity GCD handles bookkeeping and Mr. Flatten shared that until this year they had a contract account doing their bookkeeping but this year they are moving it in house. General Manager Swain said she spoke to Vanessa at BSEACD about the possibility of sharing their bookkeeper part-time, but Vanessa said they did not have the resources to do that and would have to hire another person.

Director Van Ackeren asked if a resolution from the Board was needed to send financial data to potential auditing firms and a discussion ensued regarding how many auditor bids are required and if there is any exception to having to do an audit.



On a motion by Director Van Ackeren and a second by Director Davis, the Board authorized the Bookkeeper/Auditor Committee to share financial data with potential auditors to get proposals for auditing services for the District – 7 Ayes to 0 Nays

Director Scadden asked for a motion to accept Mr. Golde’s offer to setup the Books for the District.

On a motion by Director Davis and a second by Director Hennings, the Board accepted Mr. Golde’s offer to setup the Books for the District at no cost – 7 Ayes to 0 Nays

9. Discuss and possibly act on matters related to Lane Cockrell’s consulting contract with the SWTCGCD.

Director Scadden reminded the Board that Mr. Cockrell has a 3-month contract with the District which expires on February 2nd. He and General Manager Sawin have worked on a draft revised contract which expires at the end of Fiscal Year 2021 (Sept. 30, 2021) which allows more than 40 hours per week which is a limit in the current contract. Director Scadden said he sent this draft contract to the Board. Director Scadden then went on to explain the Mr. Cockrell has asked for an increase from \$28/Hr. in the current contract to \$32/Hr. He expressed the opinion that the District just does not have the money for an increase and that it has nothing to do with Mr. Cockrell’s performance which has been excellent, but he and General Manager Sawin do not recommend an increase at this time, and he asked for a motion to authorize him and General Manager Sawin to negotiate and execute a revised extended contract with Mr. Cockrell. Director Davis said that she did not see \$32/Hr. as a big leap. Director Hunt pointed out that there is \$50K in the ILA for research projects and Mr. Cockrell would perform much of that work. Directors Dower and Hennings, expressed the opinion that Mr. Cockrell was worth \$4/Hr. more and we can find \$160/Wk. Director Dower suggested that if Mr. Cockrell could save us one hour of legal time, he would cover more than the \$160/Wk.

Director Hennings left the meeting at 12:50 PM.

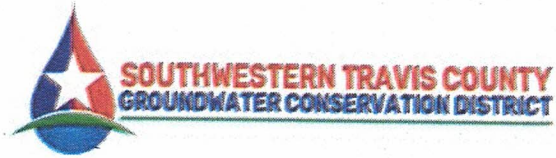
Director Davis reiterated that she didn’t see why we can’t go ahead with an increase for Mr. Cockrell.

On a motion by Director Dower and a second by Director Hunt, the Board accepted the revised contract with Mr. Cockrell and set the rate of compensation at \$32/Hr. – 5 Ayes to 1 Nay (Dir. Scadden)

Director Scadden said he could not support the increase when the District is \$40,000 in debt.

10. Discuss and possibly act on agenda items for future Board meetings.

- Groundwater Study Portion of the ILA
- ILA Meeting with Travis County



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

Regular Board meeting on February 10, 2020 at 10:00 AM, remote access only

12. Adjourn

On a motion by Director Davis and a second by Director Van Ackeren, the Board voted to adjourn the meeting – 6 Ayes to 0 Nays. The meeting was adjourned at 12:59 PM.

PASSED, APPROVED AND ADOPTED THIS 10th day of March 2021.

Tim Van Ackeren, Secretary



Exhibit A

Minutes for November 11 and November 16, 2020



BOARD MEETING MINUTES

OF THE

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Via Telephone Conference

In accordance with the order of the Office of the Governor issued March 16, 2020, the SWTCGCD Board of Directors conducted the June Board Meeting as a remote access only meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The meeting was open to the public and instructions for accessing the conference call were provided with the Notice of Meeting

Wednesday, November 11, 2020 at 10:00 am

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

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 Wednesday November 11, 2020. Six District Directors were present on the conference call constituting a quorum, including Directors Hennings, Dower, Scadden, Hunt, Davis, and Van Ackeren. Director Urie was absent. Also present were Kodi Sawin, Kirk Holland, Legal Counsel Embrey, visitors Laurel Massey (Lake Creek resident), Marianna Mitchel and Maryanne Castles both with the Galleria, Lane Cockrell, and Pete Golde.

At the request of Director Scadden all present introduced themselves.

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

September 23, 2020 Minutes
October 14, 2020 Minutes

General Manager Sawin asked if there were any comments or questions on the minutes presented for approval. Director Scadden said there was an unresolved question regarding the motions to approve the resolutions adopting the Fee Schedule and the Rules. Mr. Golde clarified that Director Dower had asked a question regarding legal review of the Fee Schedule and the Rules and General Counsel Embrey proposed some language to be added to Director Dower’s motions to address this question. Mr. Golde said that he did not feel that he understood this discussion sufficiently to be confident of the proper wording for Director Dower’s motions.



General Counsel Embrey requested deferral of the approval of the September 23, 2020 minutes to allow him time to review further and he would bring this back at next month's Board meeting. Director Scadden said he supported delaying the approval of the September 23rd meeting minutes until next month and asked if there were any other question regarding these minutes.

Director Dower asked if it was appropriate to add the parenthetical Update: at the bottom of page 2 of the September 23, 2020 minutes, or should the minutes just reflect what was said at the meeting? Mr. Holland (who had provided the Update under discussion) opined that the draft minutes state what was said at the meeting but if someone has a correction it can be included as long as it is before the approval of the minutes by the Board. General Counsel Embrey said clarification is appropriate as long as it does not change what was said and as presented, it is clear that this is a clarification. After brief additional discussion it was the consensus of the Board that this is a good practice.

Director Davis said she had a question regarding adjacent property owner notification for well drilling (discussed in the second to last paragraph on page 3 of the minutes). Can an adjacent property owner simply call the GCD office and ask what is going on at a neighbor's property or do they have to make a formal public information request? General Counsel Embrey advised that the District would be obligated to respond to a legitimate public information request, but Director Scadden opined that as a customer-oriented entity if someone calls and asks about drilling activity on a neighbor's property, we should not require a FOIA request for the staff to respond with a simple answer. General Counsel Embrey clarified that he was speaking to what the District is required to respond to if the District wants to set a policy that the General Manager or staff and reveal that information that is a separate matter. Mr. Holland pointed out that there is a notification process for adjacent landowners for Operating Permit applications.

Action on approval of the September 23rd and October 14th minutes was deferred until the December meeting.

4. General Manager's Report

General Manager Sawin presented the General Manager's report covering the following topics:

- Stakeholder communication and public inquiries
- Application and registration inquiries
- Drought stage status and outlook
- Regulatory Items and Updates
 - TWDB
 - TCEQ
 - GMA 9
 - Others
- Other Items of Interest not requiring Board action



Director Scadden advised, as a matter of disclosure, that he had spoken with Adrian Overstreet at a public event regarding questions Mr. Overstreet had and he referred Mr. Overstreet to the District staff. Director Scadden also expressed that he was grateful to have Lane Cockrell on board.

Director Hunt asked if the intent of the Well Drillers Workshop was to get feedback on Well Construction Standards from the Driller community as well as introducing them to the District? General Manager Sawin said she felt the workshop should allow the capture of input on the Well Construction Standards from the drillers.

Director Dower asked about any legal requirements to notify water supply companies of their obligation to pay Connection Fees. General Counsel Embrey said a simple letter could be sent as a courtesy, but the Public Hearings the District has noticed and held satisfy the legal notice requirements.

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

- a. Finance – Director Urie was absent, and Director Scadden reviewed the Financial Report. As of October 31st, there was a \$6,527.66 balance in the checking account and all bills had been paid. Director Dower has provided the \$3,000 zero interest loan which completes the loan program and makes the balance in the checking account \$9,527.66.

Director Scadden advised that there is a need to establish another email address (staff@swtcgcd.org) for Lane Cockrell and he would like to hear from the Board regarding this expenditure. The consensus of the Board was to go ahead with this email addition and Director Dower said he would set it up right away.

A copy of the October Financial Report (Reconciliation Detail) is attached as Exhibit A

- b. Legislative – Director Davis said that there have been 400 bills filed so far for the upcoming Texas legislative session, no GCD related bills yet, but several GCDs have been identified for audits. Mr. Holland said SB 152 had just been filed by Senator Perry and is related to GCD regulatory issues; General Counsel Embrey noted that this bill was brought up by the Farm Bureau. Mr. Holland asked if Director Davis was a member of the TAGD Legislative Committee and she replied yes. He went on to say this committee is a good way to track bills. General Counsel Embrey advised of another bill HB 152 which was filed by Representative Buckley regarding frustration with the GCDs in Bell and Burnet Counties about pumpage from Williamson and Travis Counties where there are no GCDs (north of the Colorado River).
- c. Science-Outreach – Director Hennings advised that TAGD has decided to hold a virtual Texas Groundwater Summit with recorded presentations. Also, the Texas Water Development Board Water for Texas meeting is scheduled for September 27th through 29th, and the GMA 9 Meeting is scheduled for December 14th (DFC Update). Director Hunt added that we will need to present a broad overview of our Groundwater Management Plan, just a high-level summary.

Director Dower said he would provide the website data by email {UPDATE: The website page views were 256 and there were no downloads last month}.



6. Discuss and possibly act on matters related to implementing District Rules, including but not limited to plans, forms, guidelines, and templates

General Counsel Embrey shared that he has kept a running list of potential Rules revisions as topics pop up. The deadline to submit paperwork on Non-Exempt Wells is December 31, 2020 but he suggests pushing that back to February 28, 2021 to give District staff more time and other considerations. He said the change will need to be made at the December 9th Board meeting and there will need to be a 20-day newspaper notice posted by November 19th. To support that we will need to have a special Board meeting in the next week or so to discuss potential revisions and issue notice.

Director Scadden said he had discussed a special meeting on November 16th with General Counsel Embrey and General Manager Sawin. He asked if this would work for the other Directors. Directors Hennings and Davis said no and Directors Van Ackeren, Dower, Hunt, and Scadden said yes. Director Urie was not present. It was agreed to meet at 10:00 AM on November 16th and Director Scadden said we can continue to work on revisions after the November 16th meeting and changes can be made at the hearing as necessary.

On a motion by Director Davis and a second by Director Van Ackeren the Board approved having a Special Board Meeting on November 16, 2020 at 10:00 AM – 6 Ayes to 0 Nays

Mr. Holland presented a table titled *Rules-Related Documents in Development* and asked if the Board was OK with the Rules Committee approving these documents and there being no objections, he said the Rules Committee would continue to approve the documents, only bringing significant issues to the Board should they arise.

A copy of the Rule-Related Documents in Development table is attached as Exhibit B

Mr. Holland then reviewed the latest mark-up of the *Guidelines for Aquifer Testing and Hydrogeological Reports* and asked for Board approval of the document with the changes he had just reviewed. Director Dower asked if changes to these guidelines constructed Rules changes therefore requiring a public hearing and General Counsel Embrey advised that they do not. Director Dower then asked for a clarification of *Specific Capacity Test* and Director Hennings suggested adding the words *Single Well Short-term Pump Test* to clarify the meaning.

On a motion by Director Hunt and a second by Director Hennings the Board voted to adopt the Guidelines for Aquifer Testing and Hydrogeological Reports as amended at this meeting – 6 Ayes to 0 Nays

A copy of the Guidelines for Aquifer Testing and Hydrogeological Reports is attached as Exhibit C

Mr. Holland then briefly reviewed the status of the remaining Rule-Related Documents including:



- User Conservation Plans
- Drought Contingency Plans
- Groundwater Protection Plans
- Well Construction Standards

7. Discuss and possibly act on matters related to District Bylaws

General Counsel Embrey reviewed proposed changes to the District Bylaws presented in a marked-up copy of the Bylaws.

A copy of the SWTCGCD Bylaws marked-up with the proposed revisions is attached as Exhibit D

On a motion by Director Hunt and a second by Director Davis the Board approved the proposed revisions to the District Bylaws – 6 Ayes to 0 Nays

8. Discuss, and possibly act on matters related to the funding from Travis County

Director Scadden advised that the last invoice for 2020 was submitted to Travis County last week in the amount of \$15,970.74. The invoice has been OK'd by Vicky Kennedy and sent on for processing and approval by the Commissioner's Court.

Director Scadden then explained that Travis County will modify the existing Interlocal Agreement (ILA) to incorporate the remaining \$35,000 from the old ILA plus a new \$150,000 (\$100K for GCD expenses and \$50K for groundwater research studies). Vicky Kennedy told him that any expenses between November 3, 2020 and approval of the new ILA can't be invoiced until the new ILA is approved, and there is no draft of the new ILA yet.

9. Discuss and possibly act on matters related to hiring a Bookkeeping company

Directors Davis and Van Ackeren said that they had received the names of three bookkeepers from the audit firm Armstrong, Vaughn & Associates but they had not spoken to any of them yet. Director Urie said that he was OK with a delay in finding a bookkeeper and that audits may not be required for budgets less than \$250K after February 15th. General Counsel Embrey advised that Chapter 36 requires annual audits regardless of budgeted amount. Director Van Ackeren asked if there was a deadline for these audits and General Counsel Embrey replied that there is no specific date.

10. Discuss and possibly act on election of Board Officers

Director Scadden opened the discussion stating that he felt it was time for him to step down as Board President and asked if there was anyone who would volunteer to serve as President. Director Davis opined that as Vice President she is the logical next in line, but she expressed concern about the many unknowns facing the District. Director Hunt asked Director Scadden if he would consider waiting one more year to step down. Director Dower said he seconded that idea. Director Scadden then asked the Board if it was their will to have a full time General Manager because most of that



takes his time is to unburden the part time General Manager and a full time GM is necessary to provide relief to the President. Directors Hunt, Davis, Hennings, and Dower said they agreed. Director Scadden said he understood the desire for continuity.

On a motion by Director Hennings and a second by Director Dower the Board voted to continue with the current slate of officers for the next year – 6 Ayes to 0 Nays

The District Officers are:

Richard Scadden, President

Tricia Davis, Vice President

Tim Van Ackeren, Secretary

Jim Urie, Treasurer

11. Discuss and possibly act on agenda items for future Board meetings

- None Identified

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

Special Board meeting on November 16, 2020 at 10:00 AM, remote access only

Regular Board meeting on December 9, 2020 at 10:00 AM, remote access only

13. Adjourn

On a motion by Director Dower and a second by Director Van Ackeren, the Board voted to adjourn the meeting – 6 Ayes to 0 Nays. The meeting was adjourned at 12:59 PM.

PASSED, APPROVED AND ADOPTED THIS 13th day of January 2021.

Tim Van Ackeren, Secretary



SPECIAL BOARD MEETING MINUTES

OF THE

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Via Telephone Conference

In accordance with the order of the Office of the Governor issued March 16, 2020, the SWTCGCD Board of Directors conducted a Special Board Meeting as a remote access only meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The meeting was open to the public and instructions for accessing the conference call were provided in advance with the Notice of Meeting

Monday, November 16, 2020 at 10:00 am

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

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 Monday November 16, 2020. Five District Directors were present on the conference call constituting a quorum, including Directors Scadden, Urie, Dower, Hunt and Van Ackeren. Directors Hennings and Davis were absent. Also present were General Manager Kodi Sawin, General Counsel Ty Embrey, Kirk Holland, and Pete Golde.

At the request of Director Scadden all present introduced themselves.

2. Public comments

Director Scadden called for public comments. There were no public comments.

3. Discuss and possibly act on matters related to the proposed revisions to the District Rules and setting a date for a Public Hearing

Mr. Holland presented the proposed milestone date changes using two slides titled Important Milestone Dates.

The Important Milestone Dates slides are attached as Exhibit A

Director Scadden said he was not comfortable with delaying revenue collection on Production Fees. Director Dower explained that under the present Rules we would collect two quarters of Production Fees in FY 2021 and with the proposed revised date we would collect one quarter in FY 2021 which is a loss of \$17,000. Director Scadden asked if Public Water Supply permittees are saying they need more time? General Manager Sawin answered- Yes, and the Galleria is one. She also said that it looks like we may have more revenue from registrations earlier, but we may also have more workload. Director Dower pointed out that all the businesses along Highway 71



west of Sweetwater are on groundwater and will need operating permits, and that that because those businesses were very small entities, they would have difficulty applying for and complying with the complex operating permits, and they also could need more time to make arrangements to do those things. Mr. Holland suggested that if the Board wanted to change the proposed Rules to address that concern, we could have a different tier for smaller Operating Permittees. Director Scadden said we talked about this all summer and had Public Hearings in August and the most he would want to delay is two months, not 3 months. A discussion ensued regarding the possibility of separating Registration and Production Authorization due dates. General Counsel Embrey Advised that the Board set deadline dates that the community can meet and moving back from December 31st is his recommendation because if you have a significant number of people who don't meet the deadlines and you don't enforce against them you start to undermine the integrity of the Rules. You don't want to be enforcing Rules against a bunch of people up front when you are trying to establish the credibility of the District. It was agreed to set the deadline for Operating Permit Wells to February 28th and the deadline for Operating Permit applications, temporary operating permits, meters installed, and the start of production fees to March 31st. Mr. Holland said after March 31st the schedule will revert back to the existing schedule. Director Scadden proposed March 26th for Temporary Operating Permits, Etc. to allow at least a few days for the District staff to process the applications and issue the Temporary Permits. After discussion it was agreed to change only the February 28th date and leave the April 1st date for Temporary Operating Permits, Etc. Mr. Holland summarized saying February 28th for Registration of Non-Exempt Wells, March 31st for Operating Permit Applications and Fees, and April 1 for Temporary Operating Permits, meter installations, Etc.

Mr. Holland then reviewed the other proposed Rules language changes using a document titled *Amended Rules Proposed by Board for PH*

The document Amended Rules Proposed by Board for PH is attached as Exhibit B

Director Scadden then asked for a motion to accept Rules changes discussed during this meeting as the Rules changes that will be used for the Public Hearing.

On a motion by Director Hunt and a second by Director Van Ackeren the Board accepted the Rules changes discussed during the meeting as the Rules changes that will be used for the Public Hearing – 5 Ayes to 0 Nays

Director Scadden then asked for a motion to set the date for the Public Hearing regarding Rules changes for December 9th.

On a motion by Director Hunt and a second by Director Urie the Board approved setting date for the Public Hearing on Rules changes as December 9, 2020 – 5 Ayes to 0 Nays

Director Scadden then asked for a motion to set the date for a Public Hearing regarding Fee Schedule changes also for December 9th.

On a motion by Director Hunt and a second by Director Urie the Board approved setting date for the Public Hearing on Fee Schedule changes as December 9, 2020 – 5 Ayes to 0 Nays



General Manager Sawin advised that the notice advertisement for the Public Hearings will cost \$350 and the Board agreed to proceed with placing the notice.

Director Scadden said that he had gotten the impression that when a check comes in with an application the staff holds the check until they determine that the application is complete. He asked why we can't deposit the check as soon as it is received. General Manager Sawin advised that was how she had handled it in the past. Director Dower suggested that normal business practice would be to deposit checks within 24 hours of receipt. Director Hunt added – assuming the fees are non-refundable, and Director Van Ackeren agreed.

Director Scadden then asked for a motion to deposit checks when received with applications.

On a motion by Director Scadden and a second by Director Van Ackeren the Board approved depositing checks when received with applications – 5 Ayes to 0 Nays

4. Adjourn

On a motion by Director Van Ackeren and a second by Director Dower, the Board voted to adjourn the meeting – 5 Ayes to 0 Nays. The meeting was adjourned at 1:08 PM.

PASSED, APPROVED AND ADOPTED THIS 13th day of January 2021.

Tim Van Ackeren, Secretary



Exhibit B

Financial Report

SW Travis Cty. Groundwater Conservation Dist.
Reconciliation Detail
Independent Bank, Period Ending 12/31/2020

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						13,833.63
Cleared Transactions						
Checks and Payments - 5 items						
Bill Pmt -Check	12/03/2020	145	Sawin Group	X	-6,000.00	-6,000.00
Bill Pmt -Check	12/07/2020	146	Lane Cockrell	X	-3,157.00	-9,157.00
Bill Pmt -Check	12/13/2020	147	TAGD	X	-1,080.00	-10,237.00
Bill Pmt -Check	12/15/2020	148	Lane Cockrell	X	-2,240.00	-12,477.00
Bill Pmt -Check	12/21/2020	100	Spectrum	X	-82.01	-12,559.01
Total Checks and Payments					-12,559.01	-12,559.01
Deposits and Credits - 3 items						
Deposit	12/01/2020		Income from WD...	X	1,000.00	1,000.00
Deposit	12/09/2020		Income from WD...	X	1,500.00	2,500.00
Deposit	12/31/2020			X	0.31	2,500.31
Total Deposits and Credits					2,500.31	2,500.31
Total Cleared Transactions					-10,058.70	-10,058.70
Cleared Balance					-10,058.70	3,774.93
Register Balance as of 12/31/2020					-10,058.70	3,774.93
Ending Balance					-10,058.70	3,774.93



**Independent
Bank**

3090 Craig Drive
PO Box 3035
McKinney, TX 75070

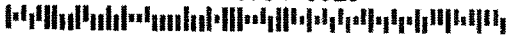
0004686

6193INDE

25507C00X.006

ACCOUNT NUMBER	xxx3546
STATEMENT DATE	12/31/20
PAGE	1 of 4

*0004686 S3
SOUTHWESTERN TRAVIS CO GROUNDWATER CONS
PO BOX 340595
LAKEWAY TX 78734-0010



SEASON'S
Greetings



MAY THE HOLIDAYS BRING CHEER
AND BLESSINGS TO YOU AND YOUR FAMILY.



PUBLIC FUND NOW ACCT

Account Number	xxx3546	Statement Dates	12/01/20	thru	12/31/20
Previous Stmt Balance	13,833.63	Days in Statement Period			31
Deposits/Credits	2,500.00	Average Collected			7,331.17
Checks/Debits	12,559.01	Average Ledger			7,331.17
Service Charge	0.00	Interest Earned			0.31
Interest Paid	0.31	Annual Percentage Yield Earned			0.05 %
Current Stmt Balance	3,774.93	2020 Interest Paid			3.50

DEPOSITS AND OTHER CREDITS

Date	Description	Amount
12/01	REGULAR DEPOSIT	1,000.00
12/09	REGULAR DEPOSIT	1,500.00
12/31	Interest Deposit	0.31

OTHER DEBITS

Date	Description	Amount
12/21	SPECTRUM DBT CRD 1032 12/19/20 907145 855-707-7328 TX Card# 8345	82.01-

CHECKS IN NUMBER ORDER

Listed in numerical order					
Date	Check	Amount	Date	Check	Amount
12/04	145	6,000.00	12/10	146	3,157.00

(*) indicates gap in sequence

ACCOUNT NUMBER	xxx3546
STATEMENT DATE	12/31/20
PAGE	3 of 4

SOUTHWESTERN TRAVIS CO GROUNDWATER CONS
 PO BOX 340595
 LAKEWAY TX 78734-0010

0004686

6193INDP

25509C00X.006

CHECKS IN NUMBER ORDER (continued)

Listed in numerical order					
Date	Check	Amount	Date	Check	Amount
12/22	147	1,080.00	12/24	148	2,240.00
(*) indicates gap in sequence					

DAILY BALANCE SUMMARY

Date	Balance	Date	Balance	Date	Balance
12/01	14,833.63	12/10	7,176.63	12/24	3,774.62
12/04	8,833.63	12/21	7,094.62	12/31	3,774.93
12/09	10,333.63	12/22	6,014.62		

.26FDP

0004686
6193INDE
25511C00X.006
26EDP

Independent Bank CHECKING DEPOSIT

DATE: 12-01-20
NAME: Southwestern Travis County
ACCOUNT NUMBER: [REDACTED]
TRAN CODE: [REDACTED]

NET DEPOSIT \$ 1000.00
DOCUMENT: Drawer: 33405 12/01/20
Transit: 18 13:15:50

Independent Bank CHECKING DEPOSIT

DATE: 12-09-20
NAME: Southwestern Travis County
ACCOUNT NUMBER: [REDACTED]
TRAN CODE: [REDACTED]

NET DEPOSIT \$ 1500.00
DOCUMENT: Drawer: 33405 12/09/20
Transit: 11 13:05:12

Deposit Amount \$1,000.00 Date 12/1/2020

Deposit Amount \$1,500.00 Date 12/9/2020

SOUTHWESTERN-TRAVIS-CO-GROUNDWATER-CONS 0145
PO BOX 340595 DATE 12-3-20
LAKEWAY, TX 78734

PAY TO THE ORDER OF Sandy Lopez \$6000.00
Six thousand and 00/100 DOLLARS

Independent Bank 1206
MEMO: #17 AAA
⑆111916326⑆ [REDACTED] 0145

SOUTHWESTERN TRAVIS CO GROUNDWATER CONS 0146
PO BOX 340595 DATE 12-7-20
LAKEWAY, TX 78734

PAY TO THE ORDER OF Lane Cockrell \$3157.00
Three thousand one hundred fifty seven and 00/100 DOLLARS

Independent Bank
MEMO: L2020115
L20201252 AAA
⑆111916326⑆ [REDACTED] 0146

Check 145 Amount \$6,000.00 Date 12/4/2020

Check 146 Amount \$3,157.00 Date 12/10/2020

SOUTHWESTERN TRAVIS CO GROUNDWATER CONS 0147
PO BOX 340595 DATE 12-13-20
LAKEWAY, TX 78734

PAY TO THE ORDER OF JAGD \$1080.00
One thousand eighty and 00/100 DOLLARS

Independent Bank
MEMO: #14-102915 AAA
⑆111916326⑆ [REDACTED] 0147

SOUTHWESTERN TRAVIS CO GROUNDWATER CONS 0148
PO BOX 340595 DATE 12-18-20
LAKEWAY, TX 78734

PAY TO THE ORDER OF Lane Cockrell \$2240.00
Two thousand two hundred forty and 00/100 DOLLARS

Independent Bank
MEMO: L20201213 AAA
⑆111916326⑆ [REDACTED] 0148

Check 147 Amount \$1,080.00 Date 12/22/2020

Check 148 Amount \$2,240.00 Date 12/24/2020