



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, March 31, 2021 at 10:00 am

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

Director Dower 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 March 31, 2021. Six District Directors were present on the conference call constituting a quorum, including Directors Hennings, Dower, Scadden, Hunt, Urie and Van Ackeren. Director Davis was absent. Also present were General Manager Sawin, Kirk Holland, Lane Cockrell, Virginia Smith, Price M A with LTISD, Danny Martin with Malone Wheeler (LTISD Engineer) and Pete Golde.

2. Public comments

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

3. Discuss, and possibly act on matters related to amending District Rules

Director Dower requested deferral of Item 3 until after Items 4. And 5. Which are housekeeping items he said he would like to get out of the way first

4. Discuss and possibly act on matters related to staffing and management for the SWTGCD

Director Dower provided an update on the Personnel Committee which has been meeting with the primary objective of trying to recruit a new full time General Manager. The Committee did post that position and it can be seen on the new Jobs page on the District’s website. I was also circulated to several individuals and a few other related websites. It had a short due date of March 6th since the committee hoped to fill the position quickly. Director Dower advised that the Committee received two applications but did not make an offer to either applicant. He asked if any of the other members of the Committee had anything to add and they indicated that they did not.



Having realized that the General Manager position would not be filled quickly Director Dower said the Committee decided to go ahead and recommend filling the Regulatory Compliance Specialist position now.

5. Discuss and consider possible approval of contract for a Regulatory Compliance Specialist.

Director Dower advised that the Committee has drafted a contract to bring Virginia Smith on board to get some help for General Manager Sawin and Mr. Cockrell as soon as possible. He said the proposed contract was provided in the meeting packet and asked if any Directors had any questions about it. Director Hunt said he had a question about the position in general and he wants to be sure this new person has all the tools they might need to do that job, like a laptop and GIS software since Virginia comes with that skillset. General Manager Sawin said Travis County has provided the budget for the GIS license and she will work with Virginia to get the other equipment she needs like a laptop, etc. Director Scadden said he had noticed a couple of typos in the draft contract, and he asked for the Board to authorize him to work with Virginia to clean it up before they sign it.

On a motion by Director Hunt and a second by Director Hennings, the Board approved, with minor edits by Director Scadden and Ms. Smith, the contract with Virginia Smith for the position of Regulatory Compliance Specialist – 6 Ayes to 0 Nays

Item 3. Discuss, and possibly act on matters related to amending District Rules was now taken up out of order

Director Dower said the Rules Committee has not met so they do not have specific proposals today but would like to get comments from Directors, Staff, and the public about possible Rules changes that may need to be made. The Rules Committee will then meet and may bring something back for action by the Board at the April meeting. He said there would be no action taken today by the board and asked General Manager Sawin to present the PowerPoint she prepared to frame the issues. General Manager Sawin asked If the Board wanted to just go over the first slide, or do they want to try to do the full workshop today? She said she understood we were not going to do the full workshop until Director Davis was available to go through the larger presentation perhaps with the Rules Committee. Director Dower agreed that, with Director Davis absent, and the Rules Committee having not met yet, today we should just take comments. Director Dower asked for comments from the Directors first. There were no Director's comments and Director Dower asked for comments from the public. Danny Martin said they were at today's meeting to observe. He said LTISD has submitted applications for wells on various campuses but has not yet heard back from the District, so they do not have specific comments today. Director Dower asked General Manager Sawin if there were any updates on LTISD's submittals? General Manager Sawin said that LTISD was one of the applicants that she and the Staff had asked the Board for discretion to work with until June 1st about issues like metering wells. Director Dower opined that, with a lot of applications coming in, if we are going to change some Rules we need to do that quickly. He then asked if there were any further public comments, and there were none.



Director Hunt asked if they were going to go over the three areas of discussion that are in the PowerPoint presentation? Director Dower said he thought we would hold that off until the Rules Committee meeting. Director Hunt asked if now is the time to share his thought about those three areas and Director Dower said yes this is the time to give your input to the Rules Committee. Director Hunt said that the three areas identified in the PowerPoint are important issues and it provides good background and what the options are.

Regarding setbacks Director Hunt said his opinion on that is that we can change our Rules to allow encroachment on the setbacks which are for water quality protection and he does not think going to State TDLR standards is the appropriate step. He said if a subdivision were platted before the District Rules went into effect, and there is no public water supply available we could come up with a formula like BSEACD uses where for every foot of encroachment there is a requirement for an additional two feet of grout to seal the well for example. There is a cost impact to this requirement, but it is to the benefit of the well owner to protect the groundwater resource. Director Hunt said something like that is what he would encourage, and not just going to the TDLR standards.

Director Hunt went on to discuss the issue of domestic use and home businesses saying that maybe something as simple as indicating that the primary use is domestic use. Someone could have a home office but the primary use of that well is to serve their house. He said that even a rental property is a domestic use in his opinion.

Lastly, regarding the issue of small businesses, Director Hunt said he could support a General Permit by Rule for usage less than one million gallons per year, or whatever cutoff we decide on, but how do we measure that? He said perhaps a definition of what Small Business as another definition. It could be a location where there is no irrigation, or square footages of buildings or numbers of bathrooms. Counting square footages and bathrooms gets to be a lot of work so he said he was not sure what a good answer is for this issue.

Director Hennings said she wanted to add one thing to what Director Hunt said. She said one thing that occurred to her with the small lots and setback issues is that we could encourage folks to have joint wells between one or more lots. She suggested that sharing wells would save the property owners lots of money and would reduce the number of penetrations of the aquifer that are too close to each other.

Director Scadden commented on Director Hunt's discussion of trying to provide some relief to small businesses below one million gallons of usage per year, could we also have an alternative that was based on a certain maximum number of employees, say something like three employees or five employees.

General Manager Sawin opined that what we are really talking about here are policy changes as well as potential Rules changes, and as such the Rules Committee needs input from the entire Board.

Director Dower asked General Manager Sawin to update the directors on what the process is to change District Rules. We need some concrete proposals, we need those proposals presented at

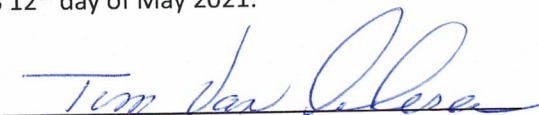


a public hearing, they need to be reviewed by our attorney. What is the process? General Manager Sawin said that this meeting is part of the process, getting to the "Why", why are we changing the Rules and why do we think it is necessary. That is where we are on these three "buckets" of possible Rule changes. We must hold a public hearing with a 20-day notice posted in a newspaper ad. Director Dower stated that it is not possible to do that for the April Board meeting, so the May meeting would be the earliest. Director Dower asked if this is something that we must do right away or is it something we can postpone for six months. Director Hennings said that she felt there is an urgency about the small lot size issue. Director Hunt said he agreed that we should try to do these things as soon as we can. Director Dower said he would hate to have someone go through the process of applying for an operating permit and installing a meter and maybe some other things like aquifer tests and then find out a couple of months from now that we change the Rule, and you don't have to do that. Director Scadden said that although we do not have time to have the Rules changes for approval at the April regular Board meeting, we could schedule another April meeting to discuss just Rules changes, so we don't have to wait until May. A discussion ensued about scheduling such a meeting. Director Dower suggested that there is a possible fourth item to be addresses which is formalizing the changes in the compliance dates. Mr. Holland advised that the Board must approve a set of proposed Rules changes that become the subject of the public hearing and then the 20-day clock starts when public notice is posted for the proposed Rules changes. You must publicize specifically what the Board is proposing to do with respect to Rule changes. Director Dower said that we have to have a Board meeting prior to that public hearing and hopefully the Rules Committee can present to the Board proposed Rules changes to be posted in the 20-day notice. Director Dower asked if any Directors had further question or comments and there were none. He than asked if there were any further public comments and the were none.

6. Adjourn

On a motion by Director Hunt and a second by Director Van Ackeren, the Board voted to adjourn the meeting – 6 Ayes to 0 Nays. The meeting was adjourned at 10:38 AM.

PASSED, APPROVED AND ADOPTED THIS 12th day of May 2021.


Tim Van Ackeren, Secretary