



BOARD MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, January 19, 2022, at 9:00 a.m.

A quorum of the Southwestern Travis County Groundwater Conservation District Board of Directors held a regular board meeting on Wednesday, January 19, 2022, at 9:00 a.m. at the District's office at 8656A W. Highway 71, Suite 224, Austin, Texas 78735. The meeting was open to the public and a videoconference remote participation option was provided, instructions for accessing the remote videoconference were provided with the Public Notice of Meeting.

1. **Call to order, declare meeting open to the public, take roll and declare quorum status** – President Scadden called the public meeting to order at 9:00 a.m. on Wednesday, January 19, 2022. Four directors were present at the meeting constituting a quorum, including Director Davis, Director Dower, Director Van Ackeren, and President Scadden. Also present were General Manager Lane Cockrell, Pete Golde, and Virginia Smith. The following individuals participated remotely by videoconference call: Audrey Cooper and Cole Ruiz with Lloyd Gosselink, and Charlie Flatten with Hays Trinity GCD.

Director Hennings joined the public meeting at 9:03 am. A quorum of five directors remained.

2. **Public Comments** – No public comments were presented.
3. **Discuss and possibly act on approving previous meeting minutes** – President Scadden presented the minutes for the December 8, 2021 regular board meeting for the Board's consideration with amendments. A motion was made by Director Davis to approve the minutes of the December 8, 2021 regular board meeting and public hearing as amended. Motion seconded by Director Dower. Motion carried 5 Ayes – 0 Nays – 2 Absent.

4. **General Manager's Report:**

- a. **Summary of permitting, application, and registration inquiries and submissions** – General Manager Cockrell reported that he and Virginia Smith decided to modify the format of their monthly report on permitting to provide additional details on the processing and status of applications. General Manager Cockrell provided an update on the applications submitted to the District. As of January 19, 2022, the District had received four (4) new well drilling/modification authorization applications, had issued six (6) new well drilling/modification authorizations, District staff are currently reviewing three (3) well drilling/modification applications, staff are awaiting additional information from applicants for nine (9) applications, and the District has issued a total of nineteen (19) well drilling/modification authorizations during fiscal year 2022 to date. General Manager Cockrell reported that as of January 19, 2022, the District had received a total of thirty (30) production authorization applications. General Manager Cockrell reported that District staff have completed an initial review of eighteen (18) of these permit applications and have issued temporary operating permits to eight (8) applicants. General Manager



Cockrell reported that as of January 19, 2022, the District had received ten (10) general permit applications, the District had issued four (4) general permits to applicants, and District staff were awaiting additional information from applicants on six (6) general permit applications. General Manager Cockrell also provided an update on meter readings and water service connections submitted to the District to date. General Manager Cockrell reported that the District had received four (4) additional reported water service connections during fiscal year 2022. General Manager Cockrell reported that the total reported production for fiscal year 2022 to date is roughly sixty and a half (60.5) acre-feet, and the projected total production for fiscal year 2022 is roughly three hundred and eighty-three (383) acre-feet of groundwater.

General Manager Cockrell reported that the District has not received meter readings or water service connection forms from two public water suppliers within the District since March of 2021, when their temporary operating permits were issued. President Scadden suggested that the District should contact each non-compliant public water supplier by certified mail before considering possible enforcement actions. Cole Ruiz reported that Chapter 36 of the Texas Water Code empowers the District to enforce its rules, and recommended that the District maintain documentation of each time District staff contacted each non-compliant entity. Director Hennings requested that General Manager Cockrell add a line item to his summary of permitting, applications, and registrations to show how many permits or authorizations were issued by the District since the preceding Board meeting.

- b. **Drought stage status and outlook** – General Manager Cockrell reported that as of January 4, 2022, Travis County is not in drought, though December 2021 was the hottest December on record since 1889 according to the Texas Water Development Board (“TWDB”). General Manager Cockrell reported that if dry conditions persist Travis County may be under drought conditions in the future.
- c. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – General Manager Cockrell reported that the Barton Springs Edwards Aquifer Conservation District has extended an offer to a new general manager. General Manager Cockrell and Cole Ruiz reported that the TWDB has reached out to groundwater districts across the State of Texas to help expand TWDB’s Recorder Well program. General Manager Cockrell reported that the TWDB is looking to establish monitoring wells in counties without current TWDB Recorder Wells. General Manager Cockrell reported that he has provided the District’s auditor NKD, P.C. with all the documents needed for the District’s fiscal year 2021 financial audit, including bank statements, meeting minutes, and documents reflecting the fiscal year 2021 interlocal agreement (“ILA”) with Travis County. General Manager Cockrell also reported that Clancy Utility Holdings, LLC (AKA Mirasol) has filed a production authorization application with the District. Charlie Flatten with Hays Trinity GCD reported that his district also received a permit application from Clancy Utility Holdings, LLC.



- d. **Other items of interest not requiring Board action** – General Manager Cockrell provided an update on the District’s Lakeside Park Monitoring Well. General Manager Cockrell reported that he and Director Dower cleared the leftover drill cuttings from the well site, and General Manager Cockrell provided the Travis Settlement Homeowners Association with information on the monitoring well and the District’s groundwater monitoring efforts. General Manager Cockrell also provided an update on the Bureau of Economic Geology’s ongoing study of the Bee Creek Fault Zone. General Manager Cockrell reported that he and Director Hunt gathered geologic data along the Bee Creek Fault Zone that will be used to develop a geologic map and a better understanding of the structure and potential hydrogeologic impact of the Bee Creek Fault Zone.

5. **Receive, discuss, and take action as necessary on Board Committee Reports:**

- a. **Finance** – Pete Golde provided a report to the Board regarding the financial reports dated December 31, 2021. The balance sheet indicated assets totaling \$68,914.68 and liabilities totaling \$3,490.82. The profit and loss report indicated expenses totaling \$65,777.39, gross profit totaling \$47,568.01, and net income totaling \$-18,209.38 through December 2021. Pete Golde provided a summary of the checks issued by the District since the last board meeting, and a fiscal year to date summary of expenses by budgetary line item. General Manager Cockrell reported that the District has received its final invoice from GMA 9 for consulting services for the 2021 joint planning cycle. Director Davis requested a copy of the final explanatory report prepared for the 2021 joint planning cycle with GMA 9. General Manager Cockrell reported that he will distribute a copy of the report to the Board. A motion was made by President Scadden to approve payment of the invoice from GMA 9 for 2021 joint planning. Motion seconded by Director Hennings. Motion carried 5 Ayes – 0 Nays – 2 Absent.

General Manager Cockrell reported that the Board may consider engaging a certified public accountant to assist with the District’s bookkeeping and other financial matters. General Manager Cockrell reported that the Barton Springs Edwards Aquifer Conservation District (“BSEACD”) has an experienced accountant on staff to help manage their finances. General Manager Cockrell reported that he spoke with the accountant at BSEACD and that they recommended the District engage an experienced certified public accountant to assist the District with updating its entity classification at the IRS. President Scadden raised the possibility of establishing a Board committee to assist in engaging an accountant for the District. A motion was made by President Scadden to establish a Board subcommittee including Director Van Ackeren, Director Dower, and Director Urie to research and consider engaging a certified public accountant for the District. Motion seconded by Director Davis. Motion carried 5 Ayes – 0 Nays – 2 Absent.

- b. **Legislative** – Director Davis reported that there had been no new legislative activity on groundwater.



- c. **Science & Outreach** – Director Hennings reported that she and General Manager Cockrell provided a presentation to a real estate group in Travis County regarding the District’s permitting requirements for groundwater wells. Director Hennings reported that the PowerPoint presentation she prepared could be repurposed and used for future outreach presentations. Director Dower reported that the District’s website has received 95 unique visits over the last month. General Manager Cockrell reported that he will be presenting at the Texas Alliance of Groundwater Districts (“TAGD”) meeting in February. Director Hennings reported that her outreach presentation to the Lost Creek Garden Club has been rescheduled to April due to concerns regarding COVID-19.
6. **Discuss and possibly act on matters related to implementing District Rules** – General Manager Cockrell reported that he created an online well registration form on the District’s website to allow well owners within the District to register their wells online. General Manager Cockrell reported that the District may consider contacting local homeowners associations with letters to distribute to their members regarding the District’s permitting and registration requirements. General Manager Cockrell reported that in groundwater-dependent areas without homeowners associations the District could send out direct targeted mailers and identify potential well owners using data from the TWDB, Travis County Appraisal District, and other databases. Director Van Ackeren reported that data in the Travis County Appraisal District database does not reflect changes in the ownership of properties immediately, and usually takes up to six months to update. General Manager Cockrell raised the possibility of placing ads regarding the District’s permitting requirements in the Community Impact or Austin American Statesman newspapers. President Scadden raised the possibility of District staff preparing press releases to be distributed to local newspapers as a cost-effective alternative to placing ads in each newspaper. General Manager Cockrell proposed creating a form letter to send out to residents regarding the District Rules and the well registration process, and taking a phased approach to contacting residents in one area of the District at a time. No action taken.

President Scadden adjourned the open meeting at 10:28 a.m. for a temporary break. President Scadden reconvened the open meeting at 10:37 a.m. A quorum of five directors remained present.

7. **Discuss and possibly act on matters related to the TAGD Winter 2022 Regular Business Meeting and GCD Boot Camp** – General Manager Cockrell reported that the TAGD is hosting a GCD Boot Camp on February 8, 2022, at the Sonesta Bee Cave Hotel in Bee Cave, Texas, and provided the Board with information on the registration costs for the training camp. General Manager Cockrell reported that the next TAGD regular business meeting is also scheduled for the same date at the Sonesta Bee Cave Hotel. A motion was made by Director Dower for the District to cover the cost of registration for interested Directors and staff to attend the GCD Boot Camp and/or Regular Business Meeting. Motion seconded by Director Van Ackeren. Motion carried 5 Ayes – 0 Nays – 2 Absent.
8. **Discuss and possibly act on matters related to FY 2022 Interlocal Agreement with Travis County** – President Scadden reported that the fiscal year 2022 ILA with Travis County was approved and signed



on December 21, 2021, by the Travis County Commissioners Court. General Manager Cockrell reported that the District submitted its first invoice for reimbursement under the 2022 ILA for October and November 2021. General Manager Cockrell reported that expenses incurred by the District during the interim period between the end of the 2021 ILA and execution of the 2022 ILA are reimbursable under the 2022 ILA. No action taken.

9. **Discuss and possibly act on matters related to staffing for the District** – General Manager Cockrell reported that as the 2022 ILA with Travis County is in place, the Board may consider hiring individuals to fill two part-time positions. General Manager Cockrell reported that the District’s 2022 budget includes two part-time positions, one administrative office role and one technical hydrogeologic field position. General Manager Cockrell reported that he is working to develop job descriptions for the two part-time roles to be submitted to the Board’s personnel committee before posting. President Scadden raised the question of which directors are currently serving on the personnel committee. Director Hennings stated that she, Director Van Ackeren, and Director Dower are on the Board’s personnel committee. President Scadden agreed that the Board personnel committee will work with General Manager Cockrell to develop job descriptions for the two part-time roles. General Manager Cockrell reported that the part-time technical hydrogeologic position would be completely covered by funding from the 2022 ILA with Travis County, but the part-time administrative position may not be covered by ILA funding. No action taken.

10. **Discuss and possibly act on matters related to establishing online payment processing on the District website** – General Manager Cockrell reported that establishing an online payment option for the payment of application fees would help streamline the application process and benefit applicants. General Manager Cockrell reported that most online payment platforms include transaction fees, but that the District may be able to offset this by charging applicants a convenience fee for utilizing the online payment option. General Manager Cockrell reported that he has found three separate online payment options that could work for the District, including QuickBooks Payments, Square Payments, or GoDaddy Payments, and that QuickBooks Payments might work best for the District. General Manager Cockrell provided a summary of all three online payment options and the transaction fees charged by each. General Manager Cockrell reported that QuickBooks Payments includes no monthly fees or setup fees and charges a maximum ACH fee of \$10.00 per transaction, and would integrate well with the District’s QuickBooks bookkeeping software. General Manager Cockrell reported that he has conferred with the District’s legal counsel at Lloyd Gosselink, and the District is authorized under Chapter 36 of the Texas Water Code to charge applicants reasonable fees, which could include a convenience fee for utilizing the online payment system. Cole Ruiz reported that Chapter 36 of the Texas Water Code allows the District to set fees for administrative acts, which could include an online payment processing fee. The Board consensus was to continue evaluating the QuickBooks Online Payment system. No formal action taken.

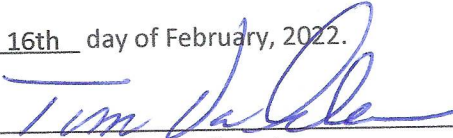


11. **Discuss and establish possible agenda items for future Board Meetings** – Director Hennings requested that an item be added to the February agenda to discuss the results of the February TAGD regular business meeting and GCD Boot Camp.
12. **Discuss and possibly act on setting the date, time, and location for the next Board Meeting** – This item was taken out of number order due to time constraints. President Scadden reported that the next regular board meeting will be held on February 16, 2022, at 9:00 a.m. at the District's office.

Director Dower left the open meeting at 11:26 a.m. A quorum of four directors remained.

13. **Adjourn** – A motion was made by Director Davis to adjourn the open meeting at 11:27 a.m. Motion seconded by Director Hennings. Motion carried 4 Ayes – 0 Nays – 3 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 16th day of February, 2022.



Tim Van Ackeren, Secretary