



BOARD MEETING MINUTES

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

Wednesday, February 16, 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, February 16, 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 9:02 a.m. on Wednesday, February 16, 2022. Six directors were present at the meeting constituting a quorum, including Director Davis, Director Dower, Director Hunt, Director Urie, 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 Director Juli Hennings participated remotely as a member of the public.
2. **Public Comments** – No public comments were presented.
3. **Discuss and possibly act on approving previous meeting minutes** – General Manager Cockrell presented minutes for the January 19, 2022 regular board meeting for the Board's consideration. A motion was made by Director Dower to approve the minutes of the January 19, 2022 regular board meeting as amended. Motion seconded by Director Van Ackeren. Motion carried 6 Ayes – 0 Nays – 1 Absent.
4. **General Manager's Report:**
 - a. **Summary of permitting, application, and registration inquiries and submissions** – General Manager Cockrell provided an update on the permit applications and well registrations submitted to the District. General Manager Cockrell reported that the District did not receive any new well registrations during the month of January, and the District had received a total of seventeen (17) well registrations during fiscal year 2022 to date. General Manager Cockrell reported that the District received five (5) new well drilling authorization applications during the month of January, and the District had received a total of thirteen (13) well drilling authorization applications during fiscal year 2022 to date. General Manager Cockrell reported that the District did not receive any new production authorization operating or general permit applications during the month of January, and the District received no new reported water service connections during the month of January. General Manager Cockrell reported that the District had received two (2) production authorization permit applications and one (1) general permit application during fiscal year 2022 to date. General Manager Cockrell reported that submitted meter readings show a total of 5,172,300 gallons were pumped by reporting permittees during the month of January. General Manager Cockrell reported that the Modeled Available



Groundwater (“MAG”) for the Trinity Aquifer in the District is 8,672 acre-feet per year. General Manager Cockrell reported that as of January 31, 2022, the District had only received 7% of the projected annual total of production authorization applications for operating permits and 6% of the projected annual total of production authorization applications for general permits, based on revenue projections for fiscal year 2022.

- b. **Drought stage status and outlook** – General Manager Cockrell reported that due to recent precipitation Travis County was not experiencing drought conditions as of February 8, 2022. General Manager Cockrell reported that the District’s drought curtailments are based on county-wide measures of drought. Director Hunt commented that the Board should consider what steps should be taken in the future to announce drought curtailment actions if Travis County experiences drought conditions in the future.
- c. **Regulatory items and updates related to TWDB, TCEQ, GMAs, and other organizations** – No action taken under this agenda item.
- d. **Other items of interest not requiring Board action** – General Manager Cockrell reported that the District’s online well registration form is up and running on the District’s website. General Manager Cockrell reported that he and Director Dower attended the Travis Settlement Homeowners Association (“HOA”) annual board meeting on February 15, 2022 to answer questions for homeowners regarding the District’s registration and permitting requirements. President Scadden raised the possibility of other directors conducting outreach to other HOAs in the District. General Manager Cockrell raised the possibility of developing a flyer or postcard for distribution to potential well owners in groundwater dependent areas of the District. Director Davis reported that she received a phone call from a real estate agency in Travis County regarding the District’s permitting and registration requirements for new homeowners. General Manager Cockrell reported that District staff are aware of several non-compliant well owners in the District. General Manager Cockrell reported that he will work with the District’s legal counsel to encourage voluntary compliance and to prepare a letter to contact non-compliant entities in the District regarding the District Rules as needed. President Scadden asked Cole Ruiz whether the District has the enforcement power to put liens on properties for failure to comply with the District Rules. Cole Ruiz reported that Chapter 36 of the Texas Water Code doesn’t authorize districts to place liens on properties, but that he can help the District review its enforcement options.

General Manager Cockrell reported that he spoke with the District’s auditor at NKD, P.C., and reported that financial audits for fiscal years 2018, 2019, and 2020 should be completed within the next month. General Manager Cockrell reported that the District’s auditor will contact the District once the audit is complete to provide required paperwork for Directors to complete for the financial audit. General Manager Cockrell provided an update to the Board regarding the District’s misclassification at the IRS. General Manger Cockrell reported that he spoke with an IRS representative and determined that the District must submit a formal request for a letter of ruling from the IRS to determine the



District's status as a governmental entity. General Manager Cockrell reported that changing the District's classification with the IRS will not change the District's assigned Employer Identification Number ("EIN"). General Manager Cockrell reported that the District's current office lease agreement expires at the end of February 2022. General Manager Cockrell reported that he submitted a request to extend the lease agreement with Travis County through February 2023. General Manager Cockrell reported that two public water supply systems in the District, Barton Creek Lakeside and Lakecliff on Lake Travis, have not submitted meter readings or reported new service connections since the District issued them temporary operating permits. President Scadden requested that District staff proceed with mailing certified letters to non-compliant permittees regarding the District Rules. Director Davis requested that the Board of Directors be notified when District staff proceed with mailing certified letters to each entity.

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

- a. **Finance** – Director Urie and Pete Golde provided a report to the Board regarding the financial reports dated January 31, 2022. The balance sheet indicated assets totaling \$49,814.70 and liabilities totaling \$3,209.65. The fiscal year to date profit and loss report indicated expenses totaling \$88,346.73, gross profit totaling \$51,318.54, and net income totaling \$-37,028.19 through January 2022. 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. President Scadden asked Pete Golde if the District has a positive bank balance despite having net income in the negative because of carryover funds from the previous fiscal year. Pete Golde confirmed this. Pete Golde reported that the District's reported water utility service connection fees are lagging behind the expected revenue line item in the fiscal year 2022 budget. Director Dower raised concerns that the District has not received payment for any water service connections for January or February, and raised the possibility that water utilities in the District are failing to report new connections.

President Scadden raised the question of whether the District has a written access agreement in place for the District to access the Lakeside Park Monitoring Well. Director Dower reported that the District does not have a formal written access agreement in place. President Scadden raised the possibility of District staff providing information to the Travis Settlement HOA regarding the status of the Lakeside Park Monitoring Well and the District's groundwater monitoring efforts. General Manager Cockrell reported that he provided a written memo to the Travis Settlement HOA Board of Directors after the completion of the Lakeside Park Monitoring Well.

- b. **Legislative** – Director Davis and Cole Ruiz reported that there had been no recent legislative activity.
- c. **Science & Outreach** – Director Hennings reported that Director Hunt attended the Texas Alliance of Groundwater District's ("TAGD") Winter 2022 business meeting on February 8 and 9, 2022. Director Dower reported that in the last 30 days the District's website has



had 95 unique visits. Director Hunt reported that the Bureau of Economic Geology is developing a potentiometric surface map for the Middle Trinity aquifer in the study area of the ongoing Hamilton Pool and Reimer's Ranch Sourcewater Protection Study. President Scadden commented that the District's management plan requires the District to complete outreach to members of the public in Travis County, and requested that General Manager Cockrell and members of the Board document the District's outreach efforts for future reference.

6. **Discuss and possibly act on matters related to the TAGD Winter 2022 Regular Business Meeting and GCD Boot Camp** – President Scadden thanked Director Hunt for attending the TAGD Winter 2022 regular business meeting and presenting information about the District to TAGD members. Director Hunt reported that the TAGD business meetings present a great networking opportunity for directors and staff to meet individuals from other groundwater districts across the state that are working to address similar issues. General Manager Cockrell reported that he will distribute slides from the GCD Boot Camp and regular business meeting to the Board. General Manager Cockrell reported that a presentation was given at the regular business meeting regarding updates to the TCEQ Water Well Report Viewer. General Manager Cockrell reported that staff at the TCEQ have added digitized historic "legacy" maps to the TCEQ's Water Well Report Viewer to provide districts with access to more historical well data. General Manager Cockrell reported that Dr. Charles Porter of the Texas Real Estate Commission presented at the regular business meeting regarding the role of groundwater districts in real estate transactions, and provided a summary of the key points to the Board. General Manager Cockrell raised the possibility of creating a list of real estate agencies located in the District for outreach purposes. No action taken.
7. **Discuss and possibly act on matters related to implementing District Rules** – No action taken under this agenda item.
8. **Discuss and possibly act on matters related to cyber security and records management for the District** – Director Dower reported that protecting the data maintained by the District and taking cybersecurity measures to protect the District's computer system and data should be a priority for the Board. General Manager Cockrell reported that the TAGD is offering cybersecurity training free to its members, and that the Board may register to take such training. General Manager Cockrell provided a report to the Board regarding what information and data the District possesses and where such data is stored. General Manager Cockrell reported that District staff maintain spreadsheets of information from permit applications and well registrations received by the District. General Manager Cockrell reported that much of the District's data is stored in the cloud through Microsoft OneDrive. General Manager Cockrell reported that the District maintains roughly 500 unique records in its databases, including permit applications, registrations, permits, hydrogeological data, and more. General Manager Cockrell reported that the District's records in OneDrive are backed up onto a flash drive for added security. General Manager Cockrell raised the question of whether certain information in the District's database should be disclosed if the District receives a public information request for such data. Cole Ruiz reported that the District's legal counsel could help the Board navigate responding to such requests under Texas law. Pete Golde reported that the District's financial statements and records are primarily stored online through QuickBooks. President Scadden



questioned whether that data could be exported from QuickBooks so the District could store a back-up copy locally. General Manager Cockrell raised the question of whether members of the Board of Directors should be given password privileges to access the District's databases. President Scadden raised the possibility of providing the Board Secretary with administrative access to the District's cloud data and back-up data. The Board reached a consensus and agreed that the Board Secretary should have access to the District's records and data, and that files should be backed up at least once per week. General Manager Cockrell reported that he will back up files weekly and will provide Director Van Ackeren with an updated back-up copy of the District's records at each Board meeting.

9. **Discuss and possibly act on matters related to staffing for the District** – President Scadden reported that General Manager Cockrell will coordinate with the Board Personnel Committee to develop job descriptions for the two part-time positions discussed at the last board meeting. General Manager Cockrell reported that the Board Personnel Committee's priority is to look at hiring a part-time hydrogeologic technician because funding for that position is provided in the District's 2022 Interlocal Agreement ("ILA") with Travis County. General Manager Cockrell reported that he has received interest from two potential candidates for the hydrogeologic technician position. Director Hennings raised the question of whether or not Texas law requires the District to post job openings and solicit candidate applications. President Scadden requested that the District post both job openings publicly in the interest of transparency. President Scadden raised the question of whether or not part-time employees are eligible for benefits under the District's personnel policy. President Scadden reported that General Manager Cockrell will finalize the draft job description for the hydrogeologic technician position, and that the final job description will be posted online. President Scadden requested that the Board Personnel Committee review any candidate applications submitted. No action taken.

Director Hunt left the open meeting at 11:43 a.m. President Scadden reported that a quorum of five directors remained present.

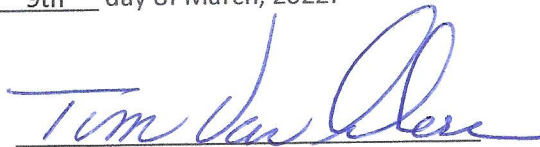
10. **Discuss and possibly act on matters related to FY 2022 Interlocal Agreement with Travis County** – General Manager Cockrell reported that he is still awaiting approval and payment from Travis County on the District's initial two month estimate of operating expenses. General Manager Cockrell reported that the District will resume established invoicing procedures with Travis County under the fiscal year 2022 ILA after receiving initial payment. General Manager Cockrell reported that County staff confirmed that the District may continue to pay expenses from the District's general fund and submit invoices for reimbursement from the escrow account. No action taken.
11. **Discuss and possibly act on matters related to establishing an online payment processing option for District Fees** – General Manager Cockrell reported that he spoke with representatives from QuickBooks regarding the Board's questions on setting up an online payment system for processing application fees. General Manager Cockrell reiterated that establishing an online payment option for the payment of application fees would help streamline the application process and benefit applicants. Director Davis reemphasized that the question is whether the District may offset any transaction fees by charging applicants a convenience fee for utilizing the online payment option. General Manager Cockrell reported that right now applicants must either mail or hand deliver checks for the payment of application fees. General Manager Cockrell reported that the fees charged by



QuickBooks depend on whether an applicant wants to pay by credit card or Automated Clearing House (ACH) (i.e., electronic funds transfer), with the ACH fee being 1%. Director Dower reported that he would like the District to look at an online payment option that automatically charges transaction fees to applicants instead of the District in order to streamline the bookkeeping process for the District. Director Dower raised the possibility of the District then just notifying applicants of the online and ACH transaction fees charged by the online payment vendor. Pete Golde raised the possibility of the District looking at Zelle as an online payment option. General Manager Cockrell reported that he will look at other available online payment options for the next board meeting. No action taken.

12. **Discuss and establish possible agenda items for future Board Meetings** – General Manager Cockrell requested that an item be added to the next agenda to discuss financial audits for fiscal years 2018, 2019, and 2020, pending completion.
13. **Discuss and possibly act on setting the date, time, and location for the next Board Meeting** – Present Scadden reported that the next regular board meeting will be held on Wednesday, March 9, 2022 at 9:00 a.m. at the District's office.
14. **Adjourn** – A motion was made by Director Davis to adjourn the open meeting at 12:02 p.m. Motion seconded by Director Dower. Motion carried 5 Ayes – 0 Nays – 2 Absent.

PASSED, APPROVED, AND ADOPTED THIS THE 9th day of March, 2022.


Tim Van Ackeren, Secretary