

Village of Salado
Salado Municipal Building
301 North Stagecoach Road
Salado, Texas
Minutes of Special Meeting of Board of Aldermen
May 27, 2020 at 6:00 p.m.

The Board of Aldermen meeting was called to order at 6:00 p.m. by Mayor Skip Blancett.

Board Members Present: Mayor Skip Blancett, Aldermen Rodney Bell, Amber Preston Dankert, John Cole, and Michael Coggin. Mayor Pro-tem Coachman was absent. (*The meeting was conducted via videoconference.*)

Others Present: Bell County Commissioners Court Judge David Blackburn, Bell County Precinct Two Commissioner Bobby Whitson, Clearwater Underground Conservation District representatives Leland Gersbach, Dirk Aaron, and Gary Young.

Staff Present: Village Administrator Don Ferguson and City Secretary Cara McPartland

Discussion and Possible Action

Discuss and consider possible action regarding a proposed interlocal agreement relating to the anticipated designation of a critical habitat for the Salado Salamander. (*Village Administrator*)

Mayor Blancett welcomed Bell County Commissioners Court Judge David Blackburn to the meeting and introduced him to the Board of Aldermen.

Alderman Dankert read the agenda item and opened discussion.

Village Administrator Ferguson reviewed previous Board discussion from the May 21st meeting. Judge Blackburn spoke on his extensive research into the history and efforts of the Bell County Adaptive Management Coalition, which includes Bell County, Village of Salado, Salado Water Supply Corporation, and Clearwater Underground Water Conservation District. He highlighted the Coalition's objectives, including gathering of data and science to better understand the biology of the salamander as it relates to the geology and hydrology of the Edwards Aquifer; formation of partnerships with other local, state, and federal governmental entities; history of legal actions and settlement agreement; and urgent need for the Coalition to submit scientifically and legally defensible positions that protect both the salamander's habitat while accommodating growth and development. He said the proposed interlocal agreement with the consulting firm (NRS) would assist the Coalition by crafting position statements, performing an economic analysis, and carrying out advocacy work throughout the critical habitat designation process. He spoke of positive reviews received from local legislators regarding NRS's work product and success rate. He highlighted each of the agreement's three phases and noted specific deliverables for each phase. He stressed that at the end of each phase, the Coalition will assess the work product and consider whether or not there is a need to continue services in phases going forward, either with NRS or a different consulting firm. He cited costs for individual phases as follows: Phase 1, \$40,000; Phase

2, \$90,000; and Phase 3, \$70,000, which would be shared equally among Coalition members. He hoped to engage Williamson County in the Coalition's efforts to avoid the possibility of conflicting positions. He advocated forming an executive group or team with representatives from all Coalition members, including two elected officials from Village of Salado, who would provide oversight and direction to the consultant and provide recommendations to governing bodies, as needed.

Clearwater Underground Water Conservation District (CUWCD) representative Leland Gersbach commented on the Coalition's synergistic relationships with stakeholders committed to developing a legal and defensible resolution that protects businesses, private landowners, and public entities of Bell County. He spoke of the Coalition's science-based effort and financial contributions to better understand the aquifer system as a whole and to be a voice of reason and discernment before the final critical habitat is to be determined. He stressed there is a narrow window of opportunity which he hoped would result in a full delisting of the salamander in Bell County. He reminded of the CUWCD's lack of regulatory authority relating to water quality, which lies with local and county governing bodies. He spoke of the shared vision to prevent excessive federal oversight, give the Coalition control of its own destiny, secure the best available scientific data, and eventually obtain a delisting of the salamander. He said NRS has been vetted, is available, trustworthy, and has a 100 percent success rate, and will be assessed at the end of each phase to ensure the scope of work has been completed and to decide whether or not to move forward. He asked the Board to continue the Village's participation going forward to help the Coalition navigate federal regulations and present all facts in a defensible manner.

CUWCD representative Dirk Aaron explained the roles of federal regulatory authorities and the need to have a consultant help convey the significant steps taken by stakeholders in the last few years to improve water quality, notably the Village of Salado's wastewater system and decommissioning of old septic systems, and the accompanying financial commitment. He felt that the consultants can package a legally and scientifically defensible response under strict time constraints.

Discussion among the Board, staff, and Coalition members included:

- End of phase assessments to determine quality and effectiveness of work product and deliverables as a basis for moving forward with next phase in scope of work
- History of environmental studies and resulting data gathered on Salado Creek
- Having two elected Village of Salado officials participate in an executive team providing oversight and direction to the consulting firm
- Greater advocacy and cost effectiveness of having a unified coalition position versus potentially conflicting positions presented by individual entities
- Measures taken over the past several years to reduce threats to the salamander population
- Schedule for deliverables in scope of work, with a 60-day deliverable timeframe for Phase 1; 6-month deliverable timeframe for Phase 2; and up to two 12-month periods for Phase 3
- Timing of phases and associated financial commitments of Coalition members
- Preference for multiple bids and itemization of costs before entering into professional service agreement to show due diligence to constituents

- Need for addition of clarifying language regarding the end of phase assessments as decision points on whether the Coalition wishes to proceed to the next phase in the scope of work or to proceed with a different consultant
- Need for oversight and accountability to ensure consultant is working effectively for the Coalition
- Importance of justifying costs, particularly in the current environment of decreased sales tax revenues due to COVID-19
- Suggestion to form an executive team that includes two elected representatives from each Coalition member to serve along with staff members as resources
- Immediate goal to define critical habitat area and ultimate goal of delisting the salamander as a threatened species through presentation of updated data showing benefits of environmental protections implemented, such as establishment of a preserve and the Village's wastewater system
- Collaborative relationship with Williamson County officials beneficial to all involved entities
- Possible addition of the following clarifying language to the interlocal agreement, as drafted by Judge Blackburn: "Notwithstanding any other provisions in the scope of work, the parties agree that the Coalition is not obligated to proceed from one phase to another, and it is at the sole discretion of the Coalition to move forward from one phase to another."

Judge Blackburn asked the Board to consider the Village's participation at least in the first phase of the agreement and if the Board so chooses, to designate two of its aldermen to serve on on the executive team or group providing oversight and direction to the consulting firm.

Alderman Bell moved to approve Phase 1 of the interlocal agreement for the anticipated designation of the critical habitat for the Salado Salamander in cooperation with Bell County, Clearwater Underground Water Conservation District, and the Salado Water Supply Corporation, to authorize the village administrator to spend \$10,000 on Phase 1, and to nominate Aldermen Dankert and Cole to be members to the executive committee for the Salado Salamander. Alderman Coggin seconded.

Alderman Coggin expressed concerns about paying \$40,000 and said he could not find anything about the consulting firm's past performance or experience after a search on the internet. He stated that he was not happy this was done non-competitively, but did not see other options at this stage of the game.

Alderman Cole asked to withdraw his name from consideration as a member of the executive committee (or team). Alderman Bell amended his motion to remove Alderman Cole and name Alderman Coggin as a member of the executive team. Alderman Coggin seconded the amendment. Motion, including the aforementioned amendment, carried on a vote of 4-0.

Adjournment

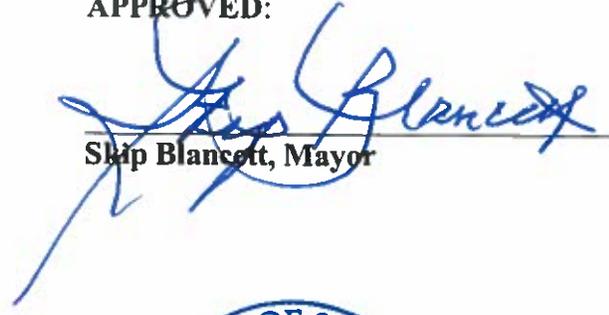
Alderman Bell moved to adjourn. Alderman Cole seconded. Mayor Blancett called the meeting adjourned at 7:35 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 4th of June, 2020.

APPROVED:


Skip Blancett, Mayor

ATTEST:


Cara McPartland, City Secretary

