

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Central Texas Council of Governments**  
**Belton, Texas**  
**Tuesday, May 8, 2012**  
**Minutes**

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Tuesday, April 10, 2012 in the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

**Board Members Present:**

Leland Gersbach, President  
Wallace Biskup, Vice President  
Judy Parker, Secretary  
Bill Bartlett, Director  
David Cole, Director At-Large

**Public Advisory Committee Members:**

Bill Schumann  
Henry Bunke

**Staff:**

Dirk Aaron  
Shelly Chapman

**Others Present:**

Randy Williams – BarW	Geoff West – Temple Daily Telegram	Ronnie Tynes
Doris Kemp	Marty Janczak	Ricky Preston

**Workshop Convened at 1:34 pm**

**Item 1. *Review and discuss the potential Salado Salamander Listing and Interlocal Agreement with Texas AgriLife Extension (TAMU).***

General Manager, Dirk Aaron, informed the Board that Clearwater UWCD has been in discussions with Dr. Robert Gulley and Neil Wilkins. Dr. Gulley is waiting for the final interlocal agreements to be signed. At this time Bell County has committed to \$15,000, the Village of Salado has agreed to \$10,000, Clearwater UWCD has committed to \$15,000 and Salado WSC has committed to \$15,000. Salado WSC wants to be a participant in terms of protecting the stream. That leaves \$5,000 still uncommitted. Dirk has a meeting with Jarrell Schwertener WSC for additional contributions and Tim Brown is working with land owners for contributions as well. We cannot move forward until all parties that have pledged support sign the contract. Dr. Gulley will be meeting with Dirk Aaron, Tim Brown, the Mayor of Salado and anyone else interested in the near future to discuss what will be done and to kick off the project.

President, Leland Gersbach inquired if anyone had spoken with Fish & Wildlife Services (FWS) yet. Dirk Aaron stated that he and Board Secretary, Judy Parker, had indeed met with FWS. The FWS asked questions regarding Clearwater UWCD's DFC and permitting process and what Clearwater was doing to protect the aquifer. Dirk Aaron commented that FWS seemed pleased with the steps Clearwater is taking to protect the aquifer and, in doing so, protecting the Salado Salamander. Judy Parker reiterated that FWS was impressed that Clearwater was being proactive in protecting the spring flow. Randy Williams with BarW interjected that Clearwater UWCD is operating above the typical DFC.

**Item 2. Review and discuss items of interest concerning the new office building and onboarding activities.**

Dirk Aaron stated that he didn't have anything that needed to be discussed workshop. He would cover this in his Manager's Report during the Board Meeting.

David Cole commended the Dirk and the Staff on the success of the Open House and Dedication of the new building.

**Clearwater Board meeting was convened with Board President, Leland Gersbach, calling the meeting to order 1:45 p.m.**

**1. Invocation and Pledge of Allegiance:**

Vice President, Wallace Biskup, gave the invocation.

Director, Bill Bartlett, lead the Pledge of Allegiance.

**2. Public Comments:**

None

**3. Approve Minutes of the April 10, 2012 Workshop and Board Meeting:**

Vice President, Wallace Biskup, brought forth a correction to be made to the April 10<sup>th</sup> minutes. Agenda item #9 – Director's Comments state the Flags were donated by the Woodsman Organization. The correct name of the organization is The Woodman of the World Life Insurance Society. With that change, Wallace Biskup moved to accept the minutes. Judy Parker seconded the motion. **Motion carried 5-0.**

**4. Hold public hearing on the following permit application:**

**a. Discuss, consider and take appropriate action if necessary on the Operating Permit for Salado Water Supply Corporation (SWSC) wells in the Edwards BFZ aquifer to produce 36.99 acre-feet per year for public water supply use located in Salado at the #1-#7 aggregated wells system.**

**b. Discuss, consider and take appropriate action if necessary on the proposed Historic and Existing Use Permit Amendment for SWSC Wells #1-#7 for 1070.00 acre-feet per year from the Edwards BFZ aquifer for public water supply use for an aggregate well system to add wells 7KX #8 and #9.**

**c. Discuss, consider and take appropriate action if necessary on the proposed Historic and Existing Use Permit Amendment for 7KX Wells #8 and #9 for 402.3 acre-feet per year from the Edwards BFZ aquifer for public water supply use to add SWSC Wells #1-#7.**

Public Hearing convened at 1:50pm. President, Leland Gersbach, gave a brief explanation of the Hearing procedure. Leland Gersbach informed those present that the hearing had been properly noticed on each application. Notice of the hearing was posted at the County Courthouse on April 25, 2012 at 1:47p.m. Leland Gersbach mentioned that there may be some concern by Ronnie Tynes that there was not enough notice to the Ambrose Family (Robertson Family Trust) and possible others. Mr. Gersbach informed those present that an attempt was made to notify adjacent property owners and well owners within ¼ mile of the applicant only as a courtesy. Clearwater UWCD is not required to provide this courtesy notice by law. Mr. Gersbach invited anyone wishing to participate in the hearing or protest the application to sign up to speak. Mr. Gersbach continued to address other procedural issues.

General Manager, Dirk Aaron, informed the Board that Ronnie Tynes had signed up to speak on behalf of the Ambrose Family (Robertson Family Trust).

Mr. Gersbach asked Ronnie Tynes to explain or identify the personal justiciable interest that he claims is affected by the application. Mr. Tynes introduced himself as a representative of the Ambrose Family. They asked him to speak on their behalf since they are located in Tennessee. Mr. Tynes presented a letter to the Board regarding concerns about the application. The letter asked that the decision on the hearing be postponed because not enough time was given for landowners and other interested parties to have research to make a decision on this permit request. They need time to sift thru all the information to assure the springs of the Salado Salamander are protected. Mr. Ambrose did not receive his letter timely because it was sent back to the post office. Mr. Tynes stated that the intent of the Ambrose Family was not to be adversarial but a matter of education. The intent is not to protest but to postpone in order to have time to review all the information.

President, Leland Gersbach, determined that Mr. Tynes, on behalf of the Ambrose Family, is a qualified party to this hearing because they meet the requirements of being inside the area that the wells will impact.

Mr. Gersbach asked the applicant and Mr. Tynes what they would like to do. The two parties agreed to allow more time to get information to the Trust. Dirk Aaron stated that the executor has received all documents prior to him sending Mr. Tynes the e-mail. Mr. Gersbach directed staff to provide additional information directly to those concerned. Mr. Gersbach declared the hearing postponed until the next scheduled board meeting on June 19, 2012 at 1:30 p.m.

**President, Leland Gersbach, closed the Public Hearing at 2:07 p.m. to be reconvened on Tuesday, June 19, 2012 at 1:30 p.m.**

***5. Discuss, consider and take appropriate action if necessary on proposed monitor well #N-02-013G (owned by the City of Holland) to have corrective measures at the well head in order to comply with TCEQ, TWDB and Clearwater UWCD rules.***

Dirk Aaron, General Manager, informed the Board that Clearwater received a letter from TDLR Compliance Division on January 18, 2012 that the well appeared to be abandoned and that Clearwater was the proper jurisdiction. The Clearwater Staff has been using the well as a monitoring site and has taken static water level measurements since 2003. Records also show the well was still free flowing from the Hensel (Middle) Trinity Aquifer prior to 1960.

Dirk Aaron has reviewed the well in Holland with Mr. Tom Lovelace to determine the method and cost of conducting corrective measures at the well head in order the have the well meet TCEQ, TWDB and Clearwater UWCD requirements. The well is not in production and does not have a pump installed.

Dirk Aaron would like to have Tom Lovelace Waterwell Drilling and Service make the corrective measures and the cost be covered by Clearwater UWCD on be-half of the City of Holland, thus with a signed MOA that Clearwater could continue to use the well as a Trinity Aquifer monitor site, per a bid of \$1457.00.

Secretary, Judy Park, moved that on completion of an MOA with the City of Holland, Clearwater spends the \$1457 to upgrade the well head to make it an appropriate monitor well. Director, David Cole, seconded the motion. **Motion carried 5-0**

**6. Receive monthly report and possible consideration and Board action on the following:**

**a) District financial status report**

Dirk Aaron presented financial report. Leland interpreted the new QuickBooks reports that the Board will receive each month. Dirk informed the Board that CUWCD is currently working on an amended budget to present at the next meeting.

**b) Monitoring wells**

Dirk Aaron presented the measurements of the monitor wells.

**c) Salado Creek stream flow gauges**

Dirk Aaron presented information on stream flow and drought status reports

**d) Rainfall/drought conditions**

Dirk Aaron discussed the Drought Status Report. He recommends we stay at Stage 3 at this Time because we are beginning to see drought conditions again. Director, David Cole, agrees. Secretary, Judy Parker, questioned why the website says Stage 2. That makes Clearwater look bad. Dirk Aaron will verify why data is not right before we take action.

**e) Well Registrations**

Shelly Chapman presented report of 9 grandfathered wells that were plugged and 2 new exempt wells registered.

**f) Non-Exempt Well Production**

Dirk Aaron presented report based on Well Production spreadsheet

**7. Manager's Report and Staff comments:**

Dirk Aaron informed the Board that Clearwater Staff and Randy Williams will meet with Halff on May 13<sup>th</sup> to discuss logistics, symbology, etc. There is also a meeting scheduled for CUWCD, Randy Williams and Halff to meet with BellCAD. Halff has been very responsive to our needs thus far.

**8. Public Advisory Committee Comments:**

None

**9. Director Comments and Reports:**

Judy Parker has nothing to report on Region G at this time. There is in the Texas Register new proposed changes in Chapter 36. She will send it to anyone that is interested.

Bill Bartlett has had people approach him about Armstrong not being able to get a permit to drill a well. Dirk Aaron clarified that they do have a permit but are having trouble getting financing.

David Cole updated the Board on Moffat WSC. Everything is in place to begin drilling of their new well. He also commended the Clearwater Staff on a job well done transitioning to the new building.

**10. Discuss agenda items for next meeting**

Reconvene Public Hearing on Salado WSC application

East Bell WSC application to aggregate 2 wells


Armstrong request for permit extension

**11. *Set time and place of next meeting.***

Next meeting is set for June 19, 2012 at 1:30 p.m. at CUWCD

**12. *Adjourn***

Meeting adjourned at 4:05 p.m.

  
Leland Gersbach, President

ATTEST:

  
JUDY PARKER, Secretary

(A compact disc of this meeting is available upon request.)