

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Central Texas Council of Governments
Belton, Texas
Tuesday, September 11, 2012
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Tuesday, September 11, 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
Bradley Ware
Tom Madden

Staff:

Dirk Aaron
Shelly Chapman

Guest:

Randy Williams - BarW

Clearwater UWCD Workshop convened at 1:33

1. Discuss the November 6, General Election of Precincts 1, 3 and At-Large positions.

General Manager, Dirk Aaron, updated the Board on the upcoming election. According to Shelly Coston's office, the estimated cost of the election will around \$2700. CUWCD has budgeted \$3000 for the election. The Attorneys have submitted the letter to the Department of Justice asking for preclearance to hold the special election for the At-Large Director.

2. Discuss the announced public hearings by US Fish and Wildlife related to the Salado Salamander.

(Attorney, Mike Gershon was conferenced in via phone for discussion on this workshop item.) Mike stated that he read the staff report prepared by Dirk Aaron. The report was well written and comprehensive. He has nothing to add to it. Mike did comment that even if CUWCD does manage to convince US Fish & Wildlife Services, along with Parks and Wildlife, that CUWCD is doing everything within its DFC, that he feels they are still going to list the Salado Salamander as an endangered species. CUWCD needs to insure the record is clear and the stakeholders understand Clearwater's role. Clearwater's DFC is proficiently protective of the specie. Dirk, along with Mike's assistance, need to clarify CUWCD's position and statutory role and lay it out to USFWS and TPWD in the way of formal comments.

3. Presentation by Randy Williams, Bar-W Exploration, of both the Edwards and Trinity Studies.

Randy Williams presented a power point presentation on the Edwards and Trinity Studies. Hand out is available of the presentation. He also presented some suggestions on future studies to be considered by CUWCD. Randy suggested Clearwater do another Synoptic Water level test on the Edwards Aquifer. Budget cost would be approximately \$3000. Also suggested was a pumping test for the Edwards aquifer at an estimate cost of \$3500. Another possible consideration would be to do a comparison of Edwards Aquifer pumping distribution

at an approximate cost of \$5000. The final suggestion Randy made was for CUWCD to consider putting in at least one new well for monitoring the Edwards Aquifer (estimated cost \$5000).

4. Receive and discuss draft of the 2011 Clearwater UWCD Annual Report.

Dirk presented the Board with a Draft copy of the Annual Report. He encouraged the Board to review it carefully and to report back any corrections or thoughts they might have.

The goal next year is to have the report complete and in the Board Member's hands by the February meeting.

Clearwater Board meeting was convened with Board President, Leland Gersbach, calling the meeting to order 4:04 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 August 27, 2012 Workshop and Board Meeting:

Secretary, Judy Parker, moved to accept the minutes as they stand. Director, David Cole, seconded the motion. **Motion carried 5-0.**

4. Discuss, consider and take action if necessary to accept the monthly financial report as presented subject to audit.

President, Leland Gersbach reviewed the financial statement with the Board. Vice President, Wallace Biskup, moved to accept the monthly financial report as presented (subject to audit). Director, Bill Bartlett, seconded the motion. **Motion carried 5-0.**

5. Discuss, consider and take appropriate action if necessary to approve Board Resolution adopting the Clearwater UWCD Employee Handbook.

Dirk Aaron reviewed the proposed Employee Handbook and pointed out suggested changes to be made on pages 8, 9, 23, 26, & 27.

Secretary, Judy Parker, moved to approve proposed Employee Handbook with changes/corrections as proposed by staff on pages 8, 9, 23, 26, 27 and to allow the Chair to work with staff to compose a background check form for all employees and volunteers as policy. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

6. Discuss, consider and take action if necessary to approve formal comments prepared in response to the Department of Interior Fish and Wildlife Service Proposed Rules listing the Salado Salamander.

Dirk mentioned that CUWCD does not have the proposal yet but will have it soon. Attorney, Mike Gershon, suggested the Board give direction to Dirk and Mike to develop comments clarifying what CUWCD's role is in this issue as related to Chapter 36 and submit them at the appropriate time. President, Leland Gersbach, asked Dirk to send the Board a copy of the comments for review prior to submitting them. Dirk Aaron will present the prepared comments at the Board meeting in October.

Secretary, Judy Parker, moved to allow Dirk Aaron and Mike Gershon to compose a letter to USFWS on behalf of the Board concerning the position of CUWCD concerning the Salado Salamander with the understanding that the Board will have an opportunity to review the comments prior to them being submitted. Director, David Cole, seconded the motion. **Motion carried 5-0.**

7. General Manager's Report concerning office management related to the District Mission.

Dirk Aaron expressed his appreciation to the Board for allowing him to add another full time person to the staff as an Education Coordinator. This will free Dirk up considerably. Dirk has placed an advertisement in the KDH and TDT newspapers for qualified applicants. The response to the ad has been great.

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

a) Salado Creek stream flow gauges

Dirk Aaron reviewed the stream flow gauge information with the Board

b) Monitoring wells

Dirk Aaron presented the measurements of the monitor wells.

c) Rainfall/drought conditions

Shelly Chapman presented the Rainfall map for August 2011 and YTD

d) Well Registrations

Shelly Chapman reported 4 new exempt wells were registered and 23 unregistered wells were entered into the system as "grandfathered" and plugged.

e) Non-Exempt Well Production

Dirk Aaron presented report based on Well Production spreadsheet

9. Public Advisory Committee Comments:

No Comment

10. Director Comments and Reports:

Secretary, Judy Parker, commented on the Water Summit.

11. Discuss agenda items for next regular meeting in September.

USGS - results of studies

Annual Report

12. Set time and place of next meeting.

Next meeting is set for October 9, 2012 at 1:30 p.m. at CUWCD

13. Adjourn

Meeting adjourned at 5:02 p.m.


Leland Gersbach, President

ATTEST:


JUDY PARKER, Secretary

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

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT
MEETING HELD SEPTEMBER 11, 2012**

A RESOLUTION ADOPTING THE DISTRICT EMPLOYEE POLICY HANDBOOK

WHEREAS, the Clearwater Underground Water Conservation District (the "District") is a political subdivision of the State of Texas organized and existing under and by virtue of Article XVI, § 59, of the Texas Constitution, and a groundwater conservation district acting under Chapters 36 and 49 of the Texas Water Code and the District's enabling act, Act of the 71st Legislature, Regular Session, Chapter 524, 1989, as amended by Act of the 77th Legislature, Regular Session, Chapter 22, 2001, and by Act of the 81st Legislature, Regular Session, Chapter 64, 2009;

WHEREAS, the District is a governmental agency and a body politic and corporate;

WHEREAS, Texas Water Code § 36.057(f) authorizes groundwater conservation districts to adopt bylaws to govern the affairs of the districts to perform their purposes;

WHEREAS, the Board of Directors (the "Board") of the District believes it is necessary for the District to establish the employee policy handbook pursuant to such authority as the District carries out its authorized purposes, including the governance of its own affairs in managing the groundwater resources of Bell County, Texas;

WHEREAS, the Board of Directors had not adopted a District Employee Policy Handbook, prior to relocating from the administrative leadership of the Central Texas Council of Governments, and governed by their Employee Policy Handbook.

WHEREAS, the Central Texas Council of Governments provided administrative oversight and said employee policy pursuant with the administrative contract;

WHEREAS, the Board and staff of the District have identified the need to establish and approve a set of District Employee Policies for Employees located at the District's Principal Office;

WHEREAS, the Board finds that the attached proposed Employee Policy Handbook meets the requirements of Chapter 36, Water Code, and other applicable laws; and

WHEREAS, the Board of Directors of the District met in a public meeting, noticed properly in accordance with applicable law, and considered adoption of the attached Employee Policy Handbook and approval of this resolution.

NOW THEREFORE BE IT RESOLVED THAT:

The above recitals are true and correct;

The Board of Directors for the District hereby adopts the attached Employee Policy Handbook for the District;

The Board of Directors, its officers, and the District employees are further authorized to take any and all actions necessary to implement this resolution; and

The Employee Policy Handbook attached hereto and adopted by the Board of Directors shall be effective on September 11, 2012.

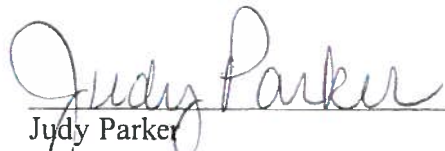
AND IT IS SO ORDERED.

Upon motion duly made by Director Judy Parke, and seconded by Director Wallace Biskup, and upon discussion, the Board voted 5 in favor and 0 opposed, 0 abstained, and 0 absent, and the motion thereby PASSED on this 11th day of September, 2012.

CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT

By: 
Leland Gersbach
Board President

ATTEST:


Judy Parker
Board Secretary