

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, Texas
Tuesday, September 10, 2013
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Friday, September 10, 2013 at the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

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

Public Advisory Committee:

Henry Bunke
Bill Schumann
Bradley Ware

Staff:

Dirk Aaron
Shelly Chapman

Guests:

None

Convened to Workshop with President, Leland Gersbach at 1:30 p.m.

1. Discuss the current policy on travel reimbursement to Staff/Directors and payment of Director fees.

Prior to the Board Meeting, Dirk sent a copy of the policy currently in place to the Board for their review. It was a policy established by the CTCOG guidelines. It met every standard the Board set except for the maximum reimbursement for meals. Leland stated reimbursement for meals should be the actual expense, not to exceed the amount set by the IRS. Other changes Leland thought needed to be made were just wording changes. Out of District and out of State travel needs to be approved by the Board. Air travel needs to be approved by the Board. Staff and Board Members should commute together. Mileage is covered in the policy and is set by IRS. Other questions came up about Director's travel. Judy gauges distance from her home to her destination, not from the District office. Staff should calculate mileage from the District office, not from home. Judy said this policy is specific for Staff but not for Directors.

Regarding meals, Leland asked if the District wanted to follow State rules or IRS rules?

On Director's Fees, Dirk mentioned that other Districts do not have a policy. Fee compensation is established in the By Laws. The State sets a specific amount per meeting not to exceed \$9,000/year. CUWCD pays \$150 per meeting. The State changed the rules to allow Districts to pay \$0-\$250 per meeting not to exceed \$9,000/year. Dirk inquired with another District how they determine when a Director can receive compensation. This District stated that they pay Directors Fees when the Directors attend a meeting with a set agenda. Leland liked that idea.

Dirk gave the Board copies of the existing Policy to take with them to review, make notes and suggestions for discussion at the next meeting. Leland thought that would be a good idea.

2. Discuss the Endangered Species Act issue as it relates to the Salado Salamander.

Dirk and Leland recapped the meeting with Congressman Carter and the Salado Stakeholders regarding the salamander issue for the Board members not present. Dirk discussed the conservation easement and what it will mean to the land owner.

3. Discuss the Belton Economic Development Business Park.

Dirk read an e-mail from Cynthia Hernandez of the BEDC to the Board regarding proposed development of property in the Belton Business Park regarding zoning changes for the Business Park. The Board discussed the issue associated with the re-zoning and covenants of the Business Park. The District had to adhere to stick guidelines with the construction and landscaping of the property. There

is concern about the variances allowed for the construction of the nursing home and the construction of a multi-family apartment complex to be built across the street. The BEDC has entered into a contract with the Developer to buy the property and separate from the Business Park. The Board cannot take action on this workshop item as a group but can, as individuals, submit comments. Dirk spoke with David Leigh of Harvest Technologies, another business with in the Business Park, is concerned about this as well.

Workshop closed and Board Meeting called to order with President, Leland Gersbach, at 2:42 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 Comment.*²

None.

3. *Approve minutes of the August 23, 2013 Board Meeting and Workshop.*

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

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

Secretary, Judy Parker, moved to accept the monthly financial report as presented. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

5. *Discuss, consider and take appropriate action if necessary to amend the FY13 Budget.*

General Manager, Dirk Aaron, presented a request for amendments to the FY13 budget. The request is for line item transfers where money is available in order for the following bills to be paid:

- 1) Bell CAD (1st Qtr Summary 2014 Taxing Unit Fees) = \$1,696.00
- 2) Lloyd Gosselink (June 30, 2013 General Legal Services) = \$2,934.00

Dirk explained that Bell CAD requests the 1st quarter Taxing Unit Fee payment for their tax collection service be paid in September of each year. The amount the District budgeted was under-estimated by \$88.31. General legal fees were also an estimated budget item. Dirk suggests simple line item transfers from available FY13 funds as follows:

- 1) 53020: Advertisement to 53030: Bell CAD Services: \$88.31
- 2) 53701: Legal Drought Contingency to 53703: Legal General \$3,102.50

Dirk also reminded the Board that if they approve amending the budget by line item transfers, the District will not be exceeding the overall budget for FY13.

Dirk also informed the Board that there could possibly be a couple more bills from Lloyd Gosselink for legal fees & ESA fees before the end of September.

Vice President, Wallace Biskup, moved to approve line item transfers as by staff. Director, Bill Bartlett, seconded the motion. **Motion carried 5-0.**

6. *Discuss, consider and take action necessary to amend the FY14 Budget.*

Dirk informed the Board that the staff had recently become aware that recent budget projections for FY14 have incorrect estimates based on new information attained by staff after the budget approval for FY14. Line item corrections are needed for Bell CAD and TAGD Dues. TAGD has redone their dues and membership structure.

- 1) Bell CAD services were estimated at \$6300 and should be \$6800.

2) Dues & Membership were estimated at \$1500 and should be \$2250 based on the increase for TAGD.

Dirk requested a line item transfer from the contingency fund of \$1250 for the adjustments. \$500 to be added to line item 53030 Bell CAD and \$750 to be added to line item 50500 Dues & Memberships.

Secretary, Judy Parker, moved to approve FY14 Budget amendments as presented. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

7. ***Discuss, consider and take appropriate action if necessary for on an exemption for Dean Mikeska Farms from the Hydrogeologic Report required for a future operating permit over 37 acre feet.***

Dirk explained to the Board that an applicant (Dean Mikeska Farms) is requesting an exception (District Rule 8.9.2) of the hydrogeologic report requirements on an upcoming operating permit for a three-well aggregate system for agricultural irrigation under a center pivot system of 4 pivots. The three wells it appears are registered with exempt status and were drilled prior to the districts creation. All three are at a depth of approximately 60 to 80 feet in the alluvial formation.

The applicant is preparing an application for an estimated operating permit of 140 acre feet and anticipates that he would like to go to public hearing at the October 8, 2013 Board meeting. He has agreed to conduct a pumping test on each well per guidelines establish for such a test prior to the public hearing. The results will be a submitted and utilized by Bar-W during the drawdown assessment.

The Board has approved a similar request by Bradley Ware in 2008, for a similar two well system, at which time the Board approved his request for an exemption of the hydrogeological report requirement. District rules require a hydrogeological report if production will be greater than 37 ac-ft/year.

Dirk asked the Board to consider the extenuating circumstances associated with these wells and approve the requested exemption of the hydrogeologic report, but require for the in- depth pumping test of each well in the three well aggregate system, per guidelines and over- site by the CUWCD GM and Bar-W Exploration.

Director, David Cole, moved to approve request based on staff recommendations. Vice President, Wallace Biskup, seconded the motions. **Motion carried 5-0.**

8. ***General Manager's Report concerning office management and staffing related to District Management Plan.***

Dirk gave the Board a summary of things going on in the District regarding Permit Application:

- 1) **Jack Hilliard** – Drilling is nearly complete except for the second phase for the Operating Permit.
- 2) **Mike Cornet** (Tenroc Ranch) is working on an application for an N2 < 10 ac-ft for 3 well aggregation for his public facilities.
- 3) **Janet Stone** – requesting and N1 well for domestic use on Toll Bridge Road. Tommy Lovelace is helping them out with this. The property is located within the city of Belton. Staff has received approval for the client from the City to proceed with the well. The City does not provide water to that area. Staff is waiting for final approval from Michael Jahns regarding an on-site septic plan.

Dirk discussed the Districts annual Water Symposium November 14th. He is currently working to get speakers for this event. He informed the Board that there is another event in Austin on the same day. Dirk asked the Board's opinion on moving the District's symposium to another day. The Board was in agreement that we should keep the date as it is.

Dirk informed the Board about an issue with a well out in Hidden Springs owned by Mike and Samantha Hilliard. Dirk gave the Board a summary of the issue relating to the problems with the well, well driller, and pump installer. He recapped his conversation with the well driller. The well driller has already notified TDLR of the issues. Dirk will keep the Board updated on this issue.

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

a. Salado Creek stream flow gauges

Dirk Aaron presented information on stream flow gauges and drought status reports.

b. Education Outreach Update

Todd Strait submitted his report on Education Outreach. Dirk Aaron touched on some of the highlights.

c. Monitoring wells

Dirk Aaron presented the measurements of the monitor wells.

d. Rainfall

Dirk Aaron discussed the rainfall totals in conjunction with the drought status report.

e. Well registration

Shelly Chapman informed the Board that 4 new exempt wells and 2 grandfathered well were registered in the month of August.

f. Non-exempt Monthly well production

Dirk Aaron presented the monthly well production information to the Board.

(Copies of the Monthly Staff Reports were given to the Board Members to review. No action required. Informational items only.)

10. Public Advisory Committee comments.³

Bill Schumman informed the Board that Wilson Art agreed to let the District use the well on General Bruce in Temple as a monitor well.

11. Director comments.³

Judy Parker – requested for Shelly to notify her if a permit comes in for a well for a cement plant out on Hwy ~~95~~. TCEQ has approved the plant. City of Killeen does not supply water to that area.
195 sec

12. Discuss agenda items for next meeting.

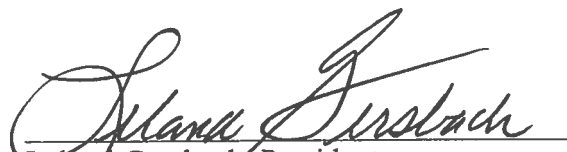
Travel Policy and Director's Fee
Possible Public Hearing on N1 & N2 Applications

13. Set time and place of next meeting.

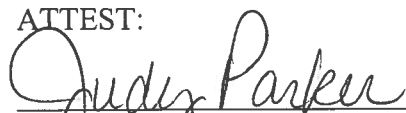
October 8, 2013 @ 1:30

14. Adjourn.

Meeting adjourned by President, Leland Gersbach at 4:34 pm.


Leland Gersbach, President

ATTEST:



JUDY PARKER, Secretary
(A compact disc of this meeting is available upon request.)