

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, Texas**  
**Tuesday, October 8, 2013**  
**Minutes**

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Tuesday, October 8, 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:**

Dr. Yelderman - Baylor Univ.  
Stephanie Wong - Baylor Univ.

David Leigh - Harvest Technology  
Nicole Torralva - City of Temple

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

***1. Discuss the proposed zoning change in BEDC Business Park with David Leigh, President/CEO Harvest Technology.***

Dirk Aaron introduced David Leigh. He gave the Board a brief background about Harvest Technologies, the City of Belton, and the BEDC. He discussed concerns and issues with requested zoning change of the BEDC from "light industrial" to "multifamily". He encouraged the Board and anyone with interests or concerns about the re-zoning of the BEDC to attend the P&Z meeting coming up.

***2. Discuss the Executive Summaries on Salado Springs by Dr. Joe Yelderman and Ms. Stephanie Wong.***

Stephanie Wong from Baylor University gave a summary of the findings of the study so far and how they would like to proceed from here.

***3. Discuss the Geochemistry studies of the Edwards BFZ by USGS Water Science.***

No presentation by USGS due to Government shut down.

**Workshop closed and Board Meeting called to order with President, Leland Gersbach, at 2:38 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.<sup>2</sup>***

Secretary, Judy Parker, wanted to submit a letter from Mr. & Mrs. Hilliard as public comment.

***3. Approve minutes of the September 10, 2013 Board Meeting and Workshop.***

Secretary, Judy Parker, pointed out that "Hwy 95" should be "Hwy 195" in her comments about a possible cement plant under the Directors Comments. Director, Bill Bartlett, moved to accept the minutes with correction noted. Director, David Cole, seconded the motion. **Motion carried 5-0.**

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

President, Leland Gersbach, pointed out that a column heading on the P&L needed to be changed from "Oct 2013" to "Sept. 2013. Director, David Cole, moved to accept the monthly financial report as presented with corrections. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

**5. Discuss, consider and take appropriate action if necessary accept the monthly Investment Fund account report as presented.**

Secretary, Judy Parker, moved to accept the monthly Investment Fund account reports as presented.

Vice President, Wallace Biskup, seconded the Motion. **Motion carried 5-0.**

**6. Discuss, consider and take action necessary to accept the Quarterly Deferred Compensation Employee Retirement Program account as presented.**

Secretary, Judy Parker, moved to accept the Quarterly Deferred Compensation Employee Retirement Program account as presented. Director, David Cole, seconded the motion. **Motion carried 5-0.**

**7. Discuss, consider and take appropriate action if necessary to approve Monitoring Well Agreement with the City of Temple.**

Dirk Aaron introduced Nicole Torralva, Public Works Director with the City of Temple. She and Dirk have been working together on this project.

Dirk presented background information and research on the wells the District and the City of Temple would like to enter into an agreement with for monitoring wells.

Director, Bill Bartlett, moved to accept the interlocal agreement for monitoring wells with the City of Temple. Director, David Cole, seconded the motions. **Motion carried 5-0.**

**President, Leland Gersbach, closed the Board meeting at 3:03 and convened to Public Hearing.**

**8. Hold public hearing on the following permit Application:**

***a. Discuss, consider and take action if necessary on the proposed N1 combination drilling and operating permit for Jane Stone to authorize drilling and withdrawal from a proposed well in the Edwards BFZ aquifer.***

President, Leland Gersbach, reviewed the procedures of the public hearing and details associated with the application. Mr. Gersbach noted that the applicant was not present at the meeting but Tommy Lovelace will represent the applicant via telephone if needed. The Districts legal representative, Mike Gershon and the Districts hydrologist, Randy Williams would be available via telephone should the need arise. Mr. Gersbach asked District Manager, Dirk Aaron, if it was necessary to phone conference these individuals for this hearing. Dirk Aaron did not think that would be necessary. Mr. Gersbach administered oath to parties testifying on behalf of the permit application.

Dirk Aaron presented the facts and research information associated with the application. Dirk informed the Board that the application met the 12 criteria. No public comments or other interested parties in attendance at the hearing.

Secretary, Judy Parker, moved to approve the Jane Stone permit for 0.34 acre-ft. from the Edwards BFZ Aquifer for domestic use. Director, David Cole, seconded the motion. **Motion Carried 5-0.**

**President, Leland Gersbach, closed the Public Hearing and reconvened to the Board Meeting at 3:15 pm.**

General Manager, Dirk Aaron, suggested the Board go into Executive Session with Legal Representative, Mike Gershon, to discuss items 9 & 10.

President, Leland Gersbach, asked approval from the Board to skip to Agenda item #11 before Executive Session for the convenience of the PAC. The Board agreed.

**11. Discuss, consider and take action to amend the current Travel and Subsistence Policy.**

After reading through the current policy, Leland gave the Board some suggested changes in wording to the policy. Some discussion was made regarding meals and travel.

No action taken at this time. Suggested changes will be made and brought to the Board for approval by Resolution at the November meeting.

President, Leland Gersbach, skipped to agenda item 16 so the PAC would not have to wait around while the Board convened to Executive Session.

**16. Public Advisory Committee comments.** <sup>3</sup>

None

**President, Leland Gersbach, closed the Board meeting to convene to Executive session under legal counsel for Agenda items 9 & 10 at 3:31 pm.**

**Executive Session closed and Board meeting reconvened with President, Leland Gersbach at 4:48 pm.**

(No action taken during Executive Session.)

**9. Discuss consider and take action if necessary concerning Licensed Driller/Pump Installer violation of District Rules.**

Based on discussion in executive session with Legal Counsel, Judy Parker moved to have District Staff send a letter to TDLR requesting they enforce rules pertaining to the completion of the Franks/Simpson issues before the Board is forced to take action within 30 days. Director, David Cole, seconded the motion. **Motion carried 5-0.**

**10. Discuss, consider and take action if necessary concerning Professional Service for general groundwater technical and management consulting.**

Based on discussion in executive session with Legal Counsel, Dirk Aaron informed the Board that he has interviewed Allan Standen and LBG Guyton upon the termination of BarW as the Districts hydrologist. Dirk informed the Board of the reasons for termination of BarW. Judy Parker suggested that the District not terminate Randy Williams until another firm hired to take his place. Dirk suggested that there be a committee of 2 Board members and a member of the PAC to interview the proposed firms. Dirk suggested the committee consist of Leland Gersbach, David Cole, and Bill Schumann. Judy commented that she was leaning toward LBG Guyton. She prefers not to use an individual person again.

Secretary, Judy Parker, moved to appoint a committee made up of Leland Gersbach, David Cole, and Bill Schumann to interview the top candidates and come back with recommendations. Director, Bill Bartlett, seconded the motion. **Motion carried 5-0.**

**12. Discuss, consider and take action necessary to approve the research contact agreement with Baylor University.**

Leland Gersbach reviewed the agreement with Baylor. Everything the District purchases for the research will remain property of the District.

Director, David Cole, moved to approve the agreement with Baylor University. Secretary, Judy Parker, seconded the motion. Motion carried 4-0-1 (Bill Bartlett not present for vote - left at 5:08).

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

Dirk up dated the Board on the upcoming Water Symposium. He passed out the tentative agenda and discussed event topics. The county agent will offer CEU's again but is not interested in speaking at the event. Debby Garrett will cater the meal again.

Dirk passed out a copy of the State Auditor's Report for the Board to look at.

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

- a. Salado Creek stream flow gauges*
- b. Education Outreach Update*
- c. Monitoring wells*
- d. Rainfall*
- e. Well registration*
- f. Non-exempt Monthly well production*

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

**15. Manager's Report and Staff comments.**

None - Duplicate of Agenda Item #13.

**17. Director comments <sup>3</sup>**

Judy Parker received a letter from Region G for a Board opening with industries interest.  
David Cole commended the Staff on a job well done with the State Auditor and the letter the Board received from the Hilliard's in Hidden Springs.

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

Travel and Subsistence Policy/Resolution  
Dean Mikeska Permit  
TDLR cases  
Professional Services

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

November 12, 2013 @ 1:30

**20. Adjourn.**

**Meeting adjourned by President, Leland Gersbach at 5:22 pm.**

  
Leland Gersbach, President

ATTEST:

  
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JUDY PARKER, Secretary

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