

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, Texas**  
**Tuesday, November 12, 2013**  
**Minutes**

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Tuesday, November 12, 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:**

Mike Gershon – Lloyd Gosselink Attorneys at Law	Allan Standen – Consultant
Jos Portmann – HH Citizen	MaryLynn Musgrove – USGS
Tim Brown – County Commissioner	

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

***1. Discuss the Geochemistry Studies of the Edwards BFZ by USGS Water Science Team.***

MaryLynn Musgrove presented an overview of the work that has been done by the USGS and what they propose for the future.

**(President, Leland Gersbach, suggested the Board skip to workshop item #4 at this time.)**

***4. Discuss the final plans for the 13<sup>th</sup> Annual Bell County Water Symposium, November 14<sup>th</sup>.***

Dirk Aaron passed out the Agenda and Speakers Bios to the Board for their prospective speaker. He covered the topics and plan for the event.

**President, Leland Gersbach, closed the Workshop and convened to Executive Session to discuss workshop items 2 and 3 at 2:10 p.m.**

***2. Discuss the process and timeline necessary to amend District Rules.***

(Discussed in Executive Session)

***3. Discuss the current relationship with Lloyd-Gosselink & Townsend, P.C. for legal services.***

(Discussed in Executive Session)

**President, Leland Gersbach, reconvened to Workshop at 3:03 p.m.**

***5. Discuss the findings of the Committee reviewing individuals and firms for professional services for general groundwater technical support.***

Leland Gersbach brought the Board up to date on the interviews conducted by the committee for professional services for general groundwater technical support. The committee met with Allan Standen and also James Beach-LBG Guyton. The committee determined that both consultants were very qualified. They bring different strengths to the table. Recommendation by the committee was to utilize both consultants in different aspects.

Allan Standen gave a brief presentation of his 3-D modeling to the Board.

**6. Discuss investigation of alleged improper well drilling and pump installation by local well and pump installers.**

Dirk Aaron updated the Board on the current investigations of improper well drilling and pump installation by local well and pump installers. He informed the Board that the Hilliard issue had been resolved.

He also filled the Board in on the complaint regarding the Franks/Simpson wells. Dirk filed a complaint with TDLR but has received no response. They did say research confirms cross communication rather than comingling is an option. They also believe there is no resolution to the already plugged wells and that re-entering is not an option according to Mike Dunn with TDLR.

Dirk gave the Board information on another issue out on Cedar Valley where a pump burned up and was stuck in the well. He explained the particulars of the complaint.

Dirk explained the most recent complaint to the Board regarding the Shelley/Heffington well comingling Glen Rose water to the Hosston. This well is used for landscape purposes. The landscape has been destroyed. The well was permitted for joint use at the lake. Moffat WSC provides the water to the homes. Permit evaluation by Bar-W pointed out that the well needed to be in the Middle Trinity to avoid potential problems. Test by BioChem shows a TDS of 4000+. Staff met with the well owner and encouraged him to get further information from Texas A&M Soil and water testing lab to get more in depth results to determine if the bad water destroyed the landscape.

**Workshop closed and Board Meeting called to order with President, Leland Gersbach, at 3:52 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 October 8, 2013 Board Meeting and Workshop.**

Vice President, Wallace Biskup moved to approve the Minutes of the October 8, 2013 as presented.  
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. Director, David Cole, 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.**

Director, David Cole, 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 approve amended Travel and Subsistence Policy and Resolution.**

President, Leland Gersbach, reminded the Board that suggested changes to the policy were discussed at the last Board meeting. The changes have been made clarifying and correcting some of the wording to the policy.

Vice-President, Wallace Biskup, moved to approve the suggested changes to the policy. Director, Bill Bartlett, seconded the motion. Secretary, Judy Parker, commented that she did not agree with the

change not to allow mileage reimbursement to Directors for travel from their home/office to the district office. She does not think this is the best change but will not object to it. **Motion carried 5-0.**

**7. Discuss, consider and take appropriate action if necessary on proposed line item transfers to the FY13 Budget.**

Clearwater CUWCD financial report through September 30, 2013 was presented to the Board for final line item transfers. Invoices for expenditures continued coming in for FY13 through the end of October. The District was showing over expenditures for several line items as described in the handout to the Board. Dirk Aaron pointed out that approval of the line item transfers WILL NOT cause the District to exceed the Operational Budget set for FY13. Leland Gersbach reviewed the suggested requests for line item transfers.

Director, David Cole, moved to approve the line item transfers as detailed. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

**8. Discuss, consider and take action if necessary to close out FY13 Budget year as presented.**

Dirk Aaron presented the budget closeout for FY13. The FY13 budget was \$577,875.00. The District will en fiscal year 2013 with an adjusted income of \$573,998.63 and total expenditures of \$463,864.52 meaning the District came in under budget by \$110,134.11.

Director, Bill Bartlett, moved to approve the FY13 Budget closeout. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

**9. Discuss, consider and take action if necessary concerning selection of Professional Services for General Groundwater Technical and Management Consulting.**

Randy Williams, Bar-W Groundwater Exploration, has been terminated by the District per a letter that Staff sent to him on November 7, 2013. Dirk gave the Board a copy of that letter. The Board appointed a review committee to interview potential replacements. The Committee interviewed James Beach of LBG-Guyton and Allan Standen-Groundwater & Natural Resource Consulting. Dirk presented the 2 proposals to the Board. Findings of the committee were discussed in workshop and recommendations were received. Dirk Aaron recommended using both individuals in different aspects as presented.

Director, David Cole, moved to approve the 2 contracts as presented. Director, Bill Bartlett, seconded the motion. **Motion carried 5-0.**

**10. Discuss, consider and take action if necessary to approve the FY14 monitor well construction projects.**

Dirk Aaron mentioned that the Board approved 3 monitor wells on January 8, 2013. Only one well was completed. Dirk recommended in his staff report that the Board fund 3 wells during FY14. He suggested that the district complete Edwards BFZ and Middle Trinity wells at the Gault site that were not completed in FY13 since the agreements have been made and are in place. The third well he recommended was the Franks well in Hidden Springs. He was not sure the District needed to proceed with the third well at this time so he changed his recommendation to completing only the Middle Trinity and Edwards for now.

Dirk presented the cost estimates to the Board for approval of the Middle Trinity and Edwards BFZ monitor well construction.

Vice President, Wallace Biskup, moved to approve the monitor well construction projects as recommended by staff. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

**11. Discuss, consider and take action if necessary on proposed line item transfers to the FY14 Budget.**

Dirk Aaron presented suggested budget line item changes to the FY14 Budget. Salary change for the Education Coordinator is due to his health benefit being covered by the V.A. Other changes were contingent on the Board's approval of professional services and monitor well construction for FY14 in previous agenda items 9 & 10.

Director, David Cole, moved to approve using reserve and contingency funds as presented by Staff. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

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

No additional information to report.

**13. 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/Drought Conditions**
- 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.)

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

None

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

Judy Parker attended TAG meeting.

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

Possible permit request – Mikeska  
Rule changes for workshop  
Christmas reception

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


December 10, 2013 @ 1:30

**18. Adjourn.**

**Meeting adjourned by President, Leland Gersbach at 4:41 p.m.**

  
Leland Gersbach, President

ATTEST:



JUDY PARKER, Secretary

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