

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, Texas**  
**Tuesday, August 12, 2014**  
**Minutes**

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Tuesday, August 12, 2014 at 1:30 p.m. 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:**

Bradley Ware  
Henry Bunke  
Bill Schumann

**Staff:**

Dirk Aaron  
Shelly Chapman

**Guests:**

None

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

**Workshop item #1 – Discuss the proposed FY15 Budget.**

Dirk gave the Board a budget worksheet based on the FY14 amended budget. He reviewed the Scientific Studies and categorized them line by line for the Board to see. He reviewed the Professional Services and Consulting items as well. Dirk also presented information on re-establishing the Salado Salamander Adaptive Management Funding Coalition.

**Workshop item #2 – Discuss the 2014 November 4<sup>th</sup> General Election.**

Dirk reminded the Board about the upcoming election on Nov 4<sup>th</sup> for Precincts 2, 4, and At-large. He informed the Board that we have 3 candidates at this time. Judy Parker will be running for Pct.4 again. Gary Young will be running for Pct.2, and David Cole will be running again for the At-large position. Potential candidates have until August 18<sup>th</sup> to apply for a place on the ballot. Leland Gersbach asked what would happen if the District had only one candidate for each position. Dirk informed him that the District would NOT have to hold an election. Dirk also informed the Board that potential candidates have the ability to be a “write in” candidate from Aug 18<sup>th</sup> - Aug 22<sup>nd</sup>. Dirk read examples of when the District can cancel an election. He also read the law about coercion against candidacy by staff or other interested parties.

**Workshop closed and Board Meeting opened 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 Comments:***

None

***3. Approve minutes of the July 8, 2014 Board Meeting and Workshop.***

Director, Bill Bartlett, moved to approve the Minutes of the July 8, 2014 meeting with change as noted to the invocation. Wallace Biskup gave the invocation not Leland Gersbach..  
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.***

President, Leland Gersbach, asked the Board to table this item until the next meeting. He spoke with Dirk before the meeting and there are issues on how some of the checks were coded for payment and they need

to be moved to the correct account. There won't be any bottom line changes, just coding within the accounts. A corrected financial report will be presented at the August 21<sup>st</sup> meeting.

Director, David Cole, moved to table the financial report until the meeting on August 21<sup>st</sup>. Director, Bill Bartlett, seconded the motion. **Motion carried 5-0.**

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

Leland Gersbach stated that the Investment Fund account agreed with what is on the balance sheet which will not be affected by the account coding changes on the financial report.

Director, David Cole, moved to accept the monthly Investment Fund account approve as presented. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

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

Dirk Aaron explained that Shelly Chapman reviewed the Quarterly Report submitted from Security Benefits and verified the contributions presented were correct.

Secretary, Judy Parker, moved to accept the Retirement Fund Report as presented. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

**7. *Discuss, consider and take appropriate action if necessary to approve the FY14 line item budget amendments as requested.***

Dirk Aaron explained that on the staff report he prepared, only 2 of the items should be addressed at this time. The others are relative to the account coding issues and will be addressed at the meeting on Aug 21.

Staff requested line item transfers for the following items:

**1. Line item 50425** (Director Fees Pct.4) needs to be amended. Dirk did some calculating on the remaining meetings Judy Parker would be attending through the rest of the Fiscal year and determined that \$1,350 need to be added to the Pct4 line item. He reminded the Board that in the past the District moved funds from line item 50410 (Director Fees Pct.1) to cover the additional fees for Pct.4.

**2. Line item 54600** (Security) needs to be amended due to the security upgrades being done after the July break in. Security upgrades already made for glass break detectors in the amount of \$1059.35 have put this line item over budget \$953.90. Upgrades for security cameras and NVR will be installed next week. The cost of this system will be \$11,618.22. The District still has 2 months of security monitoring fees at \$29.95/month to pay as well. Staff is requesting a line item transfer of \$12,632.11. Dirk noted that the Contingency Fund still has a current balance of \$42,777.00.

Leland commented that we will be under budget on several big line items. He would suggest we look at transferring money from one of those line items instead of the Contingency Fund. The suggestion was made to transfer \$1,350 from line item 50410(Director Fees-Pct.1) to line item 50425 (Director Fees-Pct.4) and \$13,000 from line item 53120 (Endangered Species) to line item 54600 (Security) and table the remaining amendments until Aug. 21.

Director, David Cole, moved to move \$1,350 from 50410 to 50425 and \$13,000 from 53120 to 54600. Director, Bill Bartlett, seconded the motion. **Motion carried 5-0.**

**8. *Discuss, consider and take appropriate action if necessary to set the preliminary tax rate for tax year 2014 on proposed budget FY15.***

Dirk reminded the Board that the discussion in workshop was to decide on leaving the tax rate at \$0.004 or dropping it to \$0.039 for tax year 2014.

Secretary, Judy Parker, moved to keep the tax rate at \$0.004 for tax year 2014. Director, Bill Bartlett, seconded the motion. **Motion carried 5-0.**

**9. Discuss, consider and take appropriate action if necessary to set date for adoption of the FY15 Budget.**

The date determined to adopt the FY15 Budget will be Thursday, August 21, 2014 at 1:30 p.m.

Vice President, Wallace Biskup, moved to set the date of August 21<sup>st</sup> to adopt the FY15 Budget. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

**10. Discuss, consider and take appropriate action if necessary to set date for the public hearing and adoption of the tax rate for tax year 2014.**

President, Leland Gersbach, asked for a motion to set the date for the public hearing and adoption of the tax rate for tax year 2014.

Director, David Cole, moved to set the date of August 21, 2014 for the public hearing and adoption of the tax rate for tax year 2014. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

**11. Discuss, consider and take appropriate action if necessary to call for the November 4<sup>th</sup> General Election of Directors.**

Dirk Aaron presented the "Order calling the Regular Election of Directors on November 4, 2014" to the Board. Dirk pointed out on page 4, section 8, which states:

**Section 8:** To the extent the results of the election are not declared in accordance with Section 6 of this Order, the Assistant Secretary of the Board is hereby directed to provide notice of this election, in English and Spanish, by any one or more of the following methods in accordance with Section 4.003, Texas Election Code:

- (1) By publishing the notice at least once, not earlier than the 30th day or later than the 10th day before election day in a newspaper of general circulation in the territory if none is published in the jurisdiction of the authority responsible for giving the notice; or
- (2) By posting, not later than the 21st day before election day, a copy of the notice at a public place in each election precinct that is in the jurisdiction of the authority responsible for giving the notice; or
- (3) By mailing, not later than the 10th day before election day, a copy of the notice to each registered voter of the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving the notice.

In addition to the above methods of providing notice, the Secretary of the Board shall have notice of this election, in English and Spanish, posted not later than the 21st day before the election on the bulletin board used for posting notices of the meetings of the Board. Such notice shall remain posted continuously through election day.

Dirk recommended the Board allow him, as Assistant Secretary of the Board to us option 1 which is what has been done in the past.

Leland Gersbach, asked for a motion allowing Dirk Aaron, Assistant Secretary of the Board, to use #1 under section 8 and call for the election.

Vice President, Wallace Biskup, made the motion as stated. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

**12. Discuss, consider, and take appropriate action if necessary to approve Election Contract with Bell County Elections Department, Shawn Schneider.**

Dirk presented the Election Contract with Bell County for selection services.

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

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

- There will be a public hearing for Armstrong Water Supply.
- Possible public hearing for CTWSC if they get more information to Dirk.
- Legislative concerns on Brackish water, ASR, and TDLR 3<sup>rd</sup> party inspections
- Security cameras will be installed Aug 22<sup>nd</sup> and 25<sup>th</sup>.
- Water Symposium is Nov. 20<sup>th</sup>. Dirk is working to line up speakers.
- Texas Groundwater Summit is August 26-28 in San Marcos. Dirk, Judy, Leland, and David will attend.
- Milam/Burleson Groundwater Summit is Wed. in Caldwell. Dirk, Todd, Wallace, and Gary Young will attend.
- Driller complaints – Meeting with Becker on the Shelley/Heffington investigation on Aug 20<sup>th</sup>. Pedigo well completed and comingling. Meeting with driller on Aug 25<sup>th</sup>. Dirk is currently running tests.

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

**a. Salado Creek stream flow gauges**

Dirk presented an update on the stream flow gauges.

**b. Education Outreach Update**

Dirk presented an update on education outreach and Todd's accomplishments

**c. Monitoring wells**

Dirk presented the monitor well information to the Board

**d. Rainfall/Drought Conditions**

Dirk discussed the rainfall totals and drought conditions

**e. Well registration**

Shelly informed the Board that there were 1 grandfathered/unregistered exempt well created and registered and 2 new exempt wells registered in June.

**f. Non-exempt Monthly well production**

Dirk presented the monthly production report to the Board.

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

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

None

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

None

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

FY14Budget Amendment

Adopt FY15 Budget

Adopt Tax Rate

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

August 21, 2014 @ 1:30

**19. Adjourn.**

**Meeting adjourned by President, Leland Gersbach at 3:54 p.m.**

  
Leland Gersbach, President

ATTEST:

  
JUDY PARKER, Secretary

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