

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, Texas**  
**Thursday, April 8, 2015**  
**Minutes**

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Thursday, April 8, 2015 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  
Gary Young, Director

**Public Advisory Committee:**

Henry Bunke  
Bill Schumann  
Bradley Ware

**Staff:**

Dirk Aaron  
Shelly Chapman

**Guests:**

Lou Fleischhauer                      Damon Boniface - City of Temple                      Alex Wukman - Temple Daily Telegram

**Workshop convened with President, Leland Gersbach, at 1:31 p.m.**

Leland Gersbach informed the Board that the Public Hearing scheduled for the McLane Drilling Permit had been cancelled and would be rescheduled. The Hearing was pending a letter from the City of Temple giving McLane Group the okay to drill a well for irrigation and public water supply use. The District did not receive the letter from the City of Temple until late Tuesday afternoon. The letter gave McLane group the okay to proceed with a well for irrigation purposes but not for public water supply use. The Hearing was cancelled to give the applicant the opportunity to meet with their consultants and revisit the application. The Hearing will be reposted for May 13, 2015 Board meeting.

***Workshop item #1. Discuss Ground water related issues and concerns per the 84<sup>th</sup> Legislative session***

Dirk highlighted 3 Bills that he has concerns about.

The first is HB 30, a brackish bill by Larson. This bill allows TWDB to designate brackish zones and requires GCDs to issue 30 year permits with unlimited production within the designated zones. Dirk commented that he think brackish legislation will come up in the near future. Ty Embry is working with a group to address some of the concerns about brackish legislation.

The second bill is HB 200, a bill that redefines the DFC process. If someone appeals after the DFC is set, it would be appealed back to TWDB. TWDB could then change the decision made by the District. This bill also creates opportunity for appeal of GCD permit decisions to TWDB.

The third bill of concern is HB 3540, the Texas Landowners Council bill by Molly White. Currently, Districts are required to redo DFCs every 5 years. This is an unfunded mandate and costs CUWCD approximately \$90,000 for the 5 year process. This bill will allow someone to come in after the DFCs are set and appeal it. This bill could cost the Districts more money. It creates an opportunity for someone to appeal and put some Districts "out of business". Dirk reached out to Molly White's staff about the District's concerns with this bill.

Dirk also recapped several other bills that he and Ty have been asked to monitor.

***Workshop item #2. Discuss the GMA8 DFC/MAG ongoing process.***

Judy Parker reported that the RFQ went to Intera. The REQ process brought good results. The group was able to debate the cost and get Intera to reduce the scope of work allowing them to stay within the budget that was set. Leland asked if there was a deadline for the DFCs. Dirk and Judy explained that the initial deadline is May of 2016. That is the deadline for DFC recommendations. The final deadline for TWDB will be in the fall of 2016. Dirk reached out to LBG Guyton because CUWCD is the only District in GMA8 that

has an Edwards responsibility. Dirk commented that in the near future the District will be looking at management areas as well as management zones of aquifers.

**Workshop closed and Board Meeting convened with President, Leland Gersbach, at 2:12 p.m.**

1. ***Invocation and Pledge of Allegiance:***  
Vice President, Wallace Biskup, gave the invocation.  
Secretary, Judy Parker, lead the Pledge of Allegiance.
2. ***Public Comments:***  
No public comments. Leland Gersbach asked the guests to introduce themselves. Damon Boniface with the City of Temple and Lou Fleischhauer with Collier Consulting introduced themselves. Leland thanked them for coming.
3. ***Approve minutes of the March 11, 2015 Board Meeting and Workshop.***  
Secretary, Judy Parker, moved to approve the minutes of them March 11, 2015 Board Meeting and Workshop. Director, David Cole, seconded the motion. **Motion carried 5-0.**
4. ***Discuss, consider and take action if necessary to accept the monthly financial report for April 2015 as presented.***  
Director, Gary Young, moved to accept the monthly financial report for March 2015 as presented. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**
5. ***Discuss, consider and take action if necessary to accept the monthly Investment Fund account report as presented.***  
Director, David Cole, moved to accept the monthly investment fund account as presented. Director, Gary Young, seconded the motion. **Motion carried 5-0.**
6. ***Discuss, consider and take action if necessary to accept the Quarterly Deferred Compensation Employee Retirement Program account report as presented.***  
Vice President, Wallace Biskup, moved to accept the Quarterly Deferred Compensation Employee Retirement Program account as presented. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**
7. ***Discuss, consider and take action if necessary to approve the FY15 line item budget amendments as requested.***  
Dirk Aaron explained that Judy Parker was being bombarded with meetings for Region G while they are in the RFQ process of selecting a new consulting firm. She will also have GMA8, TAGD, and regular Board meetings to attend. Dirk estimates she will have at least 16 more meeting this fiscal year. Dirk recommended transferring \$2,400 from line item 50410 (Director Fees – Pct1) to 50425 (Director Fees – Pct4).  
  
Dirk explained the second line item transfer was an administrative correction. He recapped the change the District had to make regarding the way Healthcare Compensation was to be recorded under the new laws and that there needed to be an administrative adjustment made to the Salary line item for Todd Strait in order for the District to report Healthcare compensation properly. Dirk informed the Board that the \$6000 added to Todd's salary (line item 52010) for healthcare compensation needs to be moved and recorded under the line item for Health Insurance (line item 52040).  
  
Director, Gary Young, moved to approve line item transfers as requested. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**
8. ***Discuss, consider and take action if necessary on groundwater related legislation filed at the 84<sup>th</sup> legislative session.***  
Legislation was discussed and recapped at length in workshop. No action required at this time.  
  
Dirk mentioned that Ty Embry is continuing to monitor the bills that have been discussed. HB30 and HB200 are currently being reviewed and adjusted through negotiations.
9. ***Hold Public Hearing on the following permit application***

a.) *Discuss, consider and take appropriate action if necessary on the proposed drilling permit for McLane Group Properties LLC, to authorize drilling go a new well (N2-15-001P) in the Hosston Layer of the (Lower) Trinity aquifer to produce water for landscape irrigation and public water supply.*

Public Hearing cancelled. No action to be taken at this time. Hearing to be rescheduled for the May meeting. This will allow the applicant time to revisit the application, meet with their consultants, and possibly amend the application.

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

- Made adjustments to the Healthcare situation. The line item budget amendment the Board approved will get the District in compliance.
- Tristin will be on maternity leave tentatively May 7<sup>th</sup> through June 22<sup>nd</sup>.
- Leland asked Dirk if he had a status on the USGS projects. Dirk informed the Board that they were currently finishing up the 1<sup>st</sup> project and would be meeting with him soon to discuss details and a plan for starting the 2<sup>nd</sup> project.

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

- a. *Drought Status Report and/or Aquifer Status Report*
- b. *Education Outreach Update*
- c. *Monitoring wells*
- d. *Rainfall Report*
- 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.)

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

Leland Gersbach asked Bill Schumann if he knew anything about the TDS levels of the old Wilsonart well. He didn't have much information on it. He will reach out to TxDot and see if they will allow the District access to the well for monitoring purposes.

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

Gary Young attended the Coalition meeting in Salado. He gave a recap of the meeting. He felt it was a productive meeting. Dirk also touched on some of the issues concerning the sewer plant.

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

Legislative updates  
Possible Public Hearing for McLane Group Properties

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

May 13, 2015, 1:30 p.m.

**16. *Adjourn.***

**Meeting adjourned by President, Leland Gersbach at 2:54 p.m.**

  
Leland Gersbach, President

ATTEST:

  
JUDY PARKER, Secretary

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