

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, Texas
Wednesday, December 9, 2015
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Wednesday, December 9, 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

Staff:

Dirk Aaron
Shelly Chapman

Guests:

Trey Buzbee – Brazos River Authority
Lou Fleischhauer – Collier Consulting
Stephanie Wong – Baylor University

James Beach – LBG-Guyton
Charles Shell – Central Texas GCD
Mitchell Sodek – Central Texas GCD

Board meeting convened with President, Leland Gersbach, at 3:12 p.m.

1. Invocation and Pledge of Allegiance:

Vice President, Wallace Biskup gave the invocation.
Secretary, Judy Parker led the Pledge of Allegiance.

2. Public Comments:

None

3. Approve minutes of the November 4, 2015 Board Meeting and Workshop.

Director, Gary Young, moved to approve the minutes of the November 4, 2015 Board Meeting and Workshop. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

4. Discuss, consider and take action if necessary to accept the monthly financial report for November 2015 as presented.

Secretary, Judy Parker, moved to accept the monthly financial report for November 2015 as presented. Director, David Cole, 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. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

6. Discuss, consider and take appropriate action if necessary to approve the line item amendments to the FY16 Budget as requested.

Dirk Aaron stated that there were no line item amendment requests at this time.

7. Discuss, consider and take appropriate action if necessary on the request to extend the current Drilling Permit for the City of Troy to the Hensell Layer of the Trinity Aquifer.

Dirk Aaron informed the board that the City of Troy was still working on their application for SWIFT funds and recommended to the board that they extend the drilling permit for another 120 days.

Vice President, Wallace Biskup, moved to approve the drilling permit extension for 120 days. Director, David Cole, seconded the motion. **Motion carried 5-0.**

8. *Discuss, consider and take appropriate action if necessary on a request for a tax abatement agreement with Temple TX Statutory Trust and Performance Food Group, Inc.*

Temple TX Statutory Trust and Performance Food Group, Inc. have requested a tax abatement for real property improvements on approximately 54.993 acres located at 4141 Lucius McCelvey Drive in Temple, TX, for 5 years with 100% tax abatement. Dirk Aaron informed the board that per legal counsel, Mike Gershon, a simple yes or no to participate in tax abatements is no longer sufficient. Per legal counsel, the Tax Code prohibits tax abatements “unless the governing body has established guidelines and criteria governing tax abatement agreements by the taxing unit and a resolution stating that the taxing unit elects to become eligible to participate in tax abatement.” Dirk Aaron reminded the board that we have none of the requirements in place at this time. Consistent with past policy, the Board recommends to decline from participating in tax abatements.

Vice President, Wallace Biskup moved to deny the tax abatement for Temple TX Statutory Trust and Performance Food Group, Inc. and to send a letter stating that CUWCD will not participate in any tax abatements. Secretary, Judy Parker seconded the motion. **Motion carried 5-0.**

9. *Discuss, consider and take appropriate action if necessary to approve the District Management Plan Update.*

Dirk Aaron presented the Management Plan draft. He encouraged the Board to read and make the suggested changes that TWDB and Dirk has advised the Board of and presented the timeline for revising the plan, holding the public hearing, and adopting the plan.

Director, David Cole, moved to approve the district management plan with the requested changes. Director, Gary Young, seconded the motion. **Motion carried 5-0.**

10. *Discuss, consider and take appropriate action if necessary to set the date for the required public hearing to take comments on the approved District Management Plan Update.*

Dirk advised the Board to set the public hearing of the revised plan for January 13, 2016 per the recommended timeline.

Secretary, Judy Parker, moved to set the public hearing date for January 13, 2016. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

11. *Discuss, consider and take appropriate action if necessary to approve the proposed District Desired Future Conditions Statement for both the Trinity Aquifer and the Edwards BFZ Aquifer.*

Dirk presented the Desired Future Conditions of the Trinity Aquifer and Edwards BFZ Aquifer based on 2070 average drawdown based on model run 9. The Board reviewed the resolution and suggested DFCs as presented.

Secretary, Judy Parker, moved to approve the resolution of the new Desired Future Conditions to be sent to GMA 8. Vice President, Wallace Biskup, seconded the motion. **Motion carried 4-0 (Gary Young stepped out of the meeting).**

12. *Discuss, consider and take appropriate action regarding possible design/build option for construction of an on-site storage facility at District Headquarters and related RFQ process.*

Dirk presented an option for a design/build on-site storage facility. He informed the board of possible costs will be incurred if the on-site storage building is approved. Dirk reviewed the RFQ process with the board. The size and layout of the building and cost will be determined once a design/build contractor is selected.

Director, Gary Young, moved to approve the RFQ process. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

13. *Discuss, consider and take appropriate action if necessary to select an engineer/architect to act as project manager for a design/build team.*

Dirk suggested to pursue Larry Neal as project manager per his role on the District's behalf in 2011-12. Dirk explained the reasons for a project manager and the costs associated with hiring a project manager.

Director, David Cole, moved to approve the pursuing of Larry Neal as project manager for the design/build on-site storage facility. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

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

Dirk reported the following to the Board:

- Election of Board Officers will need to occur at the January Board Meeting.
- Gave feedback on the water symposium. Suggested moving the venue of the water symposium for next year.
- Close on the property on December 18th for the Lucky Reed Well to convert to a monitor well.
- Judy will be at GMA 8 on January 22nd.

15. 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. Aquifer Status Report and 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.)

16. Public Advisory Committee comments.³

None

17. Director comments³

Judy Parker – Informed the Board of her conversation with the Mayor of Florence regarding their well and stated that TCEQ shut it down due to methane in the well and the well actually blew up. Well owners are having issues within the county around the rock quarries due to the conan depression in the Hensell layer.

David Cole – Is impressed with the water conservation from the permit holders.

Gary Young – Stated he is very thankful and appreciative of the food for the Christmas Reception.

18. Discuss agenda items for next meeting.

Election of Board Officers

Public Hearing for the District Management Plan

19. Set time and place of next meeting.

January 13th; 1:30 pm

20. Adjourn.

Meeting adjourned and Workshop with President, Leland Gersbach at 4:10 p.m.

Workshop convened with President, Leland Gersbach, at 1:32 p.m.

Workshop item #1: Receive a presentation from Trey Buzbee, BRA, on the Bell/Williamson Conjunctive use project at Lake Granger.

Gave an overview of BRA; who they are and what they do. The Bell/Williamson Conjunctive use facility at Lake Granger will be used to increase the water supply availability in the BRA system as a cost effective option, to delay the construction of a surface water treatment facility by using ground water and blending it with surface water, the opportunity to diversify the water supply in Central Texas and give more water that can be used in a drought type period.

Workshop item #2: Discuss the status and timeline for final determination of DFC and Explanatory Report to occur for the DFC determination, per section 36.108.

James Beach with LBG-Guyton provided the findings of GAM Run 9.

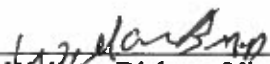
Workshop item #3: Receive an update from Jim Tucker, Baylor University, on the FY15 Hensell Layer of the Trinity Aquifer Water Quality Assessment.

Jim Tucker had finals today and will reschedule.

Workshop item #4: Receive an update from General Manager on the preparation of the District Management Plan Scheduled to expire on April 13, 2016.

This item discussed as an action item in the regular Board Meeting. No further discussion necessary at this time.

Workshop closed by President, Leland Gersbach at 2:56 p.m.



Wallace Biskup, Vice-President

ATTEST:



Secretary, Judy Parker

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