

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, Texas
Wednesday, January 13, 2016
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Wednesday, January 13, 2016 at 1:30 p.m. at the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

Wallace Biskup, Vice President
Judy Parker, Secretary
David Cole, Director
Gary Young, Director

(Leland Gersbach, President – Absent)

Public Advisory Committee:

Henry Bunke
Bill Schumann

Staff:

Dirk Aaron
Shelly Chapman

Guests:

Stephanie Wong – Baylor University
James Tucker – Baylor University
Dr. Joe Yelderman – Baylor University

Lou Fleischhauer – Collier Consulting
Brian Fields – Kiella Builders

Workshop convened with Vice-President, Wallace Biskup, at 1:30 p.m.

Workshop item #1: *Receive presentation and review SOQ's from design/build firms responding to the RFQ process for the construction of a district on-site storage facility at the District Headquarters.*

Dirk informed the Board that 2 SOQ's were received by the January 7th deadline. He received SOQ's from Kiella Commercial and Gene Doss Construction. Brian Fields was in attendance on behalf of Kiella Commercial. Gene Doss did not attend the meeting. The Board heard the SOQ presented by Brian Fields. Dirk presented the SOQ for Gene Doss. The Board discussed options for construction of the storages building. Dirk reminded the Board that they were to review the RFQ and must select a firm based on qualifications and not pricing. Specific price is to be negotiated prior to final approval of proposed design. Bill Schumann suggested the District might look into re-platting the 2 lots owned by the District into 1 lot.

Workshop item #2: *Receive suggestions from General Manager related to the proposed amendment of district rules necessitated by the 84th Legislature.*

Dirk brought the Board up to date on the proposed amendments of the District's rules and discussed a possible timeline for the upcoming rule changes.

Workshop item #3: *Receive an update from Jim Tucker, Baylor University, on the FY15 Hensell Layer of the Trinity Aquifer Water Quality assessment and receive recommendations for additional WQ testing in calendar year 2016.*

Received presentation from Jim Tucker on the work he is doing in regards to the Hensell layer of the Trinity Aquifer Water Quality Assessment. Jim also made recommendation for additional water quality testing in 2016.

Workshop item #4: *Discuss the status and timeline for final determination of Desired Future Conditions and Explanatory Report to occur for the DFC determination, per TWC section 36.108.*

Dirk reported that a DFC Statement was developed at the last GMA8 meeting. The GMA8 meeting scheduled for January 22nd has been cancelled to allow other Districts to work on GAM runs. The meeting has been rescheduled for February 17th. Dirk and Judy will report back at the March Board meeting.

Workshop closed and Board meeting convened with Vice-President, Wallace Biskup, at 2:56 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 December 9, 2015 Board Meeting and Workshop.

Director, Gary Young, moved to approve the minutes of the December 9, 2015 Board Meeting and Workshop. Secretary, Judy Parker, seconded the motion. **Motion carried 4-0 (1 absent).**

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

Director, David Cole, moved to accept the monthly financial report for December 2015 as presented. Director, Gary Young, seconded the motion. **Motion carried 4-0 (1 absent).**

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

Secretary, Judy Parker, moved to accept the monthly investment fund account as presented. Director, Gary Young, seconded the motion. **Motion carried 4-0 (1 absent).**

6. Discuss, consider and take appropriate action if necessary to approve the FY16 line item budget amendments as requested, in order to make improvements to the building.

Dirk presented a request for a line item transfer to amend the FY16 budget. Dirk explained that the amendment would be a transfer of funds from the District's contingency fund for the purpose of installing window shades. Tristin Smith researched this project and requested bids from 3 vendors. Only 2 vendors submitted bids. Dirk presented the proposals to the Board for their consideration. He noted that the products are equal in quality and recommended the low bid from The Blind & Shutter Gallery in Temple.

Secretary, Judy Parker, moved to accept the Blind & Shutter Gallery bid of \$2,687.24 and transfer the funds from the Contingency fund (line item 50200) to Building Repair and Maintenance (line item 54200).
Director, David Cole, seconded the motion. **Motion carried 4-0 (1 absent).**

7. Discuss, consider and take appropriate action if necessary to elect Officers of the Board for calendar year 2016, per District Bylaws, Article V. Sec. 1.

The District Bylaws require Board Officers be elected the first month of each calendar year.

Director, Gary Young, moved to keep the present Officers as they are and for Dirk Aaron to remain as Assistant Secretary. Director, David Cole, seconded the motion. **Motion carried 4-0 (1 absent).**

8. Conduct Public Hearing per TWC Sec. 36.1071 and Sec. 36.1072 requiring that the District review and readopt the Management Plan with or without revisions every five years.

Public Hearing opened at 3:11 p.m.

Vice-president, Wallace Biskup, opened the Public Hearing at 3:11 p.m.

Dirk commented that the proposed revisions for the 5 year plan were submitted to TWDB for a preliminary review and provided to the Board. Dirk noted that the District is following the approved timeline for submission of the Amended Management Plan. He notified BRA of the revised Management Plan and asked them to provide the District with a letter confirming their review and any comments they may have. The staff at BRA accepted the revised plan without additional amendments.

Public Hearing opened up for public comment. No public comments made.

Public Hearing closed at 3:13 p.m.

9. Discuss, consider and take appropriate action if necessary to accept the Amended Management Plan by resolution.

Secretary, Judy Parker, moved to accept the Management Plan with no changes. Director, David Cole, seconded the motion. **Motion carried 4-0 (1 absent).**

10. Discuss, consider and take appropriate action if necessary to review and readopt the District Investment Plan by resolution.

Dirk explained that he just became aware the District Investment Plan is to be reviewed and readopted annually. The District currently participates in TML TexPool and TexPool Prime. He stated that he and Leland are the investment officers and attend training every 2 years. If there are no changes to the Investment Plan, they Board will need to readopt, by Resolution, the District Investment Plan.

Director, David Cole, moved to readopt the Districts Investment Policy as written by resolution. Director, Gary Young, seconded the motion. **Motion carried 4-0 (1 absent).**

11. Discuss, consider and take appropriate action if necessary to set a date for the Public Hearing to amend the District Rules required by changes to TWC Chapter 36 per the 84th Legislative Session.

Dirk addressed this item in the Workshop item #2. He asked the Board to approve the timeline presented on possibly changing District Rules to accommodate changes in legislation and addressing well construction standards.

Secretary, Judy Parker, moved to direct General Manager and Legal Counsel to prepare draft of Rule changes, send to the Board prior to February 10th Board Meeting to discuss in Workshop, and prepare for Public Hearing on March 9, 2016. Director, Gary Young, seconded the motion. **Motion carried 4-0 (1 absent).**

12. Discuss, consider and take appropriate action if necessary to select a firm after reviewing the SOQ's related to the RFQ requests on Design/Build and hearing presentation for the construction of an on-site storage facility at the District Headquarters.

SOQ's were presented in Workshop Item #1. Based on comments by Bill Schumann, Dirk stated that he would follow-up on re-platting the 2 properties owned by the District. Dirk recommends using Kiella Commercial for the project.

Secretary, Judy Parker, moved to accept the proposal from Kiella Commercial for the construction of the storage building and allow the General Manager to pursue the re-platting of the 2 lots owned by the District. Director, David Cole, seconded the motion. **Motion carried 4-0 (1 absent).**

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

- Annual Report is being prepared. Will submit it for Board approval at the February meeting.
- Annual Financial Audit will be presented at the February meeting.
- Meetings ongoing with the Senate Ag/Water Committee staff.
- Meeting of the House Natural Resource Committee is set for Feb. 2nd in Austin. Ty and Dirk are watching the agenda closely to determine if GCD's are part of the discussion.
- Judy and Dirk will be attending the TAGD meeting in Austin Jan.27-28.
- Dirk will attend the TWCA meeting in Conroe March 2-4.
- Per the IRS, as of January 1, 2016 mileage reimbursement rate will drop from \$0.575/mile to \$0.54/per mile.

14. 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.)

15. Public Advisory Committee comments.³

Bill Schumann encouraged the Board and Staff members to visit with the State Senate candidates to help educate them on water issues.

16. Director comments³

Judy Parker informed the Board that John Mayer's wife passed away.

David Cole thanked the staff for continuing to do a good job.

Gary Young appreciates the articles that Dirk continues to send out.

17. Discuss agenda items for next meeting.

Audit presentation by Alton Thiele


Mike Keester will make a presentation

18. Set time and place of next meeting.

February 10; 1:30 pm

19. Adjourn.

Meeting adjourned by Vice-President, Wallace Biskup, at 4:03 p.m.


Leland Gersbach, President

ATTEST:


Secretary, Judy Parker

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