

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, Texas
Wednesday, February 10, 2016
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Wednesday, February 10, 2016 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:

Bradley Ware

Staff:

Dirk Aaron
Shelly Chapman

Guests:

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

Alton Thiele, CPA
Mike Gershon, Lloyd Gosselink Attorneys at Law

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

Workshop item #1: Receive and review draft of the Annual Report for 2015 per the District Management Plan.

Dirk presented a draft of the Annual Report for 2015 for the Board to take and review. He requested that the Board review and let Staff know of any changes that need to be made.

Workshop item #2: Receive suggestions from Legal Counsel and General Manager related to proposed amendments of District Rules necessitated by the 84th Legislature in addition to enhanced well construction standards and water quality assessment of newly constructed wells.

Legal Counsel, Mike Gershon, presented suggestions to proposed amendments of District Rules.

Workshop item #3: Receive suggestions concerning the need to review and update the current District By-laws.

Mike Gershon commented that the By-laws aren't necessarily being changed but adjustments need to be made by pulling some things out of the Rules and putting in the By-laws. This will be done at the March meeting after the Rulemaking Public hearing.

Workshop item #4: Discuss the status and timeline for final determination of Desired Future Conditions and Explanatory Report to occur for the DFC determination by GMA8, per TWC section 36.108.

Dirk recapped the timeline for the final determination of the DFC. He and Judy continue to work with the consultants on this. Next GMA8 meeting scheduled for Feb 17th.

Workshop closed at 2:42 and Board meeting convened with President, Leland Gersbach, at 2:47 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 January 13, 2016 Board Meeting and Workshop.

Director, Gary Young, moved to approve the minutes of the January 13, 2016 Board Meeting and Workshop. Director, David Cole, seconded the motion. **Motion carried 5-0.**

4. ***Discuss, consider and take appropriate action if necessary to accept the monthly financial report for January 2016 as presented.***

Secretary, Judy Parker, moved to accept the monthly financial report for January 2016 as presented. Director, Gary Young, 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.***

Director, David Coles, moved to accept the monthly investment fund account as presented. Vice-President, Wallace Biskup, 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.***

Secretary, Judy Parker, moved to accept the Quarterly Deferred Compensation Employee Retirement Program 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 FY16 line item budget amendments as requested.***

Dirk Aaron presented the request for a line item budget amendment related to the construction of an on-site storage building. The BEDC and the City of Belton recommended that the 2 tracts of land owned by the District be consolidated into 1 tract. This will alleviate the need for separate utilities for the new construction. Dirk reached out to 3 surveying companies for pricing:

- | | |
|--------------------------|------------------------------------|
| 1) Turley and Associates | \$4,000 |
| 2) All County Surveying | \$2,500 with a 2 week turn around. |
| 3) Toby Tibbets | \$2,500 with a 4 week turn around. |

The Board directed Dirk to accept the low bid and 2 week turnaround time from All County Surveying.

Leland Gersbach suggested that we set up a new line item for Capital Improvements for the land survey and future improvements to the facility.

Secretary, Judy Parker, moved to establish a line item for Capital Improvements and move \$2,500 from Contingency Fund (line item 50250) to Capital Improvements (line item to be established) for the purpose of re-platting the District's 2 tracts of land. Director, Gary Young, seconded the motion. **Motion carried 5-0.**

8. ***Hold Public Hearing on the following permit application:***

a) Discuss, consider and take appropriate action if necessary on the proposed operating permit of .12 ac-ft/yr. for Sparta Plaza Ltd. Authorizing production from an existing well (well #N2-16-001P) completed in the Edwards Equivalent Aquifer located at 1902 Loop 121, Belton, Texas.

President, Leland Gersbach, opened the Public Hearing at 3:11 p.m.

President, Leland Gersbach called to order the hearing on the application described under Agenda Items #8. This application was filed by David Denman. Leland officially opened the hearing at 3:11 p.m. and reminded everyone that the hearing is recorded by audiotape as required by statute and district rules. As the President of the District's Board of Directors, Leland served as the Presiding Officer of the hearing.

Leland reviewed the procedures that apply to the hearing and Board's potential action on the applications. Leland announced the hearing has been properly noticed, pursuant to statute and the District Rules. Notice of today's hearing was posted and administered oath to participating parties. Leland noted that the applicant was not present for the hearing but was available by phone if needed to answer questions.

General Manager, Dirk Aaron, presented the facts of the application and noted that all criteria regarding the application had been met.

Dirk recommended the applicant be permitted the 0.12 acre feet/year with special conditions agreed upon.

Secretary, Judy Parker, moved to approve the proposed operating permit of .12 ac-ft/year for Sparta Plaza Ltd. Specified requirements. Director, David Cole, seconded the motion. Motion carried 4-0-1 (President, Leland Gersbach abstained).

Public Hearing closed and Board Meeting reconvened at 3:49 p.m.

9. Discuss, consider and take appropriate action if necessary to accept the FY15 Financial Audit as presented.

Certified Public Accountant, Alton Thiele, presented the FY15 Financial Audit. He reported a clean audit and that the District stayed with budget.

Vice-President, Wallace Biskup moved to accept the FY15 Financial Audit as presented. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

10. Discuss, consider and take appropriate action if necessary to receive final report on Baylor University Stephanie Wong's Phase I research of the Salado Springs Complex.

Stephanie Wong presented a final report on Phase 1 research of the Salado Spring Complex. She recapped the highlights of the study and presented findings of the study. Dr. Yelderman commented on the findings of the study and how the studies are being used. He also informed the Board of the awards Stephanie has won with her research.

Director, David Cole, moved to accept the final report from Stephanie Wong on Phase 1 research of the Salado Springs Complex. Vice-President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

11. Discuss, consider and take appropriate action if necessary to recognize individual contributions to the District's effort during the Salado Salamander proposed designation as endangered.

Leland Gersbach reminded the Board that when the Salamander became an issue, the Board reached out to Congressman Carter for Direction on how to approach the issue. Congressman Carter put the Board in contact with the right people. Because of his direction, the cost to the District was considerably less than that of Williamson County. Leland suggested that the Board commemorate what the Congressman has done. Dirk Aaron drafted a letter and resolution for the Board to review commemorating Congressman Carter's contribution and guidance. Dirk requested direction from the Board on how to proceed with the letter and resolution of appreciation. Gary Young commented that he doesn't have a problem with the letter, but would leave it up to Congressman Carter's office to determine if they want to publicize it. Leland Gersbach suggested the letter come from Dirk and then a resolution of appreciation be sent on behalf of the Board. David Cole had concerns about the timing of this letter and how it would be perceived by the constituents. Judy Parker stated that she didn't have a problem with the letter or recognizing Congressman Carter for his contribution or the timing of the letter. Wallace Biskup was in agreement. Leland Gersbach suggested that the Board send the letter and resolution to Congressman Carter's office and copy it to the media and Coalition members.

Vice-President, Wallace Biskup, moved to adopt the Resolution of Appreciation and authorize the letter from General Manger be sent to Congressman Carter's office and copied to Coalition partners and local elected officials. Director, Gary Young, seconded the motion. **Motion carried 5-0.**

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

- Meeting with Salado and regarding the sewer plan.
- Draft of the Annual Report is complete and needs to be reviewed.
- Audit is complete and journal entries will be made.

13. 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.)

14. Public Advisory Committee comments.³

None

15. Director comments³

Wallace Biskup: Thanked the Staff for all the work they do.

Judy Parker: Judy recapped TAGD meeting. She commented that people are becoming more aware of ground water issues. She also mentioned a possible new subdivision in her area that will be brought to the attention of the Board soon.

Gary Young: Gave the Board a copy of an article to read about Georgetown and Chisholm Trail Special Utility District.

David Cole: Voiced his appreciation for Dirk and the Staff.

Leland Gersbach: Volunteered Todd to do some education at RWYC this summer.

16. Discuss agenda items for next meeting.

Storage building proposal

Public Hearing


By-Laws

17. Set time and place of next meeting.

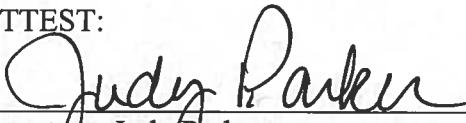
March 9; 1:30 pm

18. Adjourn.

Meeting adjourned by President, Leland Gersbach, at 5:17 p.m.


Leland Gersbach, President

ATTEST:


Secretary, Judy Parker

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