

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, TX**  
**Wednesday, January 9, 2019**  
**Minutes**

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Wednesday, January 9, 2019 at 1:30 p.m. at the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

**Board Members Present:**

Leland Gersbach, President, Pct. 1  
David Cole, Director - At Large  
Gary Young, Director – Pct. 2  
Jody Williams Director – Pct. 3  
Scott Brooks, Director – Pct. 4

**Absent:**

**Staff:**

Dirk Aaron, General Mgr.  
Shelly Chapman, Admin. Mgr.

**Guest**

Sidney Kacir - Well Owner  
Peter DiLillo - City of Killeen  
Amy Muttoni - BRA

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

**Workshop Item #1: Receive information from personnel related to the Edwards BFZ Aquifer and the Bell County Adaptive Management Coalition.**

Dirk briefed the Board on the memorandum of agreement created for the Bell County Adaptive Management Coalition. He explained the need for continued participation in the Coalition and discussed the participants. Dirk reviewed the financial information associated with the agreement and discussed the continued progress on the existing studies and results. The Bell County Auditor's office will continue to handle the funds. Tina Entrop is the contact person in the Auditor's office and will be acting as the interim County Auditor now that Donna Eakin is no longer with the Auditor's office.

**Workshop Item #2: Receive updated information if necessary related to the adopted DFC's for GMA8.**

Dirk explained that GMA8 went through the RFP process and selected WSP as the consulting firm for next round.

**Workshop Item #3: Receive and review information related to the 2018 Bell County Water Symposium.**

Dirk informed the Board that the analysis of the surveys from the Water Symposium are not ready yet. Whitney from the Extension Office is trying to get the results back from A&M in time for the February meeting. Shelly presented the financial report from the event. She commented that 158 people registered and checked in the morning of the event but there were several that bypassed the registration table. She estimated about 175 attended. She explained the expenses for the event included advertisements, speaker's gifts, supplies, the meal, coffee and snacks for breaks. She mentioned that we had sponsorships from Lloyd Gosselink, Bell County Engineers Office, LRE, and Half Associates. There was no charge for the use of the facility. Director, David Cole, suggested that the event be live streamed. Dirk will investigate that for next year.

**Workshop Item #4: Receive information on sponsorship for the Texas 4-H2O Water Ambassador Program.**

Dirk acknowledged a Christmas card from Lloyd Gosselink. The card stated that they had made a "Legacy Donation" in the name of the CUWCD Board of Directors of \$7,500 over the next 3 years (\$2,500/year) to support this program. Dirk explained that he District would continue to sponsor the event at the \$1,000 level. This amount was included in the Districts FY19 budget.

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

**1. Invocation and Pledge of Allegiance.**

Director, David Cole, gave the invocation.  
Director, Gary Young, led the Pledge of Allegiance.

2. ***Public Comment.***

Leland acknowledged guest, Sidney Kacir. Mr. Kacir commented that he was there to show support for the new precinct 3 Board member, Jody Williams. He attended the Water Symposium and appreciates the focus the District has on the youth.

3. ***Approve minutes of the December 12, 2018 Board meeting.***

Director, Gary Young, moved to approve the minutes of the December 12, 2018 Board meeting. Director, David Cole, seconded the motion.

**Motion carried 4-0, 1 vacant seat.**

4. ***Discuss, consider and take appropriate action if necessary to swear in and administer oath of office for Precinct 3 Board member, Jody Williams.***

Shelly, being a notary, swore in and administered the oath of office to Jody Williams, Precinct 3 Director. Leland welcomed Jody to the Board.

5. ***Discuss, consider and take appropriate action if necessary to accept the monthly financial report for December 2018 (FY19) as presented.***

Board members received the financial report in their Board Packet to review prior to the meeting. Director, David Cole, moved to accept the monthly financial report for December 2018 as presented. Director, Gary Young, seconded the motion.

**Motion carried 5-0.**

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

Director, David Cole, moved to accept the monthly Investment Fund account report as presented. Director, Scott Brooks, seconded the motion.

**Motion carried 5-0.**

7. ***Discuss, consider and take appropriate action if necessary to accept the quarterly deferred compensation employee retirement program account report as presented.***

Director, Gary Young, moved to accept the quarterly deferred compensation employee retirement program account report as presented. Director, Jody Williams, seconded the motion.

**Motion carried 5-0.**

8. ***Discuss, consider and take appropriate action if necessary to approve the FY19 line item budget amendments as needed and/or requested.***

No budget amendments needed or requested.

9. ***Discuss, consider and take appropriate action if necessary to elect officers of the Board for calendar year 2018 per District Bylaws, Article V. Sec. 1.***

Director, Gary Young, moved to nominate Leland Gersbach as President and David Cole as Vice-President of the Board for 2019. Director, Scott Brooks, seconded the motion.

**Motion carried 5-0.**

Dirk explained that there would also need to be a nomination for a Board Secretary and Assistant Secretary. The secretary will attest the signatures of the President or Vice-President. An Assistant Secretary is appointed to sign documents for the purpose of posting agendas and other items.

Director, David Cole, moved to nominate Gary Young as Secretary of the Board. Director, Scott Brooks, seconded the motion.

**Motion carried 5-0.**

Leland appointed the General Manager (Dirk) to be the Assistant Secretary. Leland also appointed Dirk to be the representative for TAGD and Gary Young to be the alternate TAGD representative.

**10. Discuss, consider and take appropriate action if necessary to review and adopt the District investment policy by resolution for calendar year 2019.**

Under Chapter 36, the District is required to annually review and readopt the Public Funds Investment under the Public Funds Investment Act. The President and GM are required to attend a training every other year. Dirk explained the details associated with the District's policy and the strategy used. The District splits the funds between two accounts. Dirk explained the District's internal controls for monitoring and handling the accounts.

The proposed resolution submitted by Dirk identifies the investment officers as the Board President and GM. Judy Parker, former Director and Board Secretary, had oversight of the accounts and could review and monitor the accounts but has no privileges of moving money within the accounts.

Director, David Cole, moved to adopt the District investment policy by resolution. Director, Gary Young, seconded the motion.

**Motion carried 5-0.**

**11. Discuss, consider and take appropriate action if necessary to approve investment officers and authorize representatives with TexPool Participant Services by resolution.**

This is a resolution amending the authorized representatives on the accounts. Director, Gary Young, will replace Judy Parker as an authorized representative. Dirk and Leland will remain authorized representatives.

Director, Scott Brooks, moved to approve, by resolution, the Board President and GM will be authorized to move funds as needed and the Board Secretary is authorized to audit and inquire only. Director, Jody Williams, seconded the motion.

**Motion carried 5-0.**

**12. Conduct public hearing per TWC Sec. 36.1071, 36.1072, 36.1073, and 36.3011(b)(5) and (h)(5) requiring that the District review and readopt the Management Plan with revisions necessary after adoption of desired future conditions.**

Leland gave a brief description of the hearing and explained the procedures of the hearing. He explained that the purpose of this hearing is to make minor amendments to the existing Management Plan to incorporate the language of the 2<sup>nd</sup> round of joint planning of GMA8.

Dirk commented that no one signed up to make public comments.

Leland opened the Public Hearing at 2:47 p.m.

Dirk summarized the proposed amendments to the management plan. Copies of the proposed amendments were made available as of December 13, 2018. The amendments were properly noticed in the Killeen and Temple newspapers as required.

Leland opened the hearing for comments and discussion

Board members discussed and asked questions regarding the particulars of the amendments. Dirk commented that the "red line" changes have already been pre-approved by TWDB.

No other comments were made.

Leland closed the public hearing at 3:07 p.m.

Director, David Cole, moved to readopt the Management Plan with revisions necessary after adoption of the DFC. Director, Gary Young, seconded the motion.

**Motion carried 5-0.**

**13. Discuss, consider and take appropriate action if necessary to accept the amended Management Plan by resolution.**

Director, Scott Brooks, moved to accept the amended Management Plan by resolution. Director, Gary Young, seconded the motion.

**Motion carried 5-0.**

**14. Discuss, consider and take appropriate action if necessary to approve participation in the continued effort of the Bell County Adaptive Management Coalition FY19.**

Dirk suggested this item be tabled because not all the Partners involved have not agreed to the science presented at this time.

Director, David Cole, moved to table this item until the next meeting. Director, Scott Brooks, seconded the motion.

**Motion carried 5-0.**

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

- Dirk and Shelly completed the Public Information Act training.
- Dirk, Scott, and Jody have completed the Open Meetings Act training.
- The Annual Report is in progress. A draft will be presented at the February meeting.
- There are a couple of possible permit applications that may be presented at the next meeting.
- Dirk discussed waste water permits
- TAGD looking for a new Executive Director. Sarah has resigned and is moving to the Texas Water Foundation.
- TWDB meeting Jan. 23<sup>rd</sup> – 25<sup>th</sup> (Water for Texas)
- TAGD meeting Jan. 22<sup>nd</sup>
- Dirk complemented performance of staff.

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

- a) *Drought Status Reports*
- b) *Education Outreach Update*
- c) *Monitoring Wells*
- d) *Rainfall Reports*
- e) *Well Registration update*
- f) *Aquifer Status Report & Non-exempt Monthly Well Production Reports*

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

**17. Director comments and reports.**

Jody Williams – Thanked the Board for allowing him to fill the Precinct 3 position.

Gary Young – None.

David Cole – Scott reminds the Board of the things that are important to know. David thanked the staff for all the work they do on a daily basis.

Scott Brooks – Seconded David’s comments about the Staff. He thinks the Board really needs to look at the rules and make adjustments. He also thinks its important to reach out to the stakeholders.

Leland Gersbach – None.

**18. Discuss agenda items for the next meeting.**

Results of FY18 Financial Audit  
Draft of the 2018 Annual Report

**19. Set time and date for next meeting.**


Wednesday, February 13, 2019 at 1:30 p.m. – CUWCD

**20. Adjourn.**

**Board meeting adjourned with President, Leland Gersbach, at 3:54 p.m.**

  
Leland Gersbach, President

ATTEST:

  
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Gary Young, Secretary or  
Dirk Aaron, Assistant Secretary