

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, May 8, 2019
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Wednesday, May 8, 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

Bill Schumann – County Commissioner
Mike Keester – LRE Water

Marcus Edwards
Adam Starr

Board meeting convened with President, Leland Gersbach, at 1:35 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.*

None

3. *Approve minutes of the April 10, 2019 Board meeting.*

Secretary, Gary Young, moved to approve the minutes of the April 10, 2019 Board meeting. Vice-President, 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 April 2019 (FY19) as presented.*

Board members received the monthly financial reports in their Board Packet to review prior to the meeting.

Director, Jody Williams, moved to accept the monthly financial report for April 2019 as presented. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

5. *Discuss, consider and take appropriate action if necessary to accept the monthly Investment Fund report for April 2019 (FY19) as presented.*

Board members received the monthly Investment Fund report in their Board Packet to review prior to the meeting.

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

Motion carried 5-0.

6. *Discuss, consider and take appropriate action to approve Reagan Langemeier as CUWCD Summer Intern.*

Dirk commented that the District has been afforded an opportunity to participate in an internship program. Texas Tech has a student that is looking for an internship with a Groundwater District. She will graduate in December 2019. The internship will be this summer to include a maximum of 10 weeks, 240 hours max at \$11.00/hour starting June 10th -August 23rd not to include the week of July 1st-5th. She will be responsible for developing a communication platform with Mail Chimp or alternative option to be determined by her research and recommendation; assist in developing monthly water conservation bulletins; research the water education and outreach communities in Texas and develop social media recommendations for ongoing GM plug and

play efforts; develop an elevator statement for Clearwater UWCD as interpretive effort to promote the District; participate in the TAGD Education Outreach programs representing CUWCD and attend the Texas Groundwater Summit on the TAGD scholarship program and assist as needed the District GM and District AM.

Director, Scott Brooks, moved to approve Reagan Langemeier as the CUWCD Summer Intern as presented. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

7. Discuss, consider and take appropriate action if necessary approve the FY19 line item budget amendments as requested.

Board approved the program to fund a summer internship at Clearwater UWCD in FY19 on April 10, 2019 not to exceed \$3,000. GM formally presented Reagan Langemeier in agenda item #6. Staff is requesting line item budget amendments for payroll and withholdings to accommodate the Intern salary.

- 1.) 10 weeks @ 240 hours max @ \$11 per hour (not to include July 1st - 5th)
- 2.) Total budget needs will not exceed \$3,000.00 for payroll and withholding
- 3.) Start June 10 thru August 23rd (not to include the week of July 1st-5th)
- 4.) Supervision will be by GM.

Line item budget amendment requests are as follows:

(This is a simple adjustment between line items.)

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
CUWCD-In house	52020 PT/Intern	\$2,640.00	\$0.00	\$2,640.00	\$2,640.00	Ed Outreach/equipment	\$7,500.00	\$4,860.00
	52040 PR Tax/WC	\$360.00	\$10,998.08	\$360.00	\$11,358.08	Ed Outreach/equipment	\$4,860.00	\$4,500.00

Director, Scott Brooks, moved to approve the FY19 line item budget amendments as presented. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

8. Hold public hearing on the following:

- a. Discuss, consider and take appropriate action if necessary on the proposed permit of .83 ac-ft/year for Centex Acres c/o Adam Starr authorizing drilling/operating permit from a proposed well (N1-19-001P) completed in either the Edwards BFZ or Middle Trinity Aquifer to produce water for domestic use located at 6358 Solana Ranch Rd, Salado, TX.
- b. Discuss, consider and take appropriate action if necessary on the proposed permit of .83 ac-ft/year for CenTex Acres c/o Adam Starr authorizing drilling/operating permit from a proposed well (N1-19-002P) completed in either the Edwards BFZ or Middle Trinity Aquifer to produce water for domestic use located at 6446 Solana Ranch Rd, Salado, TX.

President, Leland Gersbach, called to order the public hearing at 1:47 p.m. As President of the Board, Leland served as the Presiding Officer. Leland gave a summary of the public hearing and reviewed the procedures for the hearing. He stated that anyone interested in participating in the hearing or protesting the hearing must sign in to speak.

Leland noted that the hearing was properly noticed per District rules and has undergone administrative and technical review by District staff, as well as the District's geoscience consultant, Mike Keester with LRE.

Leland asked if anyone was present that wished to comment. There are two, Adam Starr and Marcus Edwards. He noted that he would hear testimony from the District's General Manager. Leland also asked that the District's hydrogeologist, Mike Keester offer his assessment and may ask him questions related to his analysis of the application.

Leland administered oath to the District GM, Dirk Aaron, Mike Keester, Adam Starr and Marcus Edwards. Adam Starr presented the elements of the permit. Mr. Starr also stated he would be willing to reduce the permitted amount and add meters and observation tubes to each permitted well to insure preservation of the Edwards BFZ water.

Dirk deemed the application administratively complete and has met all criteria. Dirk reviewed the beneficial use of the water and stated the applicant is conservation minded. He also stated the applicant has offered enhanced setback spacing of the wells.

Mike Keester presented the geoscience information. He highlighted the differences between the Edwards BFZ Aquifer and the Trinity Aquifer. Mr. Keester provided the projected drawdowns of the Edwards BFZ Aquifer, the Middle Trinity Aquifer and the Lower Trinity Aquifer. Mr. Keester stated that based on his review and professional judgement, reliable long-term groundwater availability from the Edwards BFZ is uncertain. However, the Middle and Lower Trinity Aquifers currently have groundwater available to meet the projected demands of future property owners. With the current water level decline trends in the Middle Trinity, Keester suggests testing the Lower Trinity Aquifer to obtain a water quality sample and if the results indicated good quality water; he recommends property owners complete the wells in the Lower Trinity Aquifer to provide greater certainty in their long-term groundwater supplies. Keester also stated that there are higher costs associated with drilling and sampling the Lower Trinity, so his second recommendation is to complete the wells in the Middle Trinity Aquifer. If landowners elect to complete a well in the Edwards BFZ, Keester recommends conducting a spinner or other vertical flowmeter log of the open borehole to identify where flow is occurring and assess how changes in water level may affect the ability to obtain groundwater supplies from the well.

Dirk suggested another option to be a single well with a shared well agreement.

Leland opened the hearing for third party comments or discussion. There was none.

Marcus Edwards presented his concerns as low producing Edwards BFZ well owner. He is concerned that his water supply will be depleted due to multiple wells being completed with the Edwards BFZ Aquifer within close proximity to his well.

Recommendations from Dirk and Mike Keester are 1) drill an Edwards BFZ well and conduct a pump test and continue the hearing within 60 days. 2) drill a Middle Trinity well and conduct a pump test and continue the hearing within 60 days.

After discussing all of the possible options, Adam Starr agreed to step outside in order to contact the potential buyers of the land to present the options of the Edwards BFZ pump test or conceding the Edwards BFZ wells and agreeing to Middle Trinity wells.

Director, Scott Brooks, moved to continue the permit hearing no later than 4:30 today and if it is going to be after 4:30, he moved to continue the hearing at the next Board Meeting. Director, Jody Williams, seconded the motion.

No further comments or discussion from the Board.

Motion carried 5-0.

(Permit hearing paused at 3:44 p.m. for applicant to confer with his clients. Regular Board meeting continued at this time with agenda items 9-15 and Workshop.)

President Leland Gersbach reconvened the permit hearing at 4:31.

Adam Starr on behalf of CenTex Acres would like to move forward with Middle Trinity wells with enhanced setbacks of 75 feet from property lines and 150 feet from other wells, metered usage to be reported by

landowners, and 200,000 gallons per year per well. Mr. Starr also agreed to the observation tube being installed on each well for static water level measurements.

Director, Scott Brooks, moved to grant the drilling/operating permits for both wells to include the provisions as stated. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

President Leland Gersbach closed the permit hearing at 4:37 p.m.

(Board meeting continued with President, Leland Gersbach, at 3:44 p.m.)

9. *Discuss, consider and take appropriate action if necessary approve an exception to setback requirement per district rule 9.5.5(a) for Roy Robinson at 248 Van Bibber Rd, Salado, TX.*

The applicant is requesting an exception to the District's requirement that wells observe a minimum setback of 50' from all property lines. A setback reduction of approximately 40' is requested from the south property line placing the well adjacent to both tracts own by Roy Robinson property to the east side of Mr. Robinson's proposed subdivision of his current tract of land. (see attached map).

The applicant has provided the required waiver from the proposed adjacent property of which he owns and has provided all of the appropriate signatures (all are notarized).

The existing well (E-19-041GU) will be located approximately 10' from the proposed property line (see map with the location and radius map for on-site septic setbacks). The well will observe the required setback from to the east and southern property lines.

The well satisfies all requirements for an exempt grandfathered well classification; therefore, no permit is required. This well will be more than 100 feet from any other existing wells on adjacent properties. The proposed well location and construction standards must satisfy the on-site septic regulations required by Bell County Public Health District.

Dirk stated the approved waiver will be attached to the wells file and will be properly recorded at the County Clerk's office.

Dirk recommends the approval of this request and notes all requirements per district rule 9.5.5(a)(e) have been met and submitted.

Director, Jody Williams, moved to approve the setback exception as presented. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

10. *Discuss, consider and take appropriate action if necessary to approve the proposed interlocal agreement regarding GMA8 funding for development of desired future conditions joint planning.*

Dirk reviewed what GMA 8 is and what they do. He reviewed the interlocal agreement and stated the interlocal agreement would allow North Texas GCD to be the administrative district for GMA 8 and would be the entity that will contract the consultant services to fulfill the DFC adoption and development and preparation of the explanatory report requirements related to the DFC process. NTGCD will initiate the contract with WSP and then would pro-rate a portion of the costs back to each GCD in GMA8.

Secretary, Gary Young, moved to approve the interlocal agreement as presented. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

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

- Asked the Board to please take applications and board packets seriously and continue to read them and be prepared for the meetings.

12. *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.)

13. Director comments and reports.

- **Jody Williams:** Lot of information today! Thanked Dirk and his staff for all of their hard work.
- **Leland Gersbach:** Stated he received a phone call and said our District and Staff are very forthright and hard working.
- **Gary Young:** Attended GMA 8 meeting with Dirk and insured the other Directors that GMA 8 does not take their decisions lightly and they look at all aspects before making decisions.
- **David Cole** – Thankful for General Manager and his staff that does all the hard work.
- **Scott Brooks:** Thankful for General Manager and his staff that does all the hard work.

14. Discuss agenda items for the next meeting.

Budget process and timeline
Possible permit hearing

15. Set time and date for next meeting.

Wednesday, June 12, 2019 at 1:30 p.m. at the District's office.

Workshop convened with President, Leland Gersbach at 4:20 p.m.

Workshop Item #1: Receive information concerning legislative issues and update from Staff and General Council.

Dirk encouraged the board to read Senate Bill 29 and House Bill 281. Dirk reviewed Senate Bill 1010.

Workshop Item #2: Receive information concerning Groundwater Management Area 8 related to Round 3 DFC development.

Dirk encouraged the Board to review the maps related to GMA 8 and informed the Board of WSP's report related to Round 3 DFC development process.

Workshop Item #3: Receive presentation related to the groundwater availability assessment of the proposed rural subdivision known as Bar-V-Bar declaring groundwater wells for tracts larger than 10 acres.

No new information at this time.

Workshop closed with President, Leland Gersbach, at 4:30 p.m.

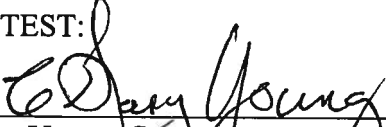
(Permit hearing reconvened with President, Leland Gersbach at 4:31 p.m. and closed at 4:37 p.m. [see agenda item #8]).

16. Adjourn

Board meeting adjourned with President, Leland Gersbach, at 4:37 p.m.


Leland Gersbach, President

ATTEST:



Gary Young, Secretary or
Dirk Aaron, Assistant Secretary