

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, August 12, 2020
Minutes

In accordance with Governor Abbott's declaration of the COVID-19 public health threat, action to temporarily suspend certain provisions of the Texas Open Meetings Act, and Executive Order, a quorum of CUWCD's Board of Directors held its regular Board meeting by telephonic conference call and, for redundancy, videoconference on Wednesday, August, 12, 2020 at 1:30 p.m. The meeting originated from the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

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

Absent:

Staff:

Dirk Aaron, General Manager
Shelly Chapman, Admin. Manager

Guest: (remote)

Mike Keester – LRE
Clara Smith-Salgado – Baylor Univ.
Brian Smith
Allan Standen
Greg Stanton – USGS
Michelle Sutherland
Steve Young – Intera

Dr. Joe Yelderman – Baylor Univ.
William Anderson - Intern
Vince Claus
Bill Schumann – County Comm.
Will Brewer – Baylor Univ.
Patricia Ging – USGS
Neil Deeds

Stephanie Wong – Baylor Univ.
Sandra Blankenship
James Beach – WSP
Rohit Goswami – WSP
Jennifer Wilson – USGS
Logan Yelderman
Lou Fleischhauer

Workshop convened with President, Leland Gersbach, at 1:30 p.m.

Workshop Item #1. Receive presentation from Baylor Geology Department concerning ongoing research and proposed FY21 projects.

Will Brewer, geology student at Baylor University, gave a presentation of the ongoing research projects currently under way by the Geology Department at Baylor University.

Dr. Joe Yelderman presented 3 proposals for future projects to be considered.

- 1: Surface-water/groundwater interaction below Belton Reservoir (Miller Springs Park and Nature Center)
2. Investigating Trinity aquifer management needs – River Ridge Ranch area
3. Age dating groundwater to better understand flow in the Edwards BFZ aquifer

Workshop Item #2. Receive presentation from James Beach concerning Trinity GAM sensitivity runs, CUWCD modified GAM and information related to the TWDB Edwards BFZ GAM update process by TWDB

James Beach, WSP, gave a presentation on the Trinity GAM sensitivity runs and updated the Board on the CUWCD modified GAM. He also presented information related to the TWDB Edwards BFZ GAM update process by TWDB.

Workshop Item #3. Receive presentation from Allan Standen, Vince Claus, and Michelle Sutherland related to the CUWCD 3-D model enhancements for 2020 and proposed enhancements for FY21.

Allan Standen thanked the District and the Board for the opportunity to continue expanding the 3-D model. He commented on how hard Vince and Michelle have worked to get this information together. Michelle Sutherland gave a demonstration of the updated 3-D Model. Vince Claus presented the information they have gathered and how it all ties together.

Workshop Item #4. Receive presentation from Jennifer Wilson, USGS on proposed scientific efforts in FY21.

Jennifer Wilson, USGS, introduced Patricia Ging, also with USGS. Patricia presented some ideas for proposed studies in this area to be considered for next year. There will be parts to the proposal. Part one will be to revisit the stream flow gage activity. Part two is related to the ongoing interest of understanding the Edwards aquifer. Part three concerns the Middle Trinity aquifer and the impact the large decline in water level has on water quality.

Workshop Item #5. Discuss and review the District Drought designation related to water level and spring-flow measurements.

Dirk reviewed the current drought designation and the steps taken under the drought contingency plan to justify the conservation designation. He discussed the steps that Salado Water Supply is also taking at this time. Dirk sent out a press release. The District put an ad in the Salado Village voice informing residence of the drought stage. The information was posted on the District's social media sites and staff did a mail out to well owners regarding the current drought status and requested they voluntarily reduce their water usage.

Workshop Item #6. Receive update on the 2020 Texas Alliance of Groundwater Districts Groundwater Summit, Sept 1-2.

Dirk updated the Board on the status of the Groundwater Summit. He reminded them that due to Covid-19 the venue had cancelled the contract for the event. The event will be held virtually. He encouraged the Board to plan on attending the virtual sessions and let them know that the District Board room would be available if they wanted to participate from there. He would make other areas available for the break-out sessions as well. He will give them more information as he receives it.

Workshop Item #7. Receive update related to GMA8 Round III DFC determination, per TWC section 36.108.

Dirk and Gary attended the GMA8 virtual meeting on August 8th. Dirk and Gary briefed the Board on the meeting.

(3:55 p.m. the Board took a 5-minute break)

Workshop Item #8. Discuss and review items of interest concerning the FY2021 budget development.

Dirk discussed and reviewed items of interest concerning the FY201 budget development. Dirk presented a "no new revenue tax rate" to the Board for discussion based on the certified totals delivered by Bell County Appraisal District. Other items discussed included:

- Administrative expenses – Board fees, conferences, meals, hotels, audit, dues, GMA, mileage, etc.
- Operating expenses – studies, geo-consulting, 3D model, stream flow gages, water quality, computer systems, website, educational outreach, equipment, legal fees, permit.
- Science efforts – priority proposals.
- Facility cost – insurance, building maintenance and repairs.
- Utility cost – phone, water, electricity, internet.
- Salaries and benefits – salary increases, health insurance.

Workshop closed and regular Board meeting convened with President, Leland Gersbach, at 5:16 p.m.

President, Leland Gersbach, requested another roll call. General Manager, Dirk Aaron, conducted the roll call.

1. Invocation and Pledge of Allegiance.

Vice President, David Cole, gave the invocation.
Secretary, Gary Young, led the Pledge of Allegiance.

2. Public Comment.

No public comments.

3. Approve minutes of the July 8, 2020 Board meeting and Workshop.

Board members received the minutes of the July 8, 2020 Board meeting and workshop in their Board Packet to review prior to the meeting.

Vice President, David Cole, moved to approve the minutes of the July 8, 2020 Board meeting and Workshop.
Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

4. Hold public hearing on the following application:

Discuss, consider and take appropriate action if necessary, to approve and application from Donald & Sheryl Rich, for a combination drilling/operating permit on 5.0 acre tract for well (N1-20-002P) for domestic purposes each with a 1 ¼ column pipe and maximum of 10gpm for a total of 0.39 acre feet/year or 128,480 gallons per year located at 6877 Smith Dairy Rd. Belton, Texas, latitude 31.003024 and longitude -97.520945.

As Presiding Officer of the hearing, President Leland Gersbach, called to order the public hearing at 5:18 p.m.

Leland gave a summary of the items to be considered and a brief explanation of the procedural issues. He confirmed a quorum of the Board was in attendance to participate in the ruling of the application. Leland stated that the permit applications had undergone administrative and technical review by District staff, consultants, and legal counsel.

Leland reviewed the procedures that would apply to the hearing and noted the meeting had been properly noticed.

Leland stated anyone wishing to participate in the hearing, in support or protest, would need to sign up to speak and should do so while he addressed other procedural issues. Anyone wishing to speak will need to email schapman@cuwcd.org the online form as noted in the agenda.

As presiding officer, Leland will take evidence and sworn testimony, and rule on any procedural issues.

Leland noted that the Board would hear testimony and deliberate on the well application submitted Donald and Sheryl Rich. The applicants were not in attendance. Leland will hear testimony by General Manager, Dirk Aaron, and consultants are available by phone if needed.

Leland invited anyone wishing to make a public comment or protest the application to speak up. There were no comments.

Leland administered an oath to all participants. Parties verbally confirmed they took the oath were: General Manager, Dirk Aaron.

Dirk gave a general explanation of the application. He replied to Leland's questions and stated that the application had been deemed administratively complete, all fees have been paid, and all criteria had been met.

Leland addressed questions related to Mike Keester's analysis. Dirk had reviewed the analysis with Mike Keester and responded to Leland's questions on behalf of Mike Keester. He also recommended the Board approve the application with the special provisions as discussed.

Leland gave the Board an opportunity to ask any additional questions they might have concerning the application. Hearing none, Leland concluded the discussion on the application at hand.

All parties had an opportunity to make their cases. Leland asked if there were any other parties interested in submitting additional evidence. Hearing none, Leland concluded the evidentiary portion of the application.

Leland asked for a motion to grant/deny/partially grant the Rich's request for a combination drilling/operating permits of .39 acre feet per year from the Edwards BFZ aquifer to include all the special provisions agreed upon by the applicant outlined by the District General Manager, Consultants, and legal counsel.

Secretary, Gary Young, move to grant/deny/partially grant the Rich's request for a combination drilling/operating permits of .39 acre feet per year from the Edwards BFZ aquifer to include all the special provisions agreed upon by the applicant outlined by the District General Manager, Consultants, and legal counsel. Vice President, David Cole, seconded the Motion.

Motion carried 5-0.

Public hearing concluded at 5:30 p.m.

5. **Discuss, consider, and take appropriate action if necessary, to accept the monthly financial report for July 2020 (FY20) as presented.**

Board members received the monthly financial report for July 2020 in their Board Packet to review prior to the meeting.

Director, Scott Brooks, moved to accept the monthly financial report for July 2020 as presented. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

6. **Discuss, consider, and take appropriate action if necessary, to accept the monthly investment fund account report for July 2020 (FY20) as presented.**

Board members received the monthly investment fund account report for July 2020 in their Board Packet to review prior to the meeting.

Director, Scott Brooks, moved to accept the monthly investment fund account report for July 2020 as presented. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

7. **Discuss, consider, and take appropriate action if necessary, to approve the FY20 line item budget amendment as requested.**

Dirk Aaron presented the request for budget amendments for the purpose of:

- Adjusting line item 53105.5 (Studies-Mgmt options) for work done by Mike Keester, LRE Water.
- Adjusting line item 53110.6 (GMA Calibration) for work to be done by James Beach, WSP.

Dirk noted that this is simple adjustment between line items.

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
LRE	53105.5-Mgmt Options	\$8,400.00	\$7,200.00	\$1,200.00	\$0.00	53130.2-Eval of Rules	\$3,560.00	\$2,360.00
WSP	53110.6 -GAM Calibration	\$7,500.00	\$3,445.00	\$4,055.00	\$0.00	53130.2-Eval of Rules	\$2,360.00	\$0.00
						53130.4-Investigations	\$2,715.00	\$1,020.00
						(\$2,360 from 53130.2 & \$1,695 from 53130.4 to = \$4,055.00)		

Director, Jody Williams, moved to approve the line item budget amendments as requested. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

8. **Discuss, consider and take appropriate action if necessary, to call for the November 3rd General Election.**

Dirk presented the Order calling for the November 3rd General Election.

Director, Scott Brooks, moved to approve the order calling for the November 3rd General Election. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

9. **Discuss, consider and take appropriate action if necessary, to approve election contract with the Bell County Elections Department, Melinda Luedecke.**

Dirk presented the election contract with the Bell County Elections Department for approval.

Director, Scott Brooks, moved to approve the election contract with the Bell County Election Department. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

10. ***Discuss, consider and take appropriate action if necessary, to set the date/location and/or postpone the 20th Annual Bell County Water Symposium.***

Dirk explained that TAMU – Central Texas had notified the District that due to Covid-19, the campus was cancelling all outside events until further notice. Dirk suggested that the Board consider postponing the event until a later date, cancel the event all together, or possibly consider having a virtual symposium this year. Dirk suggested simply postponing it until further notice.

Director, Jody Williams, moved to postpone the symposium until further notice. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

11. ***Discuss, consider, and take appropriate action if necessary, to set the preliminary tax rate for tax year 2020 on proposed budget FY21.***

Leland commented that this item was discussed previously in workshop. He asked for a motion to set the preliminary no new revenue tax rate at .00352.

Director, Scott Brooks, moved to set the preliminary no new revenue tax rate, at .00352. Vice President, David Cole, seconded the motion.

Motion carried 5-0.

12. ***Discuss, consider and take appropriate action if necessary, to set date for adoption of the FY21 budget.***

Dirk stated that August 26th is the date they need to set for adoption of the FY21 budget and hold a public hearing to adopt the tax rate for tax year 2020.

Vice President, David Cole, moved to set the date for adoption of the FY21 budget for August 26, 2020. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

13. ***Discuss, consider and take action if necessary, to set the date for the public hearing and adoption of the tax rate for tax year 2020.***

Director, Scott Brooks, moved to set the public hearing for adoption of the tax rate for tax year 2020 for August 26, 2020. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

14. ***General Manager's Report concerning office management and staffing related to District Management Plan³.***

- Covid-19 protocols are still in place.
- All educational events are still on hold due to Covid-19.
- Draft of the Management Plan has been sent to TWDB for review.
- Dirk and Gary attended GMA8 last week.
- Region G was set for Aug. 12th. Dirk had to miss it. His alternate in his place.
- 2 possible permits on the horizon
- Dirk will be meeting with Ty Embry to discuss upcoming legislative session.
- Received thank you notes from the 4H2O Water Ambassadors.

15. ***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.)

Dirk touched on some of the topics and pointed pertinent information related to the reports.

16. Director comments and reports³.

- **Gary Young:** He feels like the salary increase is appropriate for staff.
- **David Cole:** Thanked Dirk for putting this all together each month and coordinating the workshops with everyone virtually.
- **Jody:** No comments
- **Scott Brooks:** No comments other than it feels good to all be back in the Board room together.
- **Leland Gersbach:** Glad to be back together. Glad to see that science is moving in the right direction.

17. Discuss agenda items for next meeting.

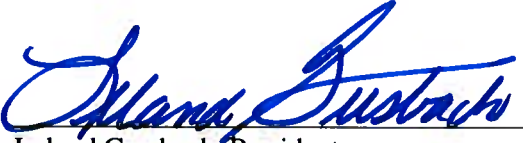
- Presentation from LRE
- Presentation from Allan Standen for additional studies
- Website Beta presentation
- Final budget set
- Tax rate set

18. Set time and place of next meeting.

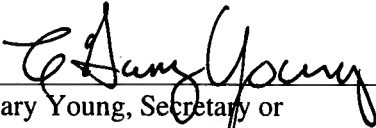
Wednesday, August 26, 2020 via telephonic/video conference

19. Adjourn.

Board meeting adjourned with President, Leland Gersbach, at 6:03 p.m.


Leland Gersbach, President

ATTEST:


Gary Young, Secretary or
Dirk Aaron, Assistant Secretary