

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, October 14, 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 a regular Board meeting by telephonic conference call and, for redundancy, video conference on Wednesday, October 14, 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)

Ami Muttoni – BRA
Cole Ruiz – Lloyd Gosselink
Sandra Blankenship
Michelle Sutherland

Bill Schumann – County Commissioner
Ellen Morris
Vince Clause
Reddy Beeram – ReddyLee, LLC

Allen Standen
Mike Keester – LRE Water
Dr. Yelderman – Baylor
Sharon Beeram

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

Workshop Item #1. Receive information related to Groundwater Management Area 8, related to Joint Planning and Development of the Desired Future Conditions.

Dirk Arron gave a brief update on GMA8 and noted the next meeting is scheduled for October 27th.

Workshop Item #2. Receive information related to the Salado Salamander proposed rule for Critical Habitat.

Cole Ruiz, legal counsel, briefed the Board on information related to the Salado Salamander proposed rule for Critical Habitat.

Workshop closed and Board Meeting convened with President, Leland Gersbach at 1:51 p.m.

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 September 9, 2020 Board meeting and Workshop.

Board members received the minutes of the September 9, 2020 Board meeting and workshop in their Board Packet to review prior to the meeting.

Secretary, Gary Young, moved to approve the minutes of the September 9, 2020 Board meeting and Workshop. 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 September 2020 as presented.

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

Vice President, David Cole, moved to accept the monthly financial report for September 2020 as presented. Director, Jody Williams, 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.*

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

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

Board members received the Quarterly Report in their Board Packets to review prior to the meeting.

Director, Jody Williams, moved to accept the Quarterly Report as presented. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

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

Shelly Chapman and Dirk Aaron presented the request for budget amendments and explained the needs for the requests. See budget amendment requests below:

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
City of Belton	55500-Water/Trash Pickup	\$197.09	\$142.89	\$54.20	\$197.09	55300-Internet	\$200.12	\$145.92
HACH	53150-Water Quality	\$271.72	\$150.30	\$121.42	\$271.72	53140-Monitor Well Exp	\$6,282.29	\$6,160.87
LRE	53130.4-Investigation	\$405.00	\$390.00	\$15.00	\$405.00	53130.6-Aquifer Mon. Well Tool	\$20.00	\$5.00

Director, Scott Brooks, 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 review and approve the proposed collaborative research project for southwest area of the District by LRE Water, Allen R Standen LLC, and Baylor University Geology Department related to enhanced understanding of the Trinity Aquifer.*

Received presentations and discussion from LRE Water, Allen Standen, Vince Clause, Michelle Sutherland, and Dr. Yelderman (Baylor University) related to the proposed collaborative research project for the southwest area of the District. The Board was excited about this project and appreciated the efforts of the Consultants and General Manager for bringing this all together.

Vice President, David Cole, motioned to approve the collaborative research project presented. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

9. *Discuss, consider and take appropriate action if necessary, to approve the FY21 line item budget amendment as requested,*

Based on the decision to approve the proposed collaborative research project discussed in agenda item #8, the Board agreed to amend the FY21 line item budget as follows:

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
TBD	53155-3D Visualization			\$35,000.00		Reserve Funds	\$814,516.08	\$779,516.08

Director, Scott Brooks, moved to approve the line item budget amendment as requested. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

10. Hold public hearing on the following permit application:

a. Discuss, consider and take appropriate action if necessary on the proposed operating permit of 9.97 ac-ft/year for REDDYLEE LLC authorizing operating permit from an existing well (N2-20-006G) completed in the Edwards Equivalent Aquifer for agricultural use located at 204 Loop 121, Belton, TX 76513

As Presiding Officer of the hearing, President Leland Gersbach, called to order the public hearing at 2:41 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 Reddy Beeram. Leland will hear testimony by the applicant, General Manager, Dirk Aaron, and consultant Mike Keester, LRE Water.

Leland invited anyone wishing to make a public comment or protest the application to speak up. Ellen Morris, property/well owner in the area, signed up to make comments. She stated that she was not here to protest, but to learn more about this and the process.

Leland administered an oath to all participants. Parties verbally confirmed they took the oath were: General Manager, Dirk Aaron, Mike Keester, Reddy Beeram, and Sharon Beeram.

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. Mike Keester responded to Leland's questions. 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 at 3:06.

Leland asked for a motion to grant/deny/partially grant the Beeram's request for a combination drilling/operating permits of 9.97 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, moved to grant the request as presented to include all special provisions agreed upon by the applicant and outlined by the District General Manager, Consultants, and Legal Counsel. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

- 11. Hold public hearing on the proposed adoption of amendments to the District Management Plan:**
- a. Call to Order**
 - b. Summary presentation of the proposed amendments to the CUWCD Management Plan as required by Chapter 36 of the Texas Water Code and Chapter 356 of the Texas Water Development Board's (TWDB) rules contained in Title 30 of the Texas Administrative Code.**
 - c. Public Comment on the Groundwater Management Plan proposed for adoption.**
 - d. Adjourn.**

President. Leland Gersbach, called to order the public hearing at 3:07 p.m. General Manager, Dirk Aaron, gave a narrative of the timeline leading up to this point, summarized the proposed amendments as required by TWDB, and discussed deadlines to be met.

Leland Gersbach opened the hearing for public comments. Sandra Blankenship commented that the plan looks good. She was questioning the changes to "water surplus" on page 15. Dirk referred her to the State Water Plan and explained the section to her. Dirk will send the appendix with the information to Sandra.

Hearing no other comments, Leland closed the public hearing at 3:37 p.m.

- 12. General Manager's Report concerning office management and staffing related to District Management Plan³.**
- Staff is beginning to work on the Newsletter. Dirk will be asking Consultants to write articles. He encouraged Board Members to submit articles as well.
 - Oaths of Office for Elected Officials will be in December after elections are canvassed.
 - Signed engagement letter with the District's auditing firm.
 - Will close out FY20 books in November to prepare items for the annual financial audit.
 - Staff has begun work on the Annual Report.
 - Still big projects going on with AW Hines wells as work continues.
 - Due to continued issues with COVID-19, the District will not plan a holiday reception this year.
- 13. 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.)

- 14. Director comments and reports³.**

- **Gary Young:** Kudos to the staff for all they do to meet deadlines and keep up with everything. Gary commented that it has been a privilege to sit in on some of the Coalition meetings.
- **David Cole:** None.
- **Jody Williams:** None.
- **Scott Brooks:** Bringing all the data together in one collaborative effort is remarkable. Thanked Dirk for making it happen.
- **Leland Gersbach:** Glad the District finally has the science to make this collaborative effort happen.

15. Discuss agenda items for next meeting.

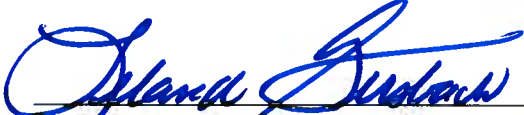
- Possible permit hearing
- FY20 Close out
- Public hearing for Management Plan

16. Set time and place of next meeting.

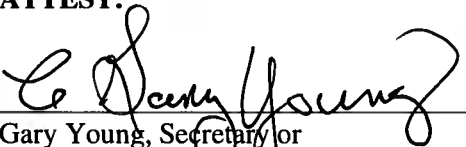
Wednesday, November 11, 2020

17. Adjourn.

Board meeting adjourned and Workshop convened with President, Leland Gersbach, at 3:45 p.m.


Leland Gersbach, President

ATTEST:


Gary Young, Secretary or
Dirk Aaron, Assistant Secretary