

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, December 9, 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, December 9, 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 Water
Sandra Blankenship – WCID 1 – Director

Workshop convened with President, Leland Gersbach at 1:34 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 proposed DFCs. The District will hold the public hearing on the proposed DFC on January 13th. The public hearing will be posted on December 23rd. He commented that this is not the final DFC.

Workshop closed at 2:07 p.m. and Board Meeting convened with President, Leland Gersbach at 1:38 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 November 11, 2020 Board meeting and Workshop.

Board members received the minutes of the November 11, 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 November 11, 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 November 2020 as presented.

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

Vice President, David Cole, moved to accept the monthly financial report for November 2020 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 Account report as presented.

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

Director, Scott Brooks, moved to accept the monthly investment fund account report for November 2020 as presented. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

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

No budget amendments requested. No action needed.

7. ***Discuss, consider and take appropriate action if necessary, to swear in Board of Directors for Precincts 1 & 3 and administer oaths of office.***

Shelly Chapman, Notary Public, administered the "Statement of Office" and "Oath of Office" to Jody Williams (Director, Precinct 3) and Leland Gersbach (Director, Precinct 1).

Dirk recapped the process and guidelines the District followed to properly post and notice the election.

8. ***Discuss, consider and take appropriate action if necessary, to set the calendar dates for 2021.***

Staff looked at the calendar to set dates for 2021 Board meetings. Dirk presented the proposed dates to include regular Board meetings, tentative dates in August to approve FY21 budget/tax rate, tentative date for Bell County Water Symposium, and tentative dates for TAGD Groundwater Summit. Dates proposed are as follows:

Board Meeting	Wednesday	Jan. 13, 2021
Board Meeting	Wednesday	Feb. 10, 2021
Board Meeting	Wednesday	Mar. 10, 2021
Board Meeting	Wednesday	Apr. 14, 2021
Board Meeting	Wednesday	May 12, 2021
Board Meeting	Wednesday	June 09, 2021
Board Meeting	Wednesday	July 14, 2021
Board Meeting	Wednesday	Aug. 11, 2021
Tax Rate Hearing	Wednesday	Aug. 25, 2021
Water Summit	Tues-Thurs	Aug. 31-Sept. 2, 2021 (maybe? TBD)
Board Meeting	Wednesday	Sept. 15, 2021
Board Meeting	Wednesday	Oct. 13, 2021
Water Symposium	Wednesday	Nov. 3, 2021 (Tentatively? TBD))
Board Meeting	Wednesday	Nov. 10, 2021
Board Mtg/Christmas	Wednesday	Dec. 08, 2021

Staff also looked at the Holiday Schedule of State and Local Government Entities. State and Local Government Entities currently receive 13 standard holidays per year. Dirk recommended CUWCD 2021 schedule reflect 8 standard holidays. Holidays proposed are as follows:

New Years Day	Friday	Jan 1, 2021
Memorial Day	Monday	May 31, 2021
Independence Day	Monday	July 5, 2021
Labor Day	Monday	Sept 6, 2021
Thanksgiving Day	Thursday	Nov 25, 2021
Thanksgiving	Friday	Nov 26, 2021
Christmas Holiday	Thursday	Dec 23, 2021
Christmas Holiday	Friday	Dec 24, 2021

Secretary, Gary Young, moved to set the 2021 calendar dates and holiday schedule as presented. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

9. ***Discuss, consider and take appropriate action if necessary, to support the Texas Alliance of Groundwater Districts proposed Amicus Brief.***

Dirk presented information from TAGD regarding the Amicus Brief request. He explained what an Amicus Brief is and the importance of supporting the TAGD proposed Amicus Brief.

After some discussion, the Board agreed to pledge up to \$500 in support of the proposed Amicus Brief.

Director, Jody Williams, moved to pledge up to \$500 in support of the Amicus Brief. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

10. ***Discuss, consider and take appropriate action if necessary, to approve a waiver submitted by Jason Bragg and Tom Vitek for an existing well to encroach an adjacent property to less than the required 50-foot setback per District Rule 9.5.5(a)(e) Exceptions to Spacing Requirements.***

Dirk explained the applicants request for an exception to the setback of 50 feet of a well from the property lines. He noted that the applicant provided the required waivers from the adjacent property owners. Waivers have been signed and notarized. Dirk stated that the well (E-02-510G) satisfies all requirements for an exempt grandfathered well and no permit is required. This well will be more than 100ft from any other existing wells on adjacent properties. Both property owners have indicated that they intend to share the well for 2 homes. They will be required to record the agreement with the District and at the County Clerks office.

Dirk recommended the Board approve the request and noted all requirements per district rule 9.5.5(a)(e) have been met and submitted.

Vice President, David Cole, moved to approve the waiver submitted by the applicant. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

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

- Newsletter to go out next week.
- Permit renewals will go out this month.
- The new website is almost complete. If all the bugs are worked out it will go live on January 8th. Dirk will showcase it at the next meeting.
- Waiting confirmation and acceptance of the Management Plan.
- Adoption of the financial management policy is set for the next meeting. At that time staff will discuss the need for ACH payments for health insurance.
- Proposed DFC Public Hearing will be next month. Dirk will invite stakeholders to attend.
- Mike Keester and Dirk will demo the Aquifer Analysis Tool to illustrate the way the District can monitor the trends in the Aquifer.
- Monitor Well program needs to be evaluated. Will look at cost vs. efficiency.

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***

Dirk discussed the drought status report.

(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:** Gary mentioned that he approved/signed the replacement check for S&W Health Plan that was lost. This opens doors to look at other banking options with ACH payments. This will be addressed next month. Gary contacted the bank and they refunded the “stop payment” fee for the missing check.
- **David Cole:** Wished Dirk and Staff a Merry Christmas. Thanked Dirk for being a true asset to the District.
- **Jody Williams:** Wished everyone a Merry Christmas and Happy New Year.
- **Scott Brooks:** No comment.
- **Leland Gersbach:** No comment.

15. *Discuss agenda items for next meeting.*

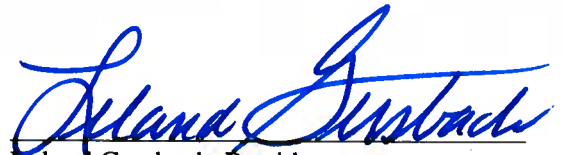
- Public Hearing Mgmt. Plan
- Public Hearing Proposed DFC
- N2 permits

16. *Set time and place of next meeting.*

Wednesday, January 13, 2021

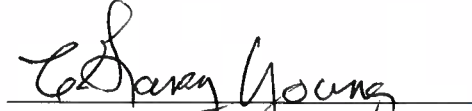
17. *Adjourn.*

Board meeting adjourned and Workshop convened with President, Leland Gersbach, at 3:05 p.m.



Leland Gersbach, President

ATTEST:



Gary Young, Secretary or
Dirk Aaron, Assistant Secretary