

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, April 14, 2021
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, April 14, 2021 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
Jody Williams, Director, Pct.
Scott Brooks, Director, Pct. 4

Absent:

Gary Young, Secretary, Pct 2

Staff:

Dirk Aaron, General Manager
Shelly Chapman, Admin. Manager

Guest: (remote & in person)

Sandra Blankenship-WCID #1	Bill Schumann – County Comm.	Maddie Todd
Ty Embrey–Lloyd Gosselink (Attorney)	James Beach – AGS	Jennifer Bronson Warren
Cole Ruiz-Lloyd Gosselink (Attorney)	Rohit Goswami – WSP	Alton Theile-CPA

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

Workshop Item #1. Receive information related to Groundwater Management Area 8, per the Joint Planning and Development of the Round 3 Desired Future Conditions.

Dirk Aaron gave a brief update on the DFC process.

Workshop Item #2. Receive Legislative update on 87th Legislative Session from Ty Embrey, Lloyd Gosselink Rochelle & Townsend.

Ty Embrey updated the Board on the current Legislative session and noted items that are of interest to the District. Ty provided a "Bill Tracking Report" for the Board to review.

Workshop Item #3. Receive update on the status of the BCAMC and efforts with USFWS SSA related to the Edwards BFZ Aquifer.

Dirk gave an update on the status of the BCAMC and efforts with USFWS SSA. Dirk and Judge Blackburn have been working closely with Natural Resource Solutions. Dirk covered the background of the Salado Salamander and touched on specific talking points and recommendations regarding the development of the SSA moving forward.

Workshop Item #4. Receive information from District's Legal Council related to permitting criteria per Chapter 36 and District Rules.

Dirk recommended the Board move into Executive Session with District Legal Counsel, Cole Ruiz, for the purpose of discussing information related to permitting criteria per Chapter 36 and District Rules.

Executive Session convened from 2:17 p.m. – 3:09 p.m.

Board meeting convened with President, Leland Gersbach 3:09 p.m.

1. Invocation and Pledge of Allegiance.

Vice President, David Cole, gave the invocation.
Director, Jody Williams, led the Pledge of Allegiance.

2. Public Comment.

Based on discussion from the March meeting regarding the District's Facebook page, Sandra suggested the page be taken down and the public be directed to the Districts Website. (The Facebook was deleted prior to the April meeting.)

3. ***Approve minutes of the March 10, 2021 Board meeting and Workshop.***

Board members received the minutes of the March 10, 2021 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 March 10, 2021 Board meeting and Workshop. Director, Jody Williams, seconded the motion.

Motion carried 4-0 (1 absent).

4. ***Discuss, consider, and take appropriate action if necessary, to accept the monthly Financial Report for March 2021 (FY21) as presented.***

Board members received the monthly financial report for March 2021 in their Board Packet to review prior to the meeting.

Director, Scott Brooks, moved to accept the monthly financial report for March 2021 as presented. Vice President, David Cole, seconded the motion.

Motion carried 4-0 (1 absent).

5. ***Discuss, consider, and take appropriate action if necessary, to accept the monthly Investment Fund Account report for March 2021 (FY21) as presented.***

Board members received the monthly investment fund account report for March 2021 in their Board Packet to review prior to the meeting.

Director, Jody Williams, moved to accept the monthly investment fund account report for March 2021 as presented. Director, Scott Brooks, seconded the motion.

Motion carried 4-0 (1 absent).

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 Security Benefits quarterly report in their Board Packet to review prior to the meeting.

Director, Scott Brooks, moved to accept the quarterly report as presented. Director, Jody Williams, seconded the motion.

Motion carried 4-0 (1 absent).

(Dirk asked the Board to move agenda items 7 & 8 until Alton Theile arrives to present the annual audit. Audit must be approved prior to accepting the Annual Report. Board agreed. Leland continued with agenda item #9.)

9. ***Discuss, consider, and tack appropriate action if necessary, to approve professional services including but not limited to District Joint Planning in Groundwater Management Area 8 technical evaluation, GAM runs, CUWCD Modified GAM updates.***

Dirk laid out the purpose for the item related to professional services with WSP and/or James Beach. He asked the Board to select a firm and direct him to negotiate the scope of work based on qualifications.

Rohit Goswami (WSP) and James Beach (AGS), gave presentations related to proposals moving forward with the District.

Dirk recommended the Board move to Executive Session to discuss Professional Services.

Executive Session convened 3:59 p.m. – 4:10 p.m.

Board meeting reconvened with President, Leland Gersbach, at 4:10 p.m.

Leland commented that the Board had the opportunity to hear from both parties and asked the Board for a motion.

Director, Scott Brooks, moved to award the professional services to James Beach (AGS) and direct Dirk Aaron to begin negotiations for scope of work. Vice President, David Cole, seconded motion.

Motion carried 4-0 (1 absent).

8. Discuss, consider, and take appropriate action if necessary, to accept the FY20 financial audit as presented by the District's contracted auditing firm.

Alton Theile presented the FY20 financial audit. He reported the facts and stated it was a clean audit. He noted that staff was easy to work with and there were no concerns or issues to report.

Vice President, David Cole, moved to accept the FY20 Financial Audit as presented. Director, Scott Brooks, seconded the motion.

Motion carried 4-0 (1 absent).

10. Discuss, consider, and take appropriate action if necessary, to approve funding the 2021 USFWS-TXF&W Conservation Office Annual (Pete Diaz) Salado Springs & Salamander Monitoring Program under the Reimbursable Task Order.

Dirk presented information and his recommendations for funding the Salado Springs and Salamander Monitoring Program with Pete Diaz and USFWS.

Director, Scott Brooks, moved to approve funding for the 2021 USFWS-TXF&W Salado Springs and Salamander Monitoring Program as recommended. Director, Jody Williams, seconded the motion.

Motion carried 4-0 (1 absent).

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

Based on the approval to fund the Salado Springs and Salamander Monitoring Program for 2021, the following budget amendment is requested.

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
US Fish	53120.2 -Reimb. Order		\$0.00	\$22,055.00	\$22,055.00	53110.6-GAM Calibration	\$45,000.00	\$22,945.00

Requested By: Shelly Chapman

Verified By: Dirk Aaron

Board Approved: _____

Amended: Date: _____ By: _____

Director, Jody Williams, moved to approve the line-item budget amendment as requested. Vice President, David Cole seconded the motion.

Motion carried 4-0 (1 absent).

12. ***Discuss, consider, and take appropriate action if necessary, to approve an exception to setback requirements for the purpose of a replacement well per District Rule 9.5.5(a)(e) for Bruce Whitis, 7899 FM 2843, Salado, Texas.***

Because of his business relationship with the applicant and other party involved, Director Scott Brooks, recused himself from participating in the discussion and vote of this agenda item.

Dirk presented the request from Bruce Whitis for an “exception to spacing” requirements for a replacement well for domestic use. Dirk explained the need and noted that the applicant has pursued and received a signed waiver from the adjacent property owner. Dirk also commented that the existing well and replacement well are shared by both parties for domestic use.

Vice President, David Cole, moved to approve the setback requirements as requested for the purpose of a replacement well. Director, Jody Williams, seconded the motion.

Motion carried 3-0 (1 abstained & 1 absent).

7. ***Discuss, consider, and take appropriate action if necessary, to accept the 2020 CUWCD Annual Report as presented.***

Dirk explained that the Board was presented with a draft of the report to review. Multiple people reviewed it for content, clarity, and accuracy. The final draft was vetted and reviewed several times. Dirk complimented Tristin Smith for her work on the report. Dirk noted that the report is late due to the delay of the audit.

Vice President, David Cole, moved to accept the 2020 CUWCD Annual Report as presented. Director, Scott Brooks, seconded the motion.

Leland commended Tristin for a job well done.

Motion carried 4-0 (1 absent).

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

- Cyber security training needs to be completed and back to Shelly prior to the May meeting. Shelly gave the log in information to the Board and instructions for completing the training.
- New website is up and running.
- Education opportunities are starting to ramp up.
- Corey and Dirk will be attending the TGWA well driller’s conference in August.
- USGS will be starting the Middle Trinity Study in April.
- Baylor WellIntel efforts on wells in Southwest Bell County will be starting soon.
- 1st Qtr. newsletter will be going out soon. Topics will be District updates, Annual Report, Audit, new website, and upcoming educational events.
- Corey and Dirk will be attending a rainwater harvesting event with Master Gardeners and the AgriLife Extension Service. Plan to display the trailer and have Water Ambassadors help.
- Dirk will be speaking at a Farm CEU event out at Tenroc Friday. He will be speaking on drought and GCD efforts.
- Groundwater Summit will be in person this year. Dates are set from Aug 31 – Sept 2nd. Shelly needs to know if you will be attending.

14. ***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.)

15. *Director comments and reports*³.

None

16. *Discuss agenda items for next meeting.*

- Permit hearings
- Victory Rock continuation

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

Wednesday, May 12, 2021

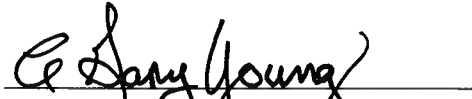
18. *Adjourn.*

Board meeting adjourned with President, Leland Gersbach, at 4:52 p.m.



Leland Gersbach, President

ATTEST:



Gary Young, Secretary or
Dirk Aaron, Assistant Secretary