

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, Texas
Tuesday, October 14, 2014
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Tuesday, October 14, 2014 at 1:30 p.m. at the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

Leland Gersbach, President
Wallace Biskup, Vice President
Judy Parker, Secretary
David Cole, Director
Bill Bartlett, Director

Public Advisory Committee:

Bradley B Ware
Bill Schumann
Henry Bunke

Staff:

Dirk Aaron
Shelly Chapman

Guests:

Mike Keester – LBG-Guyton
Gary Young – Candidate Pct 2
Dale Fisher – Candidate Pct 4

Mike Parker – River Ridge Ranch POA
Tom Lovelace – Lovelace Water Well Drilling & Service

Board meeting opened with President, Leland Gersbach at 1:33 p.m.

1. Invocation and Pledge of Allegiance:

Vice President, Wallace Biskup, gave the invocation.
Director, Bill Bartlett, lead the Pledge of Allegiance.

2. Public Comments:

None

3. Approve minutes of the Sept 9, 2014 Board Meeting and Workshop.

Secretary, Judy Parker, pointed out a correction that needed to be made in the minutes. Under agenda item 14, the minutes state that Judy Parker addressed an issue that came up at the Region G Executive meeting. The issue was addressed at the TAGD Meeting, not the Region G meeting.

Director, David Cole, moved to approve the Minutes of the Sept 9, 2014 meeting with changes noted.
Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

4. Discuss, consider and take appropriate action if necessary to accept the monthly financial report for Sept. 2014 as presented.

Director, Bill Bartlett, moved to accept the monthly financial report for Sept. 2014 as presented. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

5. Discuss, consider and take action if necessary to accept the monthly Investment Fund account report as presented.

Director, David Cole, moved to accept the monthly investment fund account as presented. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

6. Discuss, consider and take action if necessary to approve the FY14 line item budget amendments as requested.

General Manager, Dirk Aaron, presented the request for FY14 line item budget amendments.

Secretary, Judy Parker, moved to accept the FY14 line item budget amendments as requested by staff.
Director, David Cole, seconded the motion. **Motion carried 5-0.**

Public Hearing opened with President, Leland Gersbach, at 1:46 p.m.

President, Leland Gersbach, reviewed the procedures for the Public Hearing to include proper posting and notification of the Public Hearing. President Gersbach noted that all posting requirements had been met. Mr. Gersbach gave a summary of the request submitted.

Leland Gersbach opened the Hearing up for public comments and administered oath to all participating parties (Dirk Aaron-CUWCD, Mike Keester-LBG Guyton, and Tom Lovelace-representing Karen Duerr). Mr. Gersbach noted that legal representatives were available by phone if needed. No comments or protests were made on this application.

Mr. Gersbach proceeded with the Public Hearing.

7. *Hold public hearing on the following permit application:*

a.) Discuss, consider and take appropriate action if necessary on the proposed drilling and operating permit for Karen Duerr, authorizing withdrawal from proposed well (N1-14-001P) of 0.27 acre-feet per year or 88,560 gallon from the Edwards BFZ Aquifer for domestic use.

General Manager, Dirk Aaron, presented the facts and related information associated with the permit application. He noted that the property was less than 10 acres and was sub-divided after March 2004. He informed the Board that the adjacent property owner had signed a waiver allowing an exception to the set back. He informed the Board that the application is administratively complete and all criteria have been met. It is Dirk's recommendation that the Board look at this request

Mike Keester, Hydrogeologist-LBG Guyton, presented his findings and analysis. He reviewed information on water use projections and drawdown.

David Cole asked if the neighbor had any objections to the well. Dirk informed him that the neighbor has no objections and submitted a waiver for the setbacks.

Bill Bartlett wanted to know what purpose the well would serve since she was asking for such a small amount of water. Tommy Lovelace responded that it is an alternative water source for her lawn.

Secretary, Judy Parker, moved to approve the permit application. Director, David Cole, seconded the motion. **Motion carried 5-0.**

Public Hearing closed and Board meeting reconvened with President, Leland Gersbach at 2:08 p.m.

8. *Discuss, consider and take action if necessary to approve drilling permit extension for Dean Mikeska.*

Dirk informed the Board that on October 1, 2014 Dean Mikeska submitted another letter requesting an additional 120 day extension for drilling his well. His crops have been harvested and he needs the additional time due to the availability of the well driller, David Cowen. Staff recommends approving extension as requested to expire on Feb. 5, 2015.

Secretary, Judy Parker, moved to approve the extension as requested. Vice President, Wallace Biskup, seconded the motion. **Motion carried 5-0.**

9. *Discuss, consider and take action if necessary to approve drilling permit extension for Rock Solid Stone.*

Dirk informed the Board that he spoke with John Dyke regarding the drilling permit extension for Rock Solid Stone. Mr. Dyck submitted a letter to the Board by e-mail Sept 19, 2014 explaining his needs for an extension. Staff recommends approving the extension as requested to expire January 8, 2015.

Director, David Cole, moved to approve the extension as requested. Vice President, Wallace Biskup, seconded the motion.

Judy Parker commended the quarries that are run the way Mr. Dyke runs his in regards to conservation.

Motion carried 5-0.

10. Discuss, consider and take action if necessary to set the FY15 CUWCD monthly Board Meeting dates.

President, Leland Gersbach, informed the Board that Gary Young will be the next Board Member for Precinct 2. Precinct 2 was unopposed and the election cancelled. He explained that Gary would have a conflict with Tuesday meeting. Leland suggested moving the meetings to Wednesdays to help Gary out. Dirk also indicated that it would benefit Staff allowing an extra day to prepare for the meetings. Wallace Biskup questioned the reason for the change. Leland explained the circumstances. Wallace inquired if Gary Young was aware of the Board Meeting dates prior to running for the Office. Wallace commented that the Board has met on Tuesdays since the District was created and said we would be setting a precedent.

Director, Bill Bartlett, moved to approve the dates as presented moving the FY15 Board Meetings to the second Wednesday of each month. David Cole, seconded the motion. **Motion carried 4 (Parker, Cole, Bartlett, Gersbach) -1 (Biskup).**

11. Discuss, consider and take action if necessary to approve the Memorandum of Agreement to participate in the Bell County Adaptive Management Coalition.

Dirk explained that the District has \$15,000 budgeted and all of the Partners in the Adaptive Management Coalition, which is the agreement with US Fish, that the Coalition will continue the relationship to determine ways to reduce the threat to the Springs. Dirk recapped the issues regarding the Threatened listing of the Salado Salamander issue and commented that this is part of the ongoing scientific studies the District is working on. Dirk recommended that the Board continue to participate in this Coalition under the condition that the other Partners participate at the same level. David Cole inquired if the agreement had been reviewed by the District legal team. Dirk stated that it was reviewed by Mike Gershon. Judy Parker commented that the Coalition has done good work for the County and the Edwards Aquifer and had good results. She also stated that it has formed good relationships with both the Federal and State Agencies.

Director, David Cole, moved to approve the Memorandum of Agreement to participate in the Bell County Adaptive Management Coalition. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

Board Meeting closed and Workshop convened with President, Leland Gersbach, at 2:25 p.m.

Workshop #1. Discuss drawdown evaluation of Middle Trinity Aquifer.

Dirk Aaron informed the Board that local well drillers have notified the District that they are seeing huge drawdowns in the Middle Trinity. Dirk introduced Mike Keester from LBG-Guyton. Mike presented his preliminary analysis to the Board and will have a final report at the Water Symposium and December Board Meeting.

Workshop #2. Discuss agenda for the 14th Annual Water Symposium.

Dirk updated the Board on the upcoming Water Symposium. He presented the draft agenda and Speakers topics.

Workshop #3. Discuss information on information on potential legislation in the upcoming Legislative Session.

Dirk pointed out Legislation that Groundwater Districts have been asked to participate in around the State and gave a recap of the issues.

Judy Parker informed the Board that Dirk has been asked to serve as Vice President of TAGD. Judy stated that this is a big honor for Dirk and the District. This came about because Bob Patterson resigned from Upper Trinity Groundwater District. The Board was pleased that Dirk was asked to represent CUWCD in this manner. Dirk stated that this is a one year commitment.

Workshop closed and Board Meeting reconvened with President, Leland Gersbach at 4:12 p.m.

12. General Manager's report concerning office management and staffing related to District Management Plan.

Nothing presented at this time

13. Receive monthly report and possible consideration and Board action on the following:

- a. Salado Creek stream flow gauges**
- b. Education Outreach Update**
- c. Monitoring wells**
- d. Rainfall/Drought Conditions**
- e. Well registration**
- f. Non-exempt Monthly well production**

Dirk presented the information to the Board. Shelly Chapman presented the monthly well registration totals.

(Copies of the Monthly Staff Reports were given to the Board Members to review. No action required. Informational items only.)

14. Public Advisory Committee comments.³

None

15. Director comments³

None

16. Discuss agenda items for next meeting.


Canvas Election
Oaths of Office
Board Officers
2015 Holiday Schedule

17. Set time and place of next meeting.


Wednesday Nov 12, 2014

18. Adjourn.

Meeting adjourned by President, Leland Gersbach at 4:25 p.m. and convened to Workshop.


Leland Gersbach, President

ATTEST:



JUDY PARKER, Secretary

(A compact disc of this meeting is available upon request.)