

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, April 13, 2016
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Wednesday April 13, 2016 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
Gary Young, Director

Public Advisory Committee:

Bill Schumann

Staff:

Dirk Aaron
Shelly Chapman

Guests:

Lou Fleischhauer – Collier Consulting

Workshop convened with President, Leland Gersbach, at 1:32 p.m.

Workshop item #1: Receive update from District Staff on notification of District Rule Changes and Forms for Licensed Well Drillers and Pump Installers.

Dirk presented an update on letters sent out to Well Drillers and Pump Installers explaining the District Rule changes and new forms. A letter was also sent out to Real Estate agencies regarding disclosure requirements for wells. The District provided the agencies with the appropriate forms. A copy of the letters and forms were provided to the Board to review.

Workshop item #2: Receive update from District Staff on the Fy15 & Fy16 Bell County Adaptive Management Coalition research efforts.

Dirk updated the Board on the research efforts of the Coalition. The Coalition met with Pete Dias (USFWS) at the District building this morning. He presented a report on the Coalition's financial status and gave an update on things to come/

Workshop item #3: Receive timeline and process for November 8, 2016 General Elections.

Dirk presented the timeline for the November 8, 2016 Election. He pointed out that Leland Gersbach and Wallace Biskup are up for re-election. The District will have to "call for election" on June 23rd. Dirk will have forms available, according to the timeline, for those interested in running for a position on the Board. Shelly Chapman is a Notary and can notarize the forms if needed.

Workshop item #4: Discuss the status and timeline for final determination of Desired Future Conditions and Explanatory Report to occur for the DFC determination by GMA8, per TWC section 36.108.

Dirk requested the Board to defer this workshop item to agenda item #7.

Workshop item #5: Receive update on the Design-Build RFQ for construction of the District storage facility.

Dirk updated the Board on the Design-Build RFQ from Kiella. The quote for the proposed work extremely exceeded the preliminary budget for the storage building. Dirk communicated with Kiella and asked them if they would be willing to negotiate the cost. They declined negotiations. Dirk reached out to Gene Doss, who was the second choice for the project. He will work up a preliminary plan and cost analysis for the project.

Workshop closed and Board meeting convened with President, Leland Gersbach, at 2:12 p.m.

1. Invocation and Pledge of Allegiance:

Vice President, Wallace Biskup gave the invocation.
Secretary, Judy Parker led the Pledge of Allegiance.

2. Public comment.

None.

3. Approve minutes of the March 9, 2016 Board meeting.

Director, Gary Young, moved to approve the minutes of the March 9, 2016 Board meeting and Workshop.
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 March 2016 as presented.

Secretary, Judy Parker, moved to accept the monthly financial report for March 2016 as presented. Director, David Cole, 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.

Director, David Cole, moved to accept the monthly Investment Fund account report as presented. Vice President, Wallace Biskup, 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.

Secretary, Judy Parker, moved to accept the Quarterly Deferred Compensation Employee Retirement Program account report as presented. Director, David Cole, seconded the motion. **Motion carried 5-0.**

7. Discuss, consider and take appropriate action if necessary to set the date for the Proposed GMA8 Proposed DFC Public Hearing per Section 36.108(d-2) during the required 90 day public comment.

Ty Embry and Troop Brewer (Lloyd Gosselink Attorneys at Law) have provided a path forward for all of their clients in GMA8. On April 1st, all Districts that submitted preliminary DFCs voted to accept them and press forward except for Upper Trinity GCD. Dirk summarized the comments from UTGCD. Discussion continued regarding proposed DFC. Dirk explained that a timeline will be established within the 90 day public comment period. He recommends the District press forward and hold the public hearing on Wednesday, May 11th.

Vice President, Wallace Biskup, moved set the date for the GMA8 Proposed DFC Public Hearing for Wednesday, May 11th. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

8. Discuss consider and take appropriate action if necessary to approve the updating of the District Water Quality Screening equipment.

Staff has had discussion regarding the equipment currently being used for water quality screening. After some research and discussions with HACH, it was determined that the current equipment is obsolete. Staff concluded the need does exist for the update in conjunction with the need for higher Q&A of equipment, efficiency, and time necessary to conduct accurate water quality assessments. Dirk informed the Board that the cost to replace the existing equipment will be approximately \$9,055.86. The City of Temple currently used the equipment the Staff would like to purchase. Shelly is working with the City of Temple to set up a time for a demonstration.

Secretary, Judy Parker, moved to approve the purchase of water quality screening equipment at the cost of \$9,055.86. Director, Gary Young, seconded the motion. **Motion carried 5-0.**

9. Discuss, consider and take appropriate action if necessary to be a sponsor at the 2016 Groundwater Summit in August.

Dirk reminded the Board that the TAGD Groundwater Summit is scheduled for August 23-25 in San Marcos.

He informed them that rooms have been reserved and encouraged them all to attend. Dirk presented Sponsorship options for the Board to consider and the benefits of the sponsorship to the District. After discussing the options, the Board concurred that the "Program Sponsorship" for \$2,500 would be beneficial to the District.

Director, Gary Young, moved to participate as a sponsor at the \$2,500 "Program Sponsorship" level. Secretary, Judy Parker, seconded the motion. **Motion carried 5-0.**

10. Discuss, consider and take appropriate action if necessary to approve the FY16 line item budget amendments as requested.

Dirk presented the request for line item budget amendments. Staff is requesting \$1,000 be moved from line item 53702 (Legal-Endangered Species) to 53703 (Legal-General Rules/Accountability). These funds will be used to address final cost of rule changes. Staff is also requesting \$9,056 from 50250 (Contingency Fund) to 53150 (Water Quality) for the purchase of equipment for water screening as approved in agenda item 8.

Director, David Cole, moved to approve line item budget amendments as requested. Director, Gary Young, seconded the motion. **Motion carried 5-0.**

11. Discuss, consider and take appropriate action if necessary to approve the proposed amendments to the District By-Laws by Board resolution.

Dirk presented the Board with the current by-laws from April 1, 2012, the proposed revisions to the by-laws, and the Resolution to amend the current by-laws. The District recently amended the District Rules to accommodate legislative mandates. At that time, District rules that addressed operations of the District were deleted with the intension to move those rules to the by-laws. Dirk explained the proposed amendments and additions to the by-laws. He recommended the Board approve the amendments by resolution.

Vice President, Wallace Biskup, moved to approve the proposed amendments to the District's by-laws. Director, Gary Young, seconded the motion. Motion carried 5-0.

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

- Have not received any negative comments from Well Drillers/Pump Installers regarding new rules.
- Todd would like to change some things on the website and make it where staff can add and update information. This will take him about a week to complete.

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. Informational items only.)

14. Public Advisory Committee Comments.

None.

15. Director comments and reports.

- Judy Parker – may need to start thinking about staffing in the future to relieve Todd of some of his office duties in order to spend more time in the field. She attended GMA 8 meeting this week. There will be an upcoming meeting on the 27th. Kip Averitt will be there to present the "Gold Water Plan".

16. Discuss agenda items for the next meeting.

- Public Hearing – Dunifer permit application
- DFC Public Hearing
- July meeting date change – July 20th.

17. Set time and place for next meeting.

Wednesday, May 11, 2016 at 1:30 p.m.

18. Adjourn.

Meeting adjourned by President, Leland Gersbach, at 3:12 .p.m.


Leland Gersbach, President

ATTEST:


Judy Parker, Secretary