

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, May 9, 2018
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Wednesday, May 9, 2018 at 1:30 p.m. at the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

Leland Gersbach, President
Judy Parker, Secretary
David Cole, Director

Staff:

Dirk Aaron, General Mgr.
Shelly Chapman, Admin. Mgr.

Absent:

Wallace Biskup, Vice President
Gary Young, Director

Guest:

Allan Keith – Permit Applicant
Scott Brooks
Ann Farris

Board meeting convened with President, Leland Gersbach, at 1:35 p.m.

1. Invocation and Pledge of Allegiance.

Director, David Cole, gave the invocation.
Secretary, Judy Parker, led the Pledge of Allegiance.

(President, Leland Gersbach, informed the Board that representatives for the Permit Hearing were present and that they would begin with the Permit Hearings. President, Leland Gersbach, moved to item #9.)

9. Hold public hearing on the following well applications:

- a) Discuss, consider and take appropriate action if necessary on the proposed N1 operating permit by Amanda Myers, requesting authorization for a combination drilling/operating permit (N1-18-003P) for 1.98 acre-feet/year (642,400 gallons) completed in the Middle Trinity Aquifer on 2.721 acre tract located off FM 3219, Harker Heights, Texas, to produce groundwater for domestic use.*
- b) Discuss, consider and take appropriate action if necessary on the proposed N1 operating permit of an existing well (N1-18-002P) for .47 acre-feet/year (153,150 gallons) for Windy Meadows Inc. authorizing withdrawal from the well completed in the Edwards BFZ Aquifer located on a 9.87 acre tract located at 22522 Hill Road, Salado, Texas, to produce groundwater for domestic use.*

President, Leland Gersbach, opened the Public Hearing on the applications described in agenda item #9 at 1:37 p.m.

Leland gave a summary of the 2 applications being presented to the Board. He reviewed the procedures of the hearings and the Board's potential action on the applications. He noted that the hearings have been properly noticed pursuant to statute and District Rules and the applicants were required to provide notice of the filing of their application in the local newspaper and to adjacent property owners and well owners within ¼ mile.

Leland informed anyone wishing to participate in the hearing or protest the application must sign up to do so.

As presiding officer, Leland will be taking evidence, sworn testimony, and will rule on any procedural issues. He noted that the permit applications have undergone administrative and technical review by District staff, consultants and legal counsel.

Leland acknowledged all parties involved in the applications: Dirk Aaron (CUWCD-GM) present and Mike Gershon (Legal Counsel) and James Beach (Hydrogeologist) would be available by phone if needed. Amanda Myers did not have a representative present and Windy Meadows Inc. was represented by Allan Keith.

Leland opened the hearing for public comment. There was none.

He administered the oath to all parties speaking on the applications being presented.

Leland began by hearing testimony on the Windy Meadows Inc. application. He heard testimony and asked questions of CUWCD General Manager, Dirk Aaron.

The application was considered administratively complete and per the executive summary, all key factors have been addressed. No questions were asked by the Board.

Director, David Cole, moved to accept FY18 line item budget amendments as requested. Secretary, Judy Parker, seconded the motion. **Motion carried 3-0, 2 absent.**

7. ***Discuss, consider and take appropriate action if necessary to set Board meeting calendar dates for June, July and August 2018, related to FY19 budget development process.***

As will be discussed in Workshop item #3, Dirk recommends the Board approve the recommended dates for June, July, and August so staff can meet the "truth in taxation" requirements prior to September 1, 2018.

Secretary, Judy Parker, moved to set the Board meeting dates for June, July, and August as recommended by staff. Director, David Cole, seconded the motion. **Motion carried 3-0, 2 absent.**

8. ***Discuss, consider and take appropriate action if necessary to begin the RFQ process for selecting Professional Auditing Services.***

Dirk recommends that the General Manager prepares and sends the request for RFQ (Request for Qualifications) to firms identified and have those reviewed by the GM and select members of the Board of Directors prior to the Board Meeting. Then, the GM and Administrative Assistant will meet on July 10th @ 1:30pm for an information meeting to discuss District needs with each of the potential firms relative to the above criteria pursuant with the procurement act. On July 11th @ 1:30 pm, the Board will have the evaluation team announce the rankings of the firms so the Board can act accordingly and direct staff to enter into negotiations with the top firm for auditing services.

Secretary, Judy Parker, moved approve the General Manager to take appropriate action to begin the RFQ process for selecting a Professional Auditing Service. Director, David Cole, seconded the motion. **Motion carried 3-0, 2 absent.**

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

- Dirk gave an update on the Trinity Oasis pump test.
- May 21st and 22nd TAGD meeting and Public Funds and Investments Act training.
- May 30th, Dr. Leyon Greene will be visiting all of the proposed TexMesonet sites.

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

- Drought Status Reports:*** on the verge of Stage 1.
- Education Outreach Update***
- Monitoring Wells***
- Rainfall Reports***
- Well Registration update***
- 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.)

12. ***Director comments and reports.***

Judy Parker: Attended Region G meeting on May 9th. GMA 8 meeting is on June 27th. Judy resigned from Region G effective June 27th.

Wallace Biskup: absent

Gary Young: absent

David Cole: none

Leland Gersbach: Stated it's going to be a dry and hot summer.

13. ***Discuss agenda items for the next meeting.***

Appoint Audit RFQ Evaluation Team.

Replace Judy Parker on GMA 8.

14. ***Set time and date for next meeting.***

Tuesday, June 12, 2018 1:30 p.m.

15. ***Adjourn.***

Board meeting adjourned with President, Leland Gersbach, at 3:20 p.m.

Workshop convened with President, Leland Gersbach, at 3:22 p.m.

Workshop Item #1. Discuss and review current professional hydrogeological services.

Dirk has concerns about WSP (formerly LBG-Guyton) and needs to have a discussion with James Beach about what the future holds for CUWCD. Because of the substantial change after WSP took over LBG-Guyton, Dirk will be putting together an analysis of a proposed RFQ for professional hydrogeological services.

Workshop Item #2. Discuss and review current administrative fee schedule.

Dirk and Shelly have been comparing the amount charged for permits and the amount spent by CUWCD on reviewing permits. Dirk will be proposing a new administrative fee schedule at the start of the fiscal year.

Workshop Item #3. Discuss and review items of interest concerning the FY2019 budget development process.

Reviewed the proposed calendar dates and schedule and ask board members to identify any dates that would conflict with individuals on the Board. Provided ideas for additional studies to GM prior to the June meeting. Ask questions of the GM on strategies and objectives to guide staff on the necessary information needed prior to the June board meeting. The specific dates recommended for June, July and August are so the staff can meet "truth in taxation" requirements prior to September 1, 2018. Please note that we will again need to have two board meetings in August for the expressed purpose to conduct the required public hearing to set the FY19 budget and set the corresponding tax rate for tax year 2018.

Workshop Item #4. Receive information related to Texas Water Districts from TCEQ.

Board members, Stakeholders and Media often hear conflicting information and perceptions related to Texas Water Districts. GM has been asked by several citizens and reporters for more information about Water Districts. There is a document in the board packet, produced by TCEQ that addresses why not all water districts in Texas are the same. These districts are not the same as GCDs like Clearwater UWCD. "All" or "most" are subject to the Chapter 49, Water Code. They *can* and *do* vary in size, type, services offered, customer policies, and customer base as well as the authority to manage their operations. Therefore, it's important for elected officials, media and citizens in Bell County to have a general understanding of our different water districts, including Clearwater UWCD, but most importantly to understand the Water Purveying Districts and each's obligations to their respective service coverage area.

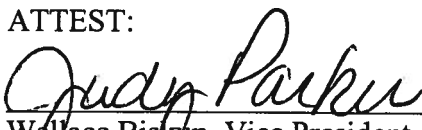
Workshop Item #5. Discuss the status of the DFC determination by GMA8, per TWC section 36.108.

GMA8 meeting is June 27, 2018 at 10:00 a.m. at the Cleburne Conference Center in Cleburne.

Workshop adjourned with President, Leland Gersbach, at 4:01 p.m.


Leland Gersbach, President

ATTEST:


Wallace Biskup, Vice President
or Judy Parker, Secretary