

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, January 13, 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, January 13, 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
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)

Shane Monaco	Amy Muttoni – BRA	Jim Brown
Ty Embrey – Lloyd Gosselink	Mike Gershon – Lloyd Gosselink	Hans Fratzke
Bill Schumann- County Commissioner	Jennifer Bronson	Kenton Moffatt
David Piradsky	Sandra Blankenship – WCID 1 – Director	

Workshop convened with President, Leland Gersbach at 1:32 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 Aaron gave a brief update on the DFC process. He noted the Board will hold a public hearing today during the Board meeting to present the proposed DFC. The District's attorney, Ty Embrey, discussed the highlights of the process and what it means for the District and GMA8. He was available for questions as well.

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.

Workshop Item #3. Receive annual report from Texas AgriLife 4-H Water Ambassador Program.

Dirk Aaron provided the Board with a copy of the Water Ambassador Program Annual Report for 2020. Because of Covid-19, the Ambassadors were not able to present this report in person. Dirk gave a brief recap of the activities of the Ambassadors.

Workshop closed and Board Meeting convened with President, Leland Gersbach at 2:46 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 December 9, 2020 Board meeting and Workshop.

Board members received the minutes of the December 9, 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 December 9, 2020 Board meeting and Workshop. Vice President, David Cole, seconded the motion.

Motion carried 5-0.

President, Leland Gersbach, asked the Board to skip item #4 at this time and move on to item #5 to accommodate the District's attorneys that are joining the meeting remotely. The Board agreed.

5. *Discuss, consider, and take appropriate action if necessary, to extend professional services agreement with James Beach, Advanced Groundwater Solutions, LLC.*

Dirk Aaron requested the Board move into Executive Session to discuss this item with the District Attorneys. Board entered into Executive session at 2:49 p.m.

Executive Session ended and regular Board meeting reconvened at 3:04 p.m.

Leland Gersbach asked for a motion from the Board.

Director, Scott Brooks, moved that the Board direct Dirk Aaron to begin the process of termination of the current agreement with WSP for their services for this fiscal year (FY21), and work with the District's Attorney (Mike Gershon) to properly draft a termination letter of the contract to WSP, to begin future discussions with Advanced Groundwater Solutions, LLC for a potential professional service agreement. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

4. *Conduct public hearing as required to receive public comments on the Proposed GMA8 DFC's per Section 36.108(d-2) during the required 90-day public comment period ending February 3, 2021.*

President, Leland Gersbach, call the Hearing to order at 3:06 p.m. with a brief explanation of the purpose of the Hearing and procedures.

He noted that this Hearing was being held to accept public comment on the proposed DFCs for the Edwards BFZ and Trinity Aquifers in Bell County. He reminded the Board that this meeting is to hear comments only, not to deliberate.

Leland explained that at the GMA 8 meeting on October 27th, the district representatives voted to approve the proposed DFCs which were distributed to the districts on November 5th to begin the 90-day comment period that ended on Wednesday, Feb 3rd.

Leland went on to explain the process district representatives went through during the joint planning meetings, upcoming deadlines, and relevant proposed DFCs for the geologic layers of the Trinity and Edwards BFZ aquifers in Bell County.

Dirk Aaron presented an overview of the district's statutory responsibility and efforts related to the DFC process. He highlighted specific facts and potential results.

Leland encouraged all interested parties to arrange a time with Dirk to ask questions related to the DFC determination process.

District consultant, James Beach – WSP, gave a presentation related to the process and timeline under the 3rd round approval to the proposed DFCs.

Leland reminded everyone the proposed DFCs are not final at this time. He asked if anyone was signed in to comment. Shelly stated no one has signed up as of the 11:30 deadline.

Hearing no comments, Leland closed the public hearing at 3:16 p.m.

6. *Discuss, consider, and take appropriate action if necessary, to renew professional services agreement with Ty Embrey.*

Dirk presented the information regarding renewal of the profession services agreement with Ty Embrey.

Director, Jody Williams, moved to renew the professional services agreement as discussed. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

7. *Discuss, consider, and take appropriate action if necessary, to accept the monthly Financial Report for December 2020 as presented.*

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

Vice President, David Cole, moved to accept the monthly financial report for December 2020 as presented. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

8. *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 December 2020 in their Board Packet to review prior to the meeting.

Secretary, Gary Young, moved to accept the monthly investment fund account report for December 2020 as presented. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

9. *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 Quarterly Report in their Board Packet to review prior to the meeting.

Director, Scott Brooks, moved to accept the Quarterly Report as presented. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

10. *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.

11. *Discuss, consider, and take appropriate action if necessary. To elect officers of the Board for calendar year 2021, per District Bylaws, Article V (Sec. 1 & Sec. 2).*

Secretary, Gary Young, moved to keep Leland Gersbach as President, David Cole as Vice-President, Gary Young as Secretary, and General Manager, Dirk Aaron to remain Assistant Secretary. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

12. *Discuss, consider, and take appropriate action if necessary, to review and adopt the District Investment Policy by resolution for calendar year 2021.*

Dirk Aaron explained the Investment Policy is to be revisited each year. The policy is the same as it was, in terms of requirements, apart from a proposed caveat. Dirk explained that Shelly Chapman receives and pays all bills. Due to the slow nature of the mail and processing of payment for the Scott and White Health Insurance bill, Dirk requested that the District be allowed to pay this one with an ACH payment monthly. This will assure the payment is processed in an efficient manor and the insurance plan won't be terminated.

Shelly Chapman explained the process involved to make the payment each month.

Director, Scott Brooks, moved to approve by resolution the investment policy as presented. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

13. *Discuss, consider, and take appropriate action if necessary, to change the date of the February 10, 2021 Board meeting and Workshop to Wednesday, February 17, 2021.*

Dirk Aaron explained there are a lot of conflicts the week of February 10th. That is the week of the Bell County Youth Fair. The February meeting is generally scheduled for the week after the Youth Fair,

Secretary, Gary Young, moved to change the date of the February Board meeting to Wednesday, February 17, 2021. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

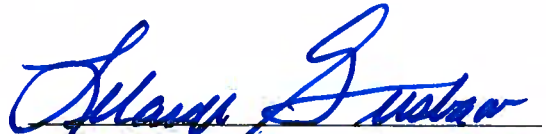
14. **General Manager's Report concerning office management and staffing related to District Management Plan³.**
- Covid-19 update. Dirk as recovered. Shelly is working from home while in quarantine. Her husband has Covid-19. Will continue to follow Covid protocols.
 - TAGD Meeting coming up next week. Dirk encouraged the Board to attend the virtual meeting from the District office.
 - Several permits on the horizon
 - iPads are obsolete and can't be updated. Will look for other options.
 - Permit renewals have been sent out.
 - Still waiting on some reports from consultants.
15. **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.

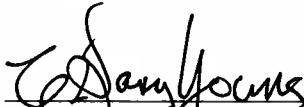
(Copies of the Monthly Staff Reports were given to the Board Members to review. No action required. Information items only.)

16. **Director comments and reports³.**
- **Gary Young:** Commended staff for keeping everything going during Covid-19. With Dirk being out and Shelly at home quarantining, they are still able to make things happen. Thanks for all the hard work.
 - **David Cole:** None
 - **Jody Williams:** None
 - **Scott Brooks:** None
 - **Leland Gersbach:**
17. **Discuss agenda items for next meeting.**
- Audit review
 - Annual report (may not be until March)
18. **Set time and place of next meeting.**
Wednesday, February 17, 2021
19. **Adjourn.**

Board meeting adjourned with President, Leland Gersbach, at 3:57 p.m.


Leland Gersbach, President

ATTEST:



Gary Young, Secretary or
Dirk Aaron, Assistant Secretary