

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Thursday, April 10, 2019
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a board meeting on Wednesday, April 10, 2019 at 1:30 p.m. at the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

Leland Gersbach, President, Pct. 1
David Cole, Director - At Large
Gary Young, Director – Pct. 2
Jody Williams, Director – Pct. 3
Scott Brooks, Director – Pct. 4

Absent:

Staff:

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

Guest

Bill Schumann – County Commissioner
Sandra Blankenship – City of Killeen
Mike Keester – LRE Water

David Blackburn – Bell County Judge
Pete DiLillo
Ty Embry – Lloyd Gosselink, Attorneys at Law (via phone)

Workshop convened with President, Leland Gersbach, at 1:30 p.m.

Workshop Item #1: Receive information concerning legislative issues and update from Staff and General Council.

Received update (via phone) from legal counsel, Ty Embrey, on legislative issues. He highlighted issues with Senator Schwertner and his concerns with the bill to establish a Groundwater District for Williamson County. Senator Schwertner is against forming a District in Williamson County. Schwertner's staff brought in TWDB staff and gave Ty a copy of the data put together by TWDB for Williamson County. Dirk gave the Board a copy of the report. The report is not accurate and alternative facts presented. Dirk pulled information from TWDB database and found more wells in Williamson County than the report shows. This substantiates a need for a third-party study. Dirk thinks TWDB may not have authenticated the report.

Ty also recapped several other Bills that will impact the District.

Workshop Item #2: Receive information from Judge Blackburn related to strategic planning related to surface & Groundwater needs and strategies.

Dirk introduced Judge Blackburn. Judge Blackburn met with the Williamson County Judge last week. He began a dialogue with the Judge regarding water issues. They discussed HB 3264. The Williamson County Judge told Judge Blackburn that they will fight this Bill. They know there is an issue but don't agree with forming a District in Williamson County. They also discussed a joint meeting between the 2 Counties and water issues will be discussed. Judge Blackburn would like to re-start a dialogue with Williamson County and find common ground.

Judge Blackburn has been appointed to Region G to replace Tim Brown. He served on this Board once before.

Judge Blackburn is putting together a trip to SAWS to see their operation regarding ASR. He wants to talk to someone who is already doing ASR and see how it works. He is shooting for April 23rd. Dirk is working with the Judge to coordinate this effort. SAWS can accommodate about 40 people.

Judge Blackburn circled back around to HB3264. He doesn't think it will go into law. He thinks we still need the study. There still needs to be an assessment. We (parties to be determined) need to do an interim study and present it to the appropriate committees at the next session.

Workshop Item #3: Receive information about registration and accommodations for the 2019 Groundwater Summit.

Shelly is finalizing reservations and registrations for the Groundwater Summit in August. She asked that the Board members let her know for sure if they will be attending. Early Bird registration ends April 30th. At that time the registration fee will increase significantly.

Workshop Item #4: Receive information concerning active N1 permits application by Adam Starr for proposed rural subdivisions.

Dirk presented facts regarding the N1 applications submitted by Adam Starr for proposed rural subdivisions, CenTex Acres. They are in the process of re-plating the property. They must declare their water source for the plat.

Dirk pulled up a map of the property on the screen for the Board to view. The County will require a groundwater assessment because the property will be subdivided and include covenants and deed restrictions on the plats. The District can do the groundwater assessment for the land owner and everything will be memorialized on the plat.

Workshop Item #5: Receive information concerning upcoming proposed rural subdivision declaring groundwater wells for tracts larger than 10 acres.

Dirk presented facts regarding subdivision called Bar-V-Bar. This property will be divided into twenty-one 10-acre tracts. They are taking this to the County for a set of dedications and restrictions added to the plat requiring enhanced set backs for wells and define what people can do with the tracts of land. The District rules do not allow the District to deny a well on 10-acre tracts or more. This reaffirms that the District needs to revisit District rules and encourage the County to establish a stakeholder group and work on an MOU to determine limits and expectations.

Workshop closed, and Board meeting convened with President, Leland Gersbach, at 3:41 p.m.

1. Invocation and Pledge of Allegiance.

Director, David Cole, gave the invocation.

Director, Gary Young, led the Pledge of Allegiance.

2. Public Comment.

None

3. Approve minutes of the March 14, 2019 Board meeting.

Secretary, Gary Young, moved to approve the minutes of the March 14, 2019 Board meeting. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

4. Discuss, consider and take appropriate action if necessary to accept the monthly financial report for March 2019 (FY19) as presented.

Board members received the monthly financial reports in their Board Packet to review prior to the meeting.

Shelly Chapman pointed out that line item 53306 (Data Base Hosting) and 53310 (PDI Hosting) were over budget and explained the vendor sent a duplicate invoice and it was inadvertently paid. The vendor has been notified of the duplicate billing and payment. They will be issuing a refund for the duplicate payment next week.

Vice-President, David Cole, moved to accept the monthly financial report for March 2019 as presented. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

5. Discuss, consider and take appropriate action if necessary to accept the monthly Investment Fund report for March 2019 (FY19) as presented.

Board members received the monthly Investment Fund report in their Board Packet to review prior to the meeting.

Vice-President, David Cole, moved to accept the monthly Investment Fund report as presented. Secretary, Gary Young, 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.

Board members received the quarterly report in their Board Packet to review prior to the meeting.

Director, Scott Brooks, moved to accept the quarterly deferred compensation employee retirement program account report as presented. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

7. *Discuss, consider and take appropriate action to participate as a location for College Internship.*

Dirk commented that the District has been afforded an opportunity to participate in an internship program. Texas Tech has a student that is looking for an internship with a Groundwater District. She will graduate in December 2019. The internship will be this summer to include a maximum of 20 hours per week for June-August. She will be responsible for setting up a platform for communication. She will do an internship in Washington, DC after she graduates. Her plan is to attend law school and become a Water Attorney.

Currently, we have a line item established to accommodate a part-time/intern position. The District did not consider this position for the FY19 budget. If the Board is agreeable to proceeding with the Internship, Dirk will present her resume at the next meeting. Dirk recommends \$10/hr. for 20 hours/week.

The Board discussed logistics and pay. Dirk commented that he would find the money within the current budget and come to the Board with a line item budget amendment at the next meeting. The Board agrees that this is a good program to be involved in.

Director, Scott Brooks, moved to direct Dirk Aaron to pursue an Internship to help create a platform for disseminating information via the internet. The total cost for the Intern not to exceed \$3,000 for a maximum of 12 weeks. Money must be found within the current budget and budget amended accordingly at the next meeting. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

8. *Discuss, consider and take appropriate action to approve participation with Bell County Commissioners Court to fund stakeholder event as SAWS ASR facility tour on April 23, 2019.*

This information was discussed in workshop #2. If the Board approves participation in this event, the County will take the lead and asks the District to help fund the event. Cost would include transportation and a meal. Total cost would be \$1,680. The District would agree to pay half.

Secretary, Gary Young, moved to participate with Bell County to fund a stakeholder event at SAWS not to exceed \$1,000. Vice-President, David Cole, seconded the motion.

Motion carried 5-0.

9. *Discuss, consider and take appropriate action if necessary approve the FY19 line item budget amendments as requested.*

No budget amendments requested.

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

- Tax abatements requests are still being sent to the District. Dirk has addressed this issue with the City of Temple several times. He explained to the new Board members the history and position of the Board.
- Tax appraisal notices have been sent out. There has been a significant increase in property values. Appraisal District will have several public meetings to address questions and concerns.
- Land owners are now wanting to protest the draft permit for Turley Waste Water Treatment Plant. One property owner says he would prefer they increase the treatment level.
- Report for SUDs must be submitted by April 1st. He had to resubmit it. The District is in compliance.

11. *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. Information items only.)

12. Director comments and reports.

- **Jody Williams:** Based on comments from Judge Blackburn, Jody agrees the study needs to be done. He wants to be reassured that once the study is complete, something will be done with the findings. He knows there is no guaranty and it could be just a waste of money.
- **Leland Gersbach:** Agreed with Jody
- **Gary Young:** Attended Legislative hearing with Dirk, Scott, and Tim. He didn't testify but did drop a card. Larson seemed to be very supportive.
- **David Cole** – Thankful for General Manager and his staff that does all the hard work.
- **Scott Brooks:** Attended Legislative hearing. It was an interesting process. He is not giving up.

13. Discuss agenda items for the next meeting.


Budget amendment for Internship
Possible permit hearing

14. Set time and date for next meeting.

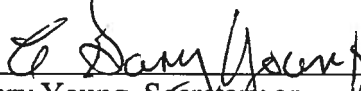
Wednesday, May 8, 2019 at 1:30 p.m. at the District's office.

15. Adjourn.

Board meeting adjourned with President, Leland Gersbach, at 4:37 p.m.


Leland Gersbach, President

ATTEST:



Gary Young, Secretary or
Dirk Aaron, Assistant/Secretary