

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, August 10, 2022
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a Workshop at 10:00 a.m. and the Regular Board meeting at 1:30 p.m. on Wednesday, August 10, 2022, at 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 3
Scott Brooks, Director, Pct 4

Absent:

Staff:

Dirk Aaron, General Manager
Shelly Chapman, Admin Manager
Brad Eckhart, Intern

Guest:

Stephanie Wong – LRE
Sandra Blankenship – WCID#1
Bill Schumman – Bell County
Justin Thompson -Bureau of Economic/Geology

Greg Stanton – USGS
Tomas Reynoso, Jr.
Micaela Pedrazas – LRE (remote)

Kristen Valseth – USGS
Pete DiLillo

Board Meeting convened with President, Leland Gersbach, at 1:30 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.

None.

(President, Leland Gersbach suggested the Board move to agenda item #6 and reconvene the show cause hearing. The Board agreed.)

6. Reconvene show cause hearing on the following violation:

a) Discuss, consider, and take the appropriate action necessary, upon receiving testimony related to the violation of District Rule 6.5 by drilling & completing a well on January 22, 2022, without a formal CUWCD permit on a tract of land less than 10 acres and great than or equal to 2-acres, Latitude 30.930066 ° Longitude -97.701384° by both Raul Zavala (“Driller”) (TDLR License #54363) officed at 1910 S. Wheeler St., Jasper TX 76951 and Mr. Tomas Reynoso (“Property Owner”), located at 15731 Cedar Valley Rd, Salado TX.

Show cause hearing reconvened with President, Leland Gersbach, at 1:31 p.m.

Dirk noted for the record that Tomas Reynoso, Jr was in attendance on behalf of his father. Dirk gave a recap of the details of the hearing and commented that he has been in touch with Mitchell & Associates, and everything is moving forward. Things are just taking a little longer due to circumstances beyond their control. The district’s field tech has been out to Reynoso’s property and verified that the well is still sealed and has not been in use.

Dirk recommended the Board give the Reynoso family an additional 90 days to complete all requirements.

Leland asked if there were any other comments or questions. Seeing there were none, Leland asked for a motion to grant the 90-day extension and reconvene the hearing at the November 9, 2022, Board meeting.

Director, Scott Brooks, moved to grant the 90-day extension and reconvene the show cause hearing on November 9, 2022. Vice President, David Cole, seconded the motion.

Motion carried 5-0.

Show cause hearing close at 1:35 to reconvene with President, Leland Gersbach, on November 9, 2022.

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

Workshop Item #1: Receive presentation from USGS on Stream Flow Gauge and the results of the Water Quality Study from FY21.

Greg Stanton and Kristen Valseth with USGS gave a presentation and update on the Stream Flow Gauge and discussed the results of the Water Quality Study from FY21.

Workshop Item #2: Receive presentation from LRE related to the new DMS and potential projects and enhancements for FY23.

Stephanie Wong and Micaela Pedrazas with LRE gave a presentation on the new DMS and proposed projects for consideration for FY23.

Workshop Item #3: Receive presentation from UT-BEG Dr. Justin Thompson regarding the Groundwater Recoverability Tool Pilot Program.

Dr. Thompson gave a brief introduction of himself and his background. He presented the Groundwater Recoverability Tool Pilot Program to the Board for their consideration.

Workshop Item #4: Discuss and review the District Drought Designation related to water level and spring-flow measurements.

Dirk gave the Board an update on the district's drought designation and discussed drought conditions based on water level and spring flow measurements.

Workshop Item #5: Receive update on the 2022 Texas Alliance of Groundwater Districts Groundwater Summit, Aug 29- Sept 1.

Dirk reminded Board members of the upcoming Groundwater Summit. He noted that Shelly will have registration/hotel information and agendas in a packet for them at the August 25th Board meeting.

Workshop Item #6: Receive update related to GMA8 DFC determination, per TWC section 36.108 and plans for the next round.

Dirk gave a brief update on GMA8 and the new chairman.

Workshop Item #7: Discuss and review items of interest concerning the FY2023 budget development.

Dirk presented items of interest concerning the FY2023 budget development. Dirk presented the Appraisal District's certified totals. The Board discussed potential studies, expenses, and possible tax rates to be considered.

Workshop closed and Regular Board Meeting reconvened with President, Leland Gersbach, at 4:18 p.m.

3. *Approve minutes of the July 13, 2022, Board meeting.*

Board members received the minutes of the July 13, 2022, Board meeting and workshop in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to approve the minutes of the July 13, 2022, Board meeting and Workshop. Vice President, David Cole, seconded the motion.

Motion carried 5-0.

4. *Discuss, consider, and take appropriate action, if necessary, to accept the monthly financial report for July 2022 (FY22) as presented.*

Board members received the monthly financial report for July 2022 in their Board packet to review prior to the meeting.

Vice President, David Cole, moved to accept the monthly financial report for July 2022 as presented. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

5. ***Discuss, consider, and take appropriate action, if necessary, to accept the monthly Investment Fund Account report for July 2022 (FY22) as presented.***

Board members received the monthly investment fund account report for July 2022 in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to accept the monthly investment fund account report for July 2022 as presented. Director, Jody Williams, seconded the motion.

Motion carried 5-0.

6. *(discussed prior to workshop)*

7. ***Discuss, consider, and take appropriate action, if necessary, to approve the FY22 line-item budget amendments as requested.***

Dirk Aaron presented the request for line-item budget amendments for the purpose of:

1. Paying for legal counsel from Lloyd Gosselink related to general rules and accountability (rule-making changes)
2. Paying RW Harden consultant fees related to the evaluation for rules (rule-making changes).
3. Paying AGS consultant fees related to the evaluation of rules (rule-making changes).
4. Postage for 2nd Drought Declaration mail out (Edwards/Trinity well owners).
5. PO Box rental fee renewal for 1 year.

This is a simple adjustment between line items.

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
Lloyd Gosselink	53703-Rule/Accountability	\$1,487.50	\$0.00	\$1,487.50	\$1,487.50	53732-Permit Review-Legal Eval	\$10,366.60	\$8,879.10
RW Harden	53130.2 Eval of Rules	\$3,500.00	\$0.00	\$3,500.00	\$3,500.00	50250-Contingency	\$8,526.48	\$5,026.48
AGS	53130.2 Eval of Rules	\$2,178.00	\$0.00	\$2,178.00	\$5,678.00	50250-Contingency	\$5,026.48	\$2,848.48
Card Services	53740 - Postage	\$720.00	\$125.02	\$594.98	\$720.00	53620-Ed Outreach-Supplies	\$3,347.07	\$2,752.09
US Post Master	53740 - Postage	\$332.00	\$0.00	\$332.00	\$1,052.00	53620-Ed Outreach-Supplies	\$3,347.07	\$2,752.09

Director, Jody Williams, moved to approve line-item budget amendments as presented. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

8. ***Discuss, consider, and take appropriate action, if necessary, to call for the November 8th General Elections.***

Director, Scott Brooks, moved to direct Dirk to call for the November 8th General Elections. Vice President, David Cole seconded the motion.

9. ***Discuss, consider, and take appropriate action, if necessary, to approve that the General Manager execute an election contract with the Bell County Elections Department.***

Vice President, David Cole, moved to direct the General Manager to execute the election contract with Bell County Elections Department. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

10. Discuss, consider, and take appropriate action, if necessary, to set the date/location for the 21st Annual Bell County Water Symposium.

Dirk discussed items of interest related to the annual water symposium. The date and location being considered are Wednesday, November 16th at the Bell County Expo Center. It was a good location and able to accommodate the number in attendance. Other details are to be determined.

Director, Scott Brooks, moved to set the date of the water symposium for November 16th at the Bell County Expo Center. Vice President, David Cole, seconded the motion.

Motion carried 5-0.

11. Discuss, consider, and take appropriate action, if necessary, to set the preliminary tax rate for tax year 2022 on proposed budget FY23.

Leland stated that this item had been discussed at length in workshop item #7. He asked if there were any other comments or discussions to be made. There were none.

Director, Jody Williams, moved to set the preliminary tax rate at .002802. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

12. Discuss, consider, and take appropriate action, if necessary, to set date for adoption of the FY23 budget.

Dirk laid out the timeline for notices and postings for the adoption of the FY23 budget. Based on the timeline, he recommended the Board set the date of August 25, 2022, for adoption of the FY23 budget.

Vice President, David Cole, moved to set the date of August 25, 2022, for adoption of the FY23 budget. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

13. Discuss, consider, and take appropriate action, if necessary, to set the date for the public hearing and adoption of the tax rate for tax year 2022.

Vice President, David Cole, moved to set the date of August 25, 2022, for the public hearing and adoption of the tax rate for tax year 2022. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

14. Discuss, consider, and take appropriate action, if necessary, to conduct the annual performance review of the General Manager, in accordance with District Bylaws Article VI, Section 6.

Leland asked Dirk and the Board if they wanted to discuss the evaluation in public setting or move to executive session. It was agreed to enter executive sessions to discuss matters of personnel.

Executive Session convened with President, Leland Gersbach, at 4:36 p.m.

Regular Board meeting reconvened with President, Leland Gersbach, at 4:51 p.m.

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

- Wilco concerns by citizens in western portions of the county working to possibly create a GCD.
- Keynote speakers being considered for the water symposium are Dr. Neilson-Gammon, Dr. Gabe Eckstein, Dr. Wendy Jepson, and Dr. Becky Grubbs-Bowling. Dirk is working on the agenda.
- Received the application for the Sanctuary of Salado. Dirk gave brief details.
- Reviewing/investigating several violations by permit holders.
- Discussed drought conditions and need to confirm and move to stage 3.

16. Review monthly report and possible consideration and Board action on the following:

- a) **Drought Status Reports** – Dirk discussed the drought conditions and drought declarations.
- b) **Education Outreach Update**
- c) **Monitoring Wells**
- d) **Rainfall Reports**
- e) **Well Registration Update**
- f) **Aquifer Status Report & Non-exempt Monthly Well Production Reports**

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

17. Director's comments and reports.

- **Leland Gersbach:** None
- **Jody Williams:** None
- **Gary Young:** Thanked Dirk for his continued hard work. Noted that Dirk would be speaking at the next Hidden Springs HOA meeting
- **Scott Brooks:** None
- **David Cole:** None

18. Discuss agenda items for the next meeting.

- Approve Budget
- Set Tax Rate
- Presentation from Brad Eckhart (summer intern)

19. Set the time and place of the next meeting.

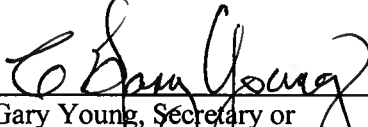
Wednesday, August 25, 2022, at 1:30 p.m. at the CUWCD office.

20. Adjourn.

Board Meeting closed with President, Leland Gersbach, at 5:03 p.m.


Leland Gersbach, President

ATTEST:


Gary Young, Secretary or
Dirk Aaron, Assistant Secretary