

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, February 14, 2024
Minutes – Board Meeting & Workshop

The Clearwater Underground Water Conservation District (CUWCD) held a Workshop and Board meeting at 10:30 a.m. on Wednesday, February 14, 2024, in the Sirena Room at Tenroc Ranch located at 5471 Thomas Arnold Road, Salado, Texas 76571.

Board Members Present:

Leland Gersbach, President, Pct 1
Gary Young, Secretary, Pct 2
Jody Williams, Vice President Pct 3
Scott Brooks, Director, Pct 4
James Brown, Director, At-Large

Absent:

Staff:

Dirk Aaron, General Manager
Shelly Chapman, Admin Manager
Tristin Smith, Education/Compliance

Guests

Chip Howell
Bill Schumann-Commissioner
Keith Elliston – ACA
Peter DiLillo – Harker Heights

Stasi Vance
Kevin Cowan – LMS
Lauren Elliston – ACA
Ron Schutes – Cedar Park

Dr. John Asbury – Temple
Bryon Thalor – Salado
Gerry Collier – Temple
Tom Madden - SFI

Board meeting convened with President, Leland Gersbach, at 10:30 a.m.

1. *Invocation and Pledge of Allegiance.*

Vice President, Jody Williams, gave the invocation.
Secretary, Gary Young, led the Pledge of Allegiance.

2. *Public Comment.* None

3. *Approve minutes of the January 10, 2024, Board meeting.*

Board members received the minutes of the January 10, 2024, Board meeting and workshop in their Board packet to review prior to the meeting.

Vice President, Jody Williams, noted that the January minutes state General Manager, Dirk Aaron, gave the invocation. Jody Williams gave the invocation.

Director, Scott Brooks, moved to approve the minutes of the January 10, 2024, Board meeting and Workshop with corrections as noted. Director, Jim Brown, seconded the motion.

Motion carried 5-0.

4. *Discuss, consider, and take appropriate action, if necessary, to accept the monthly Financial Report for January 2024 (FY24) as presented.*

Board members received the monthly financial report for January 2024 in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to accept the January 2024 financial report as presented. Vice President, Jody Williams, 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 January 2024 (FY24) as presented.*

Board members received the monthly investment Fund account report for January 2024 in their Board packet to review prior to the meeting.

Director, Jim Brown, moved to accept the monthly Investment Fund account report for January 2024 as presented. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

6. *Discuss, consider, and take appropriate action, if necessary, to approve the FY24 line-item budget amendments as requested.*

Shelly Chapman noted for the record that there were none.

7. *Discuss, consider, and take appropriate action, if necessary, to accept the FY23 Financial Audit as presented by the district's contracted auditing firm.*

Kevin Cowan (Ludwick, Montgomery, and Stapp, P.C.) presented the FY23 Financial Audit. He commented that it was a clean audit again this year. The staff was easy to work with and provided all the documents requested. Kevin walked the Board through the audit documents and explained the findings as he went along.

Director, Scott Brooks, moved to accept the FY23 Financial Audit as presented. Vice President, Jody Williams, seconded the motion.

Motion carried 5-0.

8. *Discuss, consider, and take appropriate action, if necessary, on items related to the petition and possible annexation of Western portions of Williamson County.*

Leland stated that there was one person wishing to make public comments on this item. John Asbury submitted comments related to the annexation petition. He stated that he has no conflict of interest here. He commented that there needs to be more data to make a decision on this issue and offered 13 suggestions (in writing) for the Board to consider.

Leland offered the Board an opportunity to state their thoughts and concerns related to the petition for annexation.

Jim Brown stated, "I will vote against the proposal because it could potentially impose an unfair tax impact on the citizens of Bell County and yield no positive results in Williamson County. The public input the Board received in Williamson County on February 12, 2024, did not indicate a compelling community desire for the approval of this petition. In fact, the public input was essentially a 50/50 split. I don't think it's fair to ask Bell County citizens to fund an expensive election which only has a 50/50 chance of success. I certainly understand the concerns and urgency felt by the Aquifer Conservation Alliance. I encourage them to continue their efforts to highlight their issues and to work for change within Williamson County. I am encouraged by Williamson County's efforts to improve scientific understanding of the Middle Trinity Aquifer via the recently initiated study awarded to LRE Water. I think I can speak for the Board members when I say we are willing to provide appropriate technical support if requested. I am hopeful this will be a 'first step' toward improved groundwater management in our region, and it can be achieved in a politically expedient manner."

Scott Brooks shared Jim's sentiment. He asked for a resolution of support for the citizens of Williamson County be added to the agenda for the March meeting.

Gary Young also agreed with Jim and Scott. He would like to see Williamson County form its own GCD. He stated that it's hard for him to ask the Bell County taxpayers to foot the bill for the election without any support from Williamson County. He hopes they will go forward and find common ground. He commented that the Board will help in any way that they can.

Jody Williams agreed with what the other members of the Board had to say.

Leland's main issue is the large portion of the district's budget that would go toward the election expense (approximately 40%). If the election failed, the district would be out \$380,000. His heart goes out to the well owners of Williamson County. The issue needs to be addressed. He sees both sides of the issue. If there is no support from the local authorities, then it's an uphill fight.

Director, Jim Brown, moved to reject the petition for annexation of western portions of Williamson County. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

Leland apologized to the ACA. He commended them on the work they did to bring this issue forward to the public and wished them good luck.

Dirk commented that the time is at hand for their state representatives to meet with their constituents and create legislation for a GCD in Williamson County.

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

- Interviewed multiple applicants for the Assistant Manager position. Offered the job to Whitney Ingram. She will start March 1st.
- Leland commented that all Board members had the opportunity to interview Whitney. The opinion was unanimous to bring her on.

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

- Drought Status Reports*
- 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 is required. Information items only.)

Dirk discussed information related to the drought status. He noted we are in Stage 1 at this time.

11. Director's comments and reports.

- **Leland Gersbach:** None
- **Jody Williams:** None
- **Gary Young:** None
- **Scott Brooks:** None
- **James Brown:** None

12. Discuss agenda items for the next meeting.

- Resolution in support of Williamson County for the need of groundwater management
- Possible permit hearings – American Rockwool, 7KX, Victory Rock
- Show cause hearing – Tomas Reynoso
- Annual Report

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

Wednesday, March 13, 2024, at 1:30 p.m. – CUWCD new board room – if ready (TBD)

14. Adjourn.

Board meeting closed and Workshop convened with President, Leland Gersbach, at 11:06 a.m.

Workshop Item #1: Receive a draft of the Annual Report for 2023.

Tristin completed the draft of the annual report and provided a copy for the Board to review. Dirk asked the Board to have corrections and changes back to her by March 1st.

Workshop Item #2: Receive information related to test well permits.

American Rockwool. They received an emergency permit because they were not aware they were operating illegally. They have submitted an application, but it is not administratively complete until they complete their pumping test and video of the current condition of the well.

Victory Rock is working on a pump test for their middle Trinity well so they can come to the district for an operating permit.

7KX is also working on the pump test and will come back to the district for a full operating permit.

Workshop Item #3: Receive information related to approved drilling permits.

The City of Temple has hired Hydro to drill their well and will keep Dirk in the loop. Ft Hood has hired Intera to work on the ASR well and the work has begun on that. UMHB put out a bid package for a driller and cost analysis for their well. They have not hired a driller yet. There is a drilling permit that was approved for a truck stop south of Belton but it hasn't been approved by TCEQ yet. The RV Park south of Troy has been withdrawn.

Scott asked about the violation of the well for Tomas Reynoso. Dirk brought the Board up to speed on the facts. Tomas has been pumping the well without a permit and will have to appear for another show cause hearing. The Board has the right to make the owner plug the well. Violations are in order.

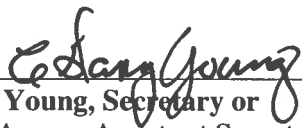
Workshop Item #4: Receive updates related to GMA8DFC determination, per TWC section 36.108, and plans for the next round.

Nothing new to report.



Leland Gersbach, President

ATTEST:



Gary Young, Secretary or
Dirk Aaron, Assistant Secretary