

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, TX**  
**Wednesday, August 25, 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, August 25, 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 3  
Scott Brooks, Director, Pct 4

**Absent:**

**Staff:**

Dirk Aaron, General Manager  
Shelly Chapman, Admin Manager

**Guest: (remote & in-person)**

Mike Keester – LRE Water  
Sarah Wood – 4H2O  
Carson Bar – Intern

Sandra Blankenship – WCID #1  
Bill Bartlett – Former Board Member  
Tyler Johnson – Salado RV

Greg Stanton – USGS  
William Gamblin  
Kristen Valseth – USGS

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

**Workshop Item #1: Receive presentation from USGS on proposed scientific efforts in FY22.**

Greg Stanton (USGS Studies Coordinator) introduced Kristen Valseth. Kirsten gave a presentation on the current project. She presented the next phase of the study, a timeline, and proposed budget and funding options.

Based on questions from Director Scott Brooks, Mike Keester with LRE Water explained how the data received from the USGS study would be used. Scott voiced his concerns about the cost of the project.

**Workshop Item #2: Receive presentation from Sarah Wood related to the Texas 4-H Water Ambassador Program.**

Sarah Wood presented a report on the activities related to the 4-H Water Ambassador Program.

**Workshop Item #3: Receive presentation from Carson Barr, Summer Intern, related to his assigned tasks and duties for June, July, and August.**

Carson Barr gave a presentation on tasks he was assigned and his experience as an intern for CUWCD.

**Workshop closed and regular Board meeting convened with President, Leland Gersbach, at 3:02 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.

**3. Approve minutes of the August 11, 2021 Board meeting.**

Board members received the minutes of the August 11, 2021 Board meeting and workshop in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to approve the minutes of the August 11, 2021 Board meeting and Workshop. Vice President, David Cole, seconded the motion.

**Motion carried 5-0.**

(Leland suggested the Board move ahead to Item #7 – Public Hearing on 2 applications at this time. The Board agreed.)

**7. Hold public hearing on the following well applications:**

- a) Discuss, consider, and take appropriate action if necessary, on the proposed operating permit of 2.98 ac-ft/yr. for Salado RV, LLC authorizing operating production from an existing well (N2-21-006P) from the Edwards BFZ Aquifer at 10-gpm to produce groundwater for the purpose of public water supply to an RV Park on a 5.5-acre tract located at 10511 S IH-35, Salado, Texas 76571.**
- b) Discuss consider, and take appropriate action if necessary, on the proposed combination drilling and operating permit of 2.5 ac-ft/yr. for Belton Partners, LLC authorizing operating production from a new well (N2-21-007P) completed in the Edwards BFZ Aquifer at 40-gpm to produce groundwater for the purpose of public water supply on a 12.62-acre tract located at 7983 N IH-35, Salado, Texas 76571.**

As Presiding Officer of the hearing, President Leland Gersbach, called to order the public hearing at 3:04 p.m. Leland gave a summary of the 2 applications to be considered and a brief explanation of the procedural issues. He confirmed a quorum of the Board was in attendance to participate in the ruling of the applications. Leland stated that the permit applications had undergone administrative and technical review by District staff, consultants, and legal counsel.

Leland reviewed the procedures that would apply to the hearing and noted the meeting had been properly noticed.

Leland stated anyone wishing to participate in the hearing, in support or protest, would need to sign up to speak and should do so while he addressed other procedural issues. Anyone wishing to speak will need to email [schapman@cuwcd.org](mailto:schapman@cuwcd.org) the online form as noted in the agenda.

As presiding officer, Leland will take evidence and sworn testimony, and rule on any procedural issues.

a) Leland noted that the Board would hear testimony and deliberate on the well application submitted by Salado RV, LLC. Leland will hear testimony by the applicant, Dirk Aaron (General Manager), Mike Keester (LRE Water).

Leland invited anyone wishing to make a public comment or protest the application to speak up. There were no public comments.

Leland administered an oath to all participants. Parties verbally confirmed they took the oath were: Dirk Aaron, Mike Keester, and Tyler Johnson (applicant).

Tyler addressed the Board and explained the need for the permit.

Dirk gave a general explanation of the application. He noted that the applicant was granted an EOP. The applicant agreed to, and installed, a metering device and observation tube as a requirement for the EOP. Dirk replied to Leland's questions and stated that the application had been deemed administratively complete, all fees have been paid, and all criteria had been met.

Leland addressed questions related to Mike Keester's analysis. Mike Keester responded to Leland's questions. He also recommended the Board approve the application with the standard provisions already in place.

Leland gave the Board an opportunity to ask any additional questions they might have concerning the application. Hearing none, Leland concluded the discussion on the application at hand.

All parties had an opportunity to make their cases. Leland asked if there were any other parties interested in submitting additional evidence. Hearing none, Leland concluded the evidentiary portion of the application at 3:40 p.m.

Leland asked for a motion to grant/deny/partially grant Salado RV, LLC's request for an operating permit of 2.98-acre feet per year from the Edwards BFZ aquifer to include the standard provisions agreed upon by the applicant as outlined by the District General Manager and Consultants.

Director, Scott Brooks, moved to grant the request as presented to include the standard provisions agreed upon by the applicant as outlined by the District General Manager and Consultants. Secretary, Gary Young, seconded the motion.

**Motion carried 5-0.**

**b) 3:41 p.m.** - Leland noted that the Board would hear testimony and deliberate on the well application submitted by Belton Partners, LLC. Leland will hear testimony by the applicant, Dirk Aaron (General Manager), Mike Keester (LRE Water), William Gamblin (representative for the applicant).

Leland invited anyone wishing to make a public comment or protest the application to speak up. There were no public comments.

Leland administered an oath to all participants. Parties verbally confirmed they took the oath were: Dirk Aaron, Mike Keester, and William Gamblin.

William Gamblin addressed the Board to lay out the request for a combination drilling/operating permit for a new well and the associated beneficial need for his client.

Dirk gave a general explanation of the application. He replied to Leland's questions and stated that the application had been deemed administratively complete, all fees have been paid, and all criteria had been met.

Leland addressed questions related to Mike Keester's analysis. Mike Keester responded to Leland's questions. He also recommended the Board approve the application with the special provisions as discussed.

Leland addressed William Gamblin and asked questions to confirm his understanding of the application and requirements associated with the request. William responded that he understood and agreed with special provisions as described.

Leland gave the Board an opportunity to ask any additional questions they might have concerning the application. Hearing none, Leland concluded the discussion on the application at hand.

All parties had an opportunity to make their cases. Leland asked if there were any other parties interested in submitting additional evidence. Hearing none, Leland concluded the evidentiary portion of the application at 4:05 p.m.

Leland asked for a motion to grant/deny/partially grant the Belton Partners, LLC's request for a combination drilling/operating permit of 2.5-acre feet per year from the Edwards BFZ Aquifer to include all the special provisions agreed upon by the applicant as outlined by the District General Manager and Consultants.

Director, Jody Williams, moved to grant the request as presented to include all special provisions agreed upon by the applicant as outlined by the District General Manager and Consultants. Director, Scott Brooks, seconded the motion.

**Motion carried 5-0.**

**Public Hearing Closed at 4:06 p.m. and regular Board meeting continued with President, Leland Gersbach, at 4:20 p.m.**

**4. Hold public hearing on the proposed tax rate for tax year 2021.**

As presiding officer, Leland opened the public hearing on the proposed tax rate for tax year 2021 at 4:20 p.m.

Leland opened the meeting up to public comment. Hearing none, Leland closed the public hearing at 4:21p.m.

**5. Discuss, consider, and take appropriate action if necessary, to adopt the District Budget for FY2022.**

Dirk laid out the proposed budget for FY2022 based on calculations by Bell County Appraisal District. He presented the facts below:

PROPOSED TAX RATE is \$0.003137 per \$100 valuation.

NO-NEW-REVENUE TAX RATE is \$0.003016 per \$100 valuation.

VOTER-APPROVAL TAX RATE is \$0.003491 per \$100 valuation.

The NO-NEW-REVENUE TAX RATE is the tax rate that will raise the same amount of property tax revenue from the same properties in both the 2020 tax year and the 2021 tax year.

The VOTER-APPROVAL RATE is the highest tax rate that CLEARWATER U.W.C.D. may adopt without holding an election to seek voter approval of the rate.

The PROPOSED TAX RATE is GREATER than the NO-NEW-REVENUE tax rate but LESS than the VOTER-APPROVAL RATE.

This means that C.U.W.C.D. is proposing to marginal increase of property taxes for the 2021 tax year.

The proposed increase on a HOMESTEAD is 33¢ for 2021 tax year.

Dirk suggestions for the budget to justify setting the tax rate at **\$.003137/\$100 valuation.**

The staff has conducted the proper notification in the TDT & KDH newspapers and on the District website meeting the minimum 7-day notice of today's public hearing.

The proposed budget is based on:

FY21 original budget

FY21 amended budget as of Aug 5, 2021

FY21 year to date expenditures

FY21 projections and recommendations

Dirk presented the FY22 proposed budget and addressed questions and concerns from the Board.

Based on Board discussion and recommendations Director, Jody Williams, moved to adopt the FY22 Budget with changes as noted. Director, Scott Brooks, seconded the motion.

**Motion carried 4-1** (Gary Young against).

**6. Discuss, consider, and take appropriate action if necessary, by Resolution to adopt the District tax rate for tax year 2021.**

Based on discussions, concerns, and suggestions related to adopting the FY22 proposed budget, the proposed tax rate for tax year 2021 is \$0.003100/\$100 valuation.

Vice President, David Cole, moved to adopt by resolution the tax rate for tax year 2021 at \$0.003100/\$100 valuation. Director, Scott Brooks, seconded the motion.

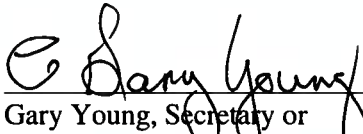
**Motion carried 4-1 (Gary Young against).**

8. **General Manager's report concerning office management and staffing related to District Management Plan.**
- The Texas Groundwater Summit is next week. Shelly gave the Board members registration/room confirmations. Dirk reminded the Board to be sure and keep receipts and give them to Shelly.
  - Pending permits that will be coming to the Board soon include JHM, Stillman Valley Ranchettes, and Harding Camp.
  - Dirk gave an update on Victory Rock.
  - Geo-Logs and drillers reports are being sent to Allan Standen's team for the 3-D update.
  - Regional HCP discussion at September Board Meeting by Judge Blackburn.
  - Intera will present their ASR feasibility study report at the September meeting.
  - Staff is working on the Annual Newsletter. Dirk encouraged the Board members to write a short article and get it to Tristin by September 25<sup>th</sup>.
  - Bell County Water symposium was set for Nov 16<sup>th</sup> but has been changed to the 17<sup>th</sup> due to location change. Dirk asked the Board for a consensus on the Expo Center for the venue.
9. **Director's comments and reports.**  
None.
10. **Discuss agenda items for the next meeting.**
- Judge Blackburn – HCP discussion
  - Contract for the General Manager
  - Presentation from Intera
  - Possible permit hearings
11. **Set time and place of next meeting.**  
Wednesday, September 8, 2021 at 1:30 p.m.
12. **Adjourn.**

**Board meeting adjourned with President, Leland Gersbach, at 5:51 p.m.**

  
Leland Gersbach, President

**ATTEST:**

  
Gary Young, Secretary or  
Dirk Aaron, Assistant Secretary