

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, TX**  
**Wednesday, August 25, 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 25, 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

**Guest:**

Brad Eckhart – Former Intern	Paige Eckhart	Dawn Eckhart
Bill Schumann – County Commissioner	Cole Ruiz – Lloyd Gosselink	Peter DiLillo

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

**Workshop Item #1: Discuss and review the District drought designation related to water levels and spring-flow measurements.**

Dirk commented that he had been invited to speak on the drought designation at the Bell County Commissioner's Court. Dirk presented his presentation to the Board and discussed the factors of the drought designation.

**Workshop Item #2: Receive presentation from Bradford Eckhart, TAMU Law School Summer Intern, related to his assigned tasks and duties.**

Brad Eckhart gave a brief recap of the projects he worked on during his summer internship with the District.

**Workshop closed and Regular Board Meeting reconvened with President, Leland Gersbach, at 2:14 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 10, 2022, Board meeting.**

Board members received the minutes of the August 10, 2022, Board meeting and workshop in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to approve the minutes of August 10, 2022, Board meeting and Workshop. Vice President, David Cole, seconded the motion.

**Motion carried 5-0.**

**4. Hold Public Hearing on the proposed tax rate for tax year 2022.**

Leland opened the Public Hearing on the proposed tax rate for public comments.

Bell County Commissioner, Bill Schumann signed up to make a public comment. Bill commented that there was discussion at the last board meeting about holding fast to the "no new revenue" tax rate. He encouraged the Board, from a public standpoint, to not be afraid to set the tax rate at the higher "voter approval rate." He noted that the dollar amount would be insignificant to the taxpayers. He commented that the work and deliverables the District has provided to the community far outweigh the small increase the taxpayers will have

to pay. If going above the “no new revenue” rate will give the District a little more money to do additional studies, he strongly recommended the District pursue it.

Leland thanked Bill for his comments and allowed the Board members and General Manager to address the remarks and continue the discussion.

Leland asked if there were any other questions or comments. Hearing none, Leland closed the public hearing.

No action to be taken.

**5. *Discuss, consider, and take appropriate action, if necessary, to adopt the District Budget for FY2023.***

Dirk discussed items of interest regarding the FY23 budget. He noted changes discussed and made. Dirk stated that the District would need \$907,422.00 in total income to meet the proposed budget.

Director, Jody Williams, moved to adopt the FY23 budget of \$907,422.00 as submitted with changes noted. Vice President, David Cole, seconded the motion.

Discussion continued regarding the bottom line for the budget. Scott Brooks would like the budget to be lowered to \$879,078.00. Dirk informed the Board that they would need to comb through the budget and make necessary cuts to meet that number.

Discussion continued among the Board members.

Leland noted there was a motion on the floor to adopt the FY23 budget at \$907,422.00 and asked for a vote.

**Motion carried 3-2 (for: Cole, Young, Williams – against: Gersbach, Brooks).**

**6. *Discuss, consider, and take appropriate action, if necessary, by resolution to adopt the District tax rate for tax year 2022.***

Leland stated, that to meet the budget of \$907,422.00, the tax rate would need to be set at \$0.002802.

Leland asked for a motion.

Director, Jody Williams, moved to set the tax rate for tax year 2022 at \$0.002802. Secretary, Gary Young, seconded the motion.

Leland asked if there were any comments or discussion. Hearing none, he proceeded to the vote.

**Motion failed 2-3 (for: Young, Williams – against: Gersbach, Brooks, Cole).**

Discussion and clarification continued among the Board Members. David confirmed he wanted the tax rate lowed to the “no new revenue” rate of \$0.002708. This would cause the approved budget to be in a deficit. Dirk noted that by law the Board cannot approve an unbalanced budget. Leland stated that the only way to balance the budget at the lower tax rate would be to take out the difference from the reserve funds. That would be a total of \$28,344.00 moved from reserve funds.

Discussion continued among the Board members and General Manager on the best way to balance the FY23 budget.

Leland asked for a new motion to set the District tax rate at the “no new revenue” rate of \$0.002708 and balance the budget by moving \$28,344.00 from reserve funds.

Vice President, David Cole, moved to set the District tax rate at the “no new revenue” rate of \$0.002708 and move \$28,344.00 from reserve funds to balance the budget. Director, Scott Brooks, seconded the motion.

**Motion carried 3-2 (for: Cole, Brooks, Gersbach – against: Young, Williams).**

**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 to fund a special project with Allan Standen related to Williamson County.

Leland noted that Dirk has discussed possible projects for next year, one of them being the 3D visualization project by Allan Standen and his team in Williamson County. The District was going to help fund this project. Leland recommended possibly funding the part of the project this year if the funds were available instead of carrying over the funds to next year. This would allow Allan Standen to get started on the project.

Dirk and Shelly made suggestions on which line items they thought they could pull additional funds from.

Dirk reminded the Board that this is a simple adjustment between line items.

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	From	Available Funds	Amount requested	New Balance
Allan Standen (Special Project)	53155-3D Visualization	\$20,000.00		\$20,000.00	53105.5-Mgmt Options	\$7,000.00	\$5,000.00	\$2,000.00
					53110.6-GAM Calibration	\$10,000.00	\$10,000.00	\$0.00
					53732-Permit - legal review	\$10,366.60	\$5,000.00	\$5,366.60
							\$20,000.00	

Director, Scott Brooks, moved to approve line-item budget amendments as presented. Vice President, David Cole, seconded the motion.

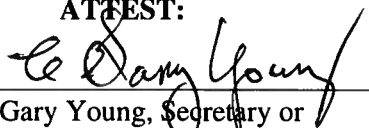
**Motion carried 5-0.**

8. **General Manager's report concerning office management and staffing related to District Management Plan.**
  - Groundwater Summit in San Antonio next week. Dirk, Leland, Scott, and Jody will attend.
  - Dirk was invited to testify at the House of Natural Resource Committee Hearing regarding TCEQ and non-functioning districts. Gary went with Dirk.
9. **Director's comments and reports.**
  - **Leland Gersbach:** Commented that it speaks highly of Dirk that he was asked to testify in Austin.
  - **Jody Williams:** None
  - **Gary Young:** Was glad he had the opportunity to attend the HNRC hearing with Dirk in Austin. Dirk had a good presentation.
  - **Scott Brooks:** Commented that it is healthy for the Board to have situations where they don't always vote unanimously on everything.
  - **David Cole:** Thanked Dirk and Staff for always doing such a good job.
10. **Discuss agenda items for the next meeting.**
  - Rulemaking Public Hearing
  - Cancellation of Nov 8<sup>th</sup> election
  - Possible Permit application from the Sanctuary of Salado
11. **Set the time and place of the next meeting.**  
Wednesday, September 14, 2022, at 1:30 p.m. at the CUWCD office.
12. **Adjourn.**

**Board Meeting closed with President, Leland Gersbach, at 4:12 p.m.**

  
Leland Gersbach, President

ATTEST:

  
Gary Young, Secretary or  
Dirk Aaron, Assistant Secretary