

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, TX**  
**Wednesday, September 14, 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, September 14, 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:**

Bill Schumann – County Commissioner                      Sandra Blankenship – WCID 1  
Peter DiLillo

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

***Workshop Item #1: Receive update related to GMA8 DFC, per TWC section 36, 108, and plans for the next round.***  
Dirk commented that there is nothing new to report at this time. Still waiting on MAGS. Dirk noted that Drew Satterwhite would be leaving. His last day is October 1<sup>st</sup>.

***Workshop Item #2: Receive update related to the 2022 Bell County Water Symposium.***

Dirk discussed the speakers for this year's event. The topic will be "Our Culture, Our Economy and Our Water Use". Shelly is working on sponsors for the event. The venue will be the Bell County Expo Center.

**Workshop closed and Regular Board Meeting convened with President, Leland Gersbach, at 1:41 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 25, 2022, Board meeting.***

Board members received the minutes of the August 25, 2022, Board meeting and workshop in their Board packet to review prior to the meeting.

Director, Scott Brooks, moved to approve the minutes of the August 25, 2022, Board meeting and Workshop. Secretary, Gary Young, seconded the motion.

**Motion carried 5-0.**

**4. *Discuss, consider, and take appropriate action, if necessary, to accept the monthly Financial Report for August (FY22) as presented.***

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

Vice President, David Cole, moved to accept the monthly financial report for August 2022 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 account report for August (FY22) as presented.**

Board members received the monthly Investment Fund account report for August 2022 in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to accept the monthly investment fund account report for August 2022 as presented. Vice President, David Cole, seconded the motion.

**Motion carried 5-0.**

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

Dirk and Shelly presented the line-item budget amendments for 1) reimbursing Dirk Aaron for postage he purchased for drought letter mailout; 2) Landscaping needs (tree trimming, clearing flower beds, mulching); and 3) Legal fees related to rule-making changes and legislative research/analysis.

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

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
Dirk Aaron	53740-Postage	\$180.00	\$0.00	\$180.00	\$0.00	53620-Ed Outreach-Supplies/Equ	\$2,420.09	\$2,240.09
Sniggs	54200-Bldg Repair/Maint	\$3,170.00	\$2,613.12	\$1,170.00	\$613.12	53120.1-Coalition	\$23,937.50	\$22,767.50
Landscaping	(actual available \$8,766.43 \$6,153.31 is encumbered for A C insurance claim - repairs not complete)							
Lloyd Gosse	53704-Legislative Analys	\$1,340.00	\$163.50	\$1,176.50	\$0.00	53706-GMA/DFC Support	\$7,122.96	\$5,946.46
Lloyd Gosse	53703-General (Rules)	\$910.15	\$0.00	\$910.15	\$0.00	53702-Endangered Species	\$8,413.75	\$7,503.60

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

**Motion carried 5-0.**

7. **Discuss, Consider, and take appropriate action, if necessary, to cancel the November 8<sup>th</sup> General Election for Directors representing Precinct 2, Precinct 4, and At-Large.**

Dirk commented that the District has followed all guidelines and requirements related to the November 8<sup>th</sup> General Election.

He encouraged the Board formally cancel the election on November 8, 2022, for Precinct 2, Precinct 4, and At-Large because the incumbents are running unopposed. The candidate for Precinct 2 is incumbent C. Gary Young, the candidate for Precinct 4 is incumbent Scott A. Brooks, and At-Large is incumbent R. David Cole.

The Board members have a copy of the Certification of Unopposed Candidates for Political Subdivisions as well as the appropriate Order of Cancellation required should the Board approve the request to cancel.

Dirk noted that the Bell County Election Office is aware of the cancellation request and has confirmed they will provide the required posting of the Board's cancellation order on Election Day at each polling place that would have been used in the election.

Secretary, Gary Young, moved to accept the Order of Cancellation for the November 8<sup>th</sup> election. Director, Jody Williams, seconded the motion.

**Motion Carried 5-0.**

**8. Hold Public Hearing related to proposed changes to the District Rules:**

*a) Discuss, consider, take appropriate action, if necessary, to hold a public hearing to receive input on proposed amendments to the District's rules intended to (1) define additional terms; (2) clarify methods for filing and serving documents with the District; (3) allow the District to issue operating permits according to Aquifer Management Zone-specific rules; (4) revise the Standard Provisions incorporated into permits issued by the District; (5) revise the process for submitting meter readings to the District; (6) require meters to be installed in accordance with manufacturer's specifications; (7) refine permitting requirements for exploratory wells; (8) refine the spacing requirements for certain exempt wells; (9) clarify language regarding historic and existing use permits; (10) clarify drilling and/or operating permits requirements; (11) incorporate a process for complying with Bell County Subdivision Regulations; (12) require Well Completion Reports for certain operating permit applications; (13) establish five Management Zones within the boundaries of the District; (14) clarify rules regarding the commingling of injurious water and fresh water and the re-completion of wells pursuant to 16 Texas Administrative Code Chapter 76; (15) establish minimum spacing, column pipe size, tract size, and property line setback requirements by Aquifer Management Zone; (16) provides criteria for granting exceptions to the minimum spacing, column pipe size, tract size, and property line setback requirements for each Aquifer Management Zone; and (17) other non-substantive formatting and grammatical revisions.*

Public Hearing opened with President, Leland Gersbach, at 1:50 p.m.

As presiding officer, Leland explained the purpose for holding the required public hearing concerning the proposed amendments to the District Rules. Based on the hearing and public comments, the Board can take the suggestions under advisement over the next 30 days and during deliberation at the October 12<sup>th</sup> Board meeting.

Leland noted that staff has completed all of the requirements per Chapter 36 and the current District Rules. The requirements for notice were posted on Aug 26<sup>th</sup> therefore the 20-day requirement prior to today's meeting.

Dirk has verified all rulemaking notices comply with unique provisions set out by Texas Water Code 36.101(d). Leland briefly described the requirements and noted for the record that Dirk complied.

Leland laid out the general and proposed amendments to be considered.

Leland opened the hearing to public comment. Hearing none, Leland stated that the final deliberations on the proposed amendments would be made at the regular Board meeting scheduled for October 12, 2022.

Public hearing closed at 2:30 p.m.

No action was taken.

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

- Update on drought information.
- Board needs to be prepared to deny, modify, amend, or accept the proposed rule amendments.
- Final plans for the new building should be available in October.
- BRA Belhouse Drought preparedness project will hold a public meeting on September 21<sup>st</sup>. (Belton/Stillhouse lake-to-lake project)
- Next month we will layout out a proposal to enhance water level efforts and showcase final changes to the LRE DMS platform.

**10. Review 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*

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

**11. Director's comments and reports.**

- **Leland Gersbach:** He attended the HOA meeting in Hidden Springs. He commended Dirk for an outstanding job presenting information and dealing with questions from property owners.
- **Jody Williams:** Thanked everyone involved that worked so hard on the proposed rule changes. A lot of time and effort was put into this project.
- **Gary Young:** Thanked Dirk for speaking to the HOA in Hidden Springs. He repeated Jody's sentiments regarding everyone's efforts and work on the proposed rule changes.
- **Scott Brooks:** Attended the Groundwater Summit. Enjoyed sitting on the panel. TAGD put on another good event.
- **David Cole:** None

**12. Discuss agenda items for the next meeting.**

- Approve/Accept amended rules
- Present new administrative/civil/permit fee schedules
- Possible Permit review

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

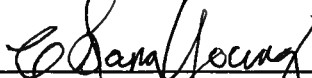
Wednesday, October 12, 2022, at 1:30 p.m. at the CUWCD office.

**14. Adjourn.**

**Board Meeting closed with President, Leland Gersbach, at 2:51 p.m.**

  
Leland Gersbach, President

ATTEST:

  
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Gary Young, Secretary of  
Dirk Aaron, Assistant Secretary