

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, February 15, 2023
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, February 15, 2023, at the Clearwater UWCD Building, located at 700 Kennedy Court, Belton, Texas.

Board Members Present:

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

Absent:

Staff:

Dirk Aaron, General Manager
Shelly Chapman, Admin Manager

Guests

Jim Brown	Amber Dankert	Joe Shepperd
Carl Ford	Kevin Cowan – LMS,CPA	Bracken Marburger
Sandra Blankenship – WCID#1	Tomas Reynoso, Jr	Tomas Reynoso, Sr

Board meeting convened with President, Leland Gersbach, at 1:34 p.m.

1. *Invocation and Pledge of Allegiance.*

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

2. *Public Comment.*

None.

3. *Approve minutes of January 11, 2023, Board meeting.*

Board members received the minutes of January 11, 2023, Board meeting and workshop in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to approve the minutes of January 11, 2023, Board meeting and Workshop.
Vice President, Jody Williams, seconded the motion.

Motion carried 4-0.

4. *Discuss, consider, and take appropriate action, if necessary, to accept the monthly Financial Report for January 2023 (FY23) as presented.*

Board members received the corrected monthly financial report for January 2023 in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to accept the corrected financial report for January 2023 as presented. Director, Scott Brooks, seconded the motion.

Motion carried 4-0.

5. *Discuss, consider, and take appropriate action, if necessary, to accept the monthly Investment Fund account report for January (FY23) as presented.*

Board members received the monthly Investment Fund account report for January 2023 in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to accept the monthly investment Fund account report for January 2023 as presented. Director, Scott Brooks, seconded the motion.

Motion carried 4-0.

6. Discuss, consider, and take appropriate action, if necessary, to approve the FY23 line-item budget amendments as requested.

Shelly and Dirk presented a request for line-item budget amendments to cover legal expenses related to the ACA petition for annexation.

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
Lloyd Gosselink	53703-General	\$1,484.00	\$0.00	\$1,484.00	\$0.00	50250-Contingency Fund	\$47,718.24	\$46,234.24
	(Rules & Accountability)							

Vice President, Jody Williams, moved to approve the line-item budget amendments as requested. Secretary, Gary Young, seconded the motion.

Motion carried 4-0.

7. 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.*

President, Leland Gersbach, reconvened the show cause hearing at 1:38 p.m.

As presiding office, Leland addressed the procedural issues and administered oaths to Tomas Reynoso Sr, Tomas Reynoso Jr, and CUWCD General Manager Dirk Aaron.

Dirk summarized the details of the hearing and gave an update on steps being taken to remedy the issues. He noted that Tomas Reynoso had hired an attorney to help guide him through the process. Dirk also stated that Tomas has not submitted an application for an operating permit yet. Dirk recommended the Board allow another 90-day continuance.

Tomas Reynoso Jr spoke on his father’s behalf. He confirmed that they have hired an attorney to help them with legal issues with the landowner that originally sold them the property. They are working through things with Mitchell & Associates as well as the County.

Leland asked if the Board had any other comments or questions. If not, he would conclude this portion of the hearing.

Director, Scott Brooks, asked if the show cause hearing could be closed since the violation was addressed and fines paid. Once the subdivision rule is worked out with the County, Tomas can come back to the Board with an application for an operating permit. Dirk agreed that is an option instead of extending the hearing another 90 days. The Board agreed.

Director, Scott Brooks, moved to close the show cause hearing and consider the issue resolved, and return for an operating permit once everything is worked out with the County. Secretary, Gary Young, seconded the motion.

Motion carried 4-0.

8. Discuss, consider, and take appropriate action, if necessary, to accept the FY22 Financial Audit as presented by the district's contracted auditing firm.

Kevin Cowan, with Ludwick, Montgomery, and Stapp, presented the FY22 Financial Audit. He pointed out the highlights of the audit and noted that it was a clean audit.

Director, Scott Brooks moved to accept the FY22 Financial Audit as presented by the district's auditing firm. Vice President, Jody Williams, seconded the motion.

Motion carried 4-0.

9. Discuss, consider, and take appropriate action, if necessary, to appoint a Director for the At-Large Directorship upon completion of qualified candidate interviews for the position.

Dirk introduced the candidates to be interviewed for the At-Large Directorship:

Jim Brown
Amber Dankert
Joe Shepperd
Carl Ford
Bracken Marburger

Leland asked the applicants if they would step out while each one was being interviewed. The applicants agreed. (Did not go into Executive Session. This was done as a courtesy to the applicants.)

The Board interviewed each applicant and asked a series of questions pertaining to their credentials, knowledge of the district and its purpose, and what their interest was in applying for a position on the Board. Each applicant was given an opportunity to answer all questions and give the Board any other information they felt would help the Board make the best selection.

Once all interviews were concluded, the Board discussed their thoughts and made suggestions for the candidate they thought would be the best fit. The field was narrowed down to 2 applications: Jim Brown and Joe Shepperd. After much discussion, the Board made their selection.

Leland asked the applicants to return to the Board room. He stated all the applicants brought something different to the Board. Each applicant was highly qualified for the position and the decision was a difficult one. The other Board members echoed Leland's comments. Leland thanked each applicant for applying and informed them that the Board had selected Jim Brown to fill the At-Large position.

Director, Scott Brooks, moved to appoint James (Jim) Brown as Director-At-Large. Vice President, Jody Williams, seconded the motion.

Motion carried 4-0.

10. Discuss, consider, and take appropriate action, if necessary, to approve the Interlocal Agreement related to the Four County Regional Groundwater Studies with Central Texas Groundwater Conservation District and Southwestern Travis County Groundwater Conservation District.

Dirk presented the ILA related to the 4 County Regional Groundwater Studies. He explained the project and details related to the studies. He recommended the Board agree to the ILA and noted no other financial obligation is needed at this time. This ILA will just get the ball rolling.

Director, Scott Brooks, moved to approve the ILA related to the 4 County Regional Groundwater Studies the CTGCD and STCGCD. Secretary, Gary Young, seconded the motion.

Motion carried 4-0.

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

- Working on permit renewals. AW Hines permit is on hold. Zach Baird's permit has been withdrawn. Capp's permit has been withdrawn.
- Victory Rock is moving forward. They hired Billy Gamblin to work with them.
- Board has the draft of the Annual Report. Please have changes/corrections to Tristin by March 1st.
- There are several applications in the works.
- "Notice of Public Hearing" related to the ACA petition for annexation dates have been set, and ads will be running in area newspapers this week. Postings will be done on the 17th.
- Dirk gave his thoughts on the cost of the election for annexation.
- Update on the new building. 9 bids have been received.
- Benny Boyd Ranch has hired Collier Consultants. A meeting is scheduled for next week.
- Meeting scheduled with County Judge regarding RHCP.

12. 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.)

13. Director's comments and reports.

- **Leland Gersbach:** Welcomed Jim Brown to the Board.
- **Jody Williams:** None
- **Gary Young:** Commented that this was an interesting meeting. Thanked staff for all the work they have been doing and welcomed Jim as a new Board Member.
- **Scott Brooks:** He commented about the level of knowledge of all those that applied for the At-Large position on the Board. It was a difficult decision to make.

14. Discuss agenda items for the next meeting.

- Final version of the Annual Report
- Oath of Office for Jim Brown

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

Wednesday, March 8, 2023, at 1:30 p.m. at the CUWCD office.

16. Adjourn.

Board Meeting closed with President, Leland Gersbach, at 5:16 p.m. and Workshop convened.

Workshop item #1: Receive annual report from Texas AgriLife 4-H Water Ambassador Program.

Dirk included a copy of the annual report in the workshop packet. No formal presentation at this time.

Workshop item #2: Receive updates related to the 2022 Bell County Water Symposium.

The balance sheet and evaluation info related to the Water Symposium is included in the packet.

Workshop item #3: Receive information related to Bell/Coryell Karst Coalition RHCP.

Dirk will be meeting with Judge Blackburn Thursday morning.

Workshop item #4: Receive a draft of the Annual Report for 2022.

Corrections and changes need to be in by March 1st.

Workshop item #5: Receive information related to the 88th Legislative Session and Groundwater Legislation.

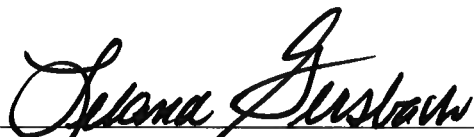
Report from Ty Embry received. Dirk briefed the Board on the information

Workshop item #6: Receive information related to Groundwater Management Area 8, per the Joint Planning and Development of the Round 4 Desired Future Conditions.

Nothing new to report at this time.

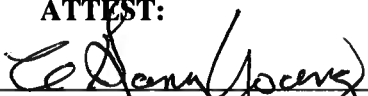
Leland noted for the record that Jody Williams left the meeting at 4:20 p.m.

Workshop closed with President, Leland Gersbach, at 5:22 p.m.



Leland Gersbach, President

ATTEST:



Gary Young, Secretary or
Dirk Aaron, Assistant Secretary