

**Clearwater Underground Water Conservation District Meeting**  
**700 Kennedy Court**  
**Belton, TX**  
**Tuesday, June 13, 2023**  
**Minutes**

The Clearwater Underground Water Conservation District (CUWCD) held a Workshop and Board meeting at 1:30 p.m. on Tuesday, June 13, 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, Vice President, Pct 3  
Scott Brooks, Director, Pct 4

**Absent:**

James Brown, At-Large

**Staff:**

Dirk Aaron, General Manager  
Shelly Chapman, Admin. Manager

**Guests**

Dr. Yelderman – Baylor  
David Jones – Belton  
Steve Campbell – Salado  
Sandra Blankenship – WCID1

Mike Keester – RWH  
Richard Frith – Salado  
Janet Kennedy – Salado

Susan Edens – Salado  
Peter DiLillo  
Cole Ruiz – Lloyd Gosselink, Attorney

**Workshop opened with President, Leland Gersbach at 1:35 p.m.**

**Workshop item #1: Receive information related to the 88<sup>th</sup> Legislative Session and Groundwater Legislation.**

Leland noted for the record that the Board would enter into Executive Session with the District's legal team under attorney/client privilege to discuss information related to the 88<sup>th</sup> Legislative Session and Groundwater Legislation.

**Executive Session convened with President, Leland Gersbach at 1:36 p.m.**

**Executive Session closed and Regular Board meeting convened with President, Leland Gersbach, at 2:05 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 the May 10, 2023, Board meeting.**

Board members received the minutes of the May 10, 2023, Board meeting and workshop in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to approve the minutes of the May 10, 2023, Board meeting and Workshop as presented. Vice President, Jody Williams, seconded the motion.

**Motion carried 4-0 (1 absent).**

**(Leland requested the Board skip to agenda items 11 & 12 at this time. The Board agreed)**

**11. Discuss, consider, and take appropriate action, if necessary, related to the TCEQ-TPDES Permit WQ0016294001 by Mustan Springs Utility LLC to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 928,000 gallons per day from the plant site to an unnamed tributary, to Buttermilk Creek, leading to Salado Creek.**

Leland noted for the record that Director, Scott Brooks, had recused himself from discussion or comments on this item due to a business relationship with the applicant.

Dirk explained that CUWCD was notified by Rep. Buckley's office of a permit application notice, due to his constituents' concerns, on May 9, 2023. CUWCD was not notified by TCEQ. Rep. Buckley notified TCEQ that he wants a public hearing on the application to be held in Salado by TCEQ and the Applicants.

Dirk spoke with TCEQ staff on 6/9/23 and they stated that the comment period is still open. Dirk requested a review of the application in its entirety by legal counsel and the District geoscience consultant. There needs to be a formal discussion on the timeline to offer comments and time to respond to local concerns by landowners, private well owners, and public water suppliers in the Salado area.

Dirk noted that CUWCD has had multiple inquiries from local citizens about the potential impact on recharge, water quality at the Spring Complex, and public water supply wells.

Dirk commented that after reviewing the application, timeline, and facts related to the application, Dirk, legal counsel, and geoscience consultants have prepared formal comments and recommend that the District provide public comment, participate in the public meeting with local legislators and request a contested case hearing.

Leland opened the floor to those wishing to make public comments on the TCEQ applications. He allowed each person that signed up to comment time to voice their concerns. He received comments and concerns from: Susan Edens, David Jones, Richard Frith, Steve Campbell, Janet Kennedy, and Sandra Blankenship.

Vice President, Jody Williams, moved to authorize General Manager to submit formal comments and letter requesting a contested case hearing. Secretary, Gary Young, seconded the motion.

**Motion carried 3-0 (1 recused, 1 absent).** Leland noted for the record that there was a quorum for the vote.

**12. *Discuss, consider, and take appropriate action, if necessary, related to the TCEQ-TPDES Permit WQ0016310001 by South Central Water Company to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 700,000 gallons per day from the plant site directly to Salado Creek.***

Leland noted for the record that Director, Scott Brooks, had recused himself from discussion or comments on this item due to a business relationship with the applicant.

Dirk explained that he notified Rep. Buckley's office of this permit application notice and due to the District's concerns, Rep. Buckley has agreed to request a public hearing. Rep Buckley notified TCEQ on May 10, 2023, that he wants a public hearing on the application to be held in Salado by TCEQ and the Applicants.

Dirk has not requested a review of the application in its entirety by legal counsel and the District geoscience consultant. There needs to be a formal discussion on the timeline to offer comments and time to respond to local concerns by landowners, private well owners, and public water suppliers in the Salado area.

Dirk noted that CUWCD has had several inquiries from local citizens about the potential impact on recharge, water quality at the Spring Complex, and public water supply wells.

Dirk commented that after reviewing the application, timeline, and facts related to the application, Dirk, legal counsel, and geoscience consultants can prepare formal comments and recommendations, provide public comment, participate in the public meeting with local legislators, and request a contested case hearing.

Vice President, Jody Williams, moved to authorize General Manager to submit formal comments and a letter with the help of legal counsel and the geoscience team, requesting a contested case hearing. Secretary, Gary Young, seconded the motion.

**Motion carried 3-0 (1 recused, 1 absent).** Leland noted for the record that there was a quorum for the vote.

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

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



Director, Scott Brooks, moved to approve the line-item budget amendments as requested. Secretary, Gary Young, seconded the motion.

**Motion carried 4-0 (1 absent).**

**10. Discuss, consider, and take appropriate action, if necessary, to approve changes to the District's current exemptions for property owners.**

The District received a notice that it must confirm the local tax amount of exemptions and debt service for tax year 2023. This information is due back to the Appraisal District by June 15, 2023. Dirk recommended the Board retain the current \$5,000 exemption for people of 65 and leave the homestead and disability exemption as is currently set.

Director, Scott Brooks, moved to retain current exemptions for property owners as related to CUWCD. Secretary, Gary Young, seconded the motion.

**Motion carried 4-0 (1 absent).**

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

- Briefing on the new building.
- Discussed moving the July workshop to 10:00.
- Presentation from LRE
- FY24 budget discussions

**14. 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*

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

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

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

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

- Permit hearings
- LRE presentation for FY24 Budget

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

Wednesday, July 12, 2023, workshop 10:00 and regular Board meeting at 1:30 p.m. Place TBD.

**18. Adjourn.**

**Board meeting closed and Workshop reconvened with President, Leland Gersbach, at 3:20 p.m.**

**Workshop item #2: Receive briefing on the City of Killeen Sewage spill into Reece Creek as it relates to well owners.**

Dirk briefed the Board on the sewage spill into Reece Creek and his suggestions moving forward to work with local well drillers and pump installers to proactively disinfect the wells at the City's expense.

**Workshop item #3: Receive an update from Baylor Geology on the proposed study for FY24.**

Dr. Joe Yelderman with Baylor University presented a potential project idea for FY24 involving reservoir and aquifer interactions in Bell County.


**Workshop item #4: Receive an update from LRE Water related to DMS water levels and water quality analytics.**  
Will postpone until July Board Meeting.

**Workshop item #5: Receive baseline FY24 Budget.**  
Dirk discussed items of interest related to the baseline budget for FY24.

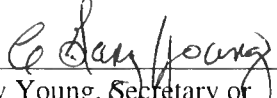
**Workshop item #6: Receive information related to Groundwater Management Area 8 incorporating Round 3 DFCs and Management Zones in the District's Groundwater Management Plan.**  
Dirk presented information related to GMA8 incorporating round 3 of the DFCs and Management Zones in the District's Management Plan. Dirk will collaborate with the legal team to make the changes.

**Workshop item #7: Receive information related to Groundwater Management Area 8, per the Joint Planning and Development of the Round 4 Desired Future Conditions.**  
Next GMA8 meeting is June 27<sup>th</sup>. Dirk, Gary, and Jim Brown will attend.

**Workshop closed with President, Leland Gersbach, at 5:56 p.m.**

  
Leland Gersbach, President

**ATTEST:**

  
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Gary Young, Secretary of  
Dirk Aaron, Assistant Secretary