

Clearwater Underground Water Conservation District Meeting
700 Kennedy Court
Belton, TX
Wednesday, August 23, 2023
Minutes

The Clearwater Underground Water Conservation District (CUWCD) held a Workshop and Board meeting at 1:30 p.m. on Wednesday, August 23, 2023, at the Clearwater UWCD Building 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
James Brown, Director, At-Large

Absent:

Staff:

Dirk Aaron, General Manager
Shelly Chapman, Admin. Manager

Guests:

Whitney Ingram – AgriLife Extension Service
Emma Canales – 4H Water Ambassador Program

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

Workshop item #1: Receive presentation from Bell County 4-H Water ambassador and AgriLife County Extension Agent.

Whitney Ingram introduced 4-H Water Ambassador Emma Canales. Emme presented information related to the Water Ambassador summer experience. Whitney presented the Board with the “Friends of 4-H” award for continued support and sponsorship of the Water Ambassador program.

Workshop item #2: Discuss and review the District Drought designation related to water levels and spring-flow measurements.

Dirk presented information related to the current drought conditions and the District’s drought designation.

Workshop item #3: Receive information related to the Development of the BELCOR RHCP

Dirk briefed the Board and brought them up to date on information related to the development of the BELCO RHCP. He noted that Scott Brooks is on the Coordinating Committee and Steering Committee as the CUWCD tier 1 representative. Dirk informed the Board that the structure is in place. Tina Entrop with the County Auditor’s Office issued invoices for the participants cost share.

Workshop item #4: Discuss proposed amendments to the District’s rules as required by changes in Chapter 36 Texas Groundwater Code per the 88th Legislative Session.

Dirk presented a draft of the rule change notice and briefed the Board on the steps moving forward. He recommended the Board set the rule change hearing for October 11, 2023.

Workshop closed and Board meeting convened with President, Leland Gersbach, at 2:44 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 August 9, 2023, Board meeting.

Board members received the minutes of the August 9, 2023, 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 9, 2023, Board meeting and Workshop as presented. Secretary, Gary Young, seconded the motion.

Motion carried 5-0.

4. Hold Public Hearing on the proposed tax rate for tax year 2023.

President, Leland Gersbach opened the Public Hearing at 2:45 p.m. He opened the floor for public comment. There were none. Leland closed the Public Hearing at 2:46 p.m.

No action on this item.

5. Discuss, consider, and take appropriate action, if necessary, to adopt the District Budget for FY2024.

The Board discussed items of interest related to the new Assistant Manager position being budgeted for, expenses related to the new building, and legal fees. There were no changes made to the proposed budget.

Secretary, Gary Young, moved to adopt the FY2024 proposed budget as presented with no changes. Director, Jim Brown, seconded the motion.

Motion carried 5-0.

6. Discuss, consider, and take appropriate action, if necessary, by resolution to adopt the District tax rate for tax year 2023.

Dirk presented facts related to setting the tax rate for tax year 2023. He explained the preliminary tax rate set was the No New Revenue tax rate of \$0.002372/\$100 valuation. He noted that he has the budget to justify setting the tax rate at \$0.002372 and staff conducted the proper notification of the preliminary tax rate in both the TDT & KDH newspapers.

Director, Scott Brooks, moved to adopt by resolution the proposed District tax rate as presented at \$0.002372/\$100 valuation. Vice President, Jody Williams, seconded the motion.

Motion carried 5-0.

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

Shelly presented the request for FY23 budget amendment to cover General consulting/investigation expenses related to "050 Salado Creek".

Vendor	Line Item	Invoice Amount	Available Funds	Amount Requested	New Balance	From	Available Funds	New Balance
RW Harden	53130.4-investigations	\$157.50	\$0.00	\$157.50	\$0.00	53130.5-GeoLogging	\$5,000.00	\$4,842.50

Director, Scott Brooks, moved to accept the FY23 line-item budget amendments as requested. Vice President, Jody Williams, seconded the motion.

Motion carried 5-0.

8. Discuss, consider, and take appropriate action to set the date for the prescribed public hearing as it relates to the required changes in the District Rules required by Chapter 36 Groundwater Code per the 88th Legislative session.

This topic was discussed in Workshop item #4. Dirk recapped the discussion and recommended the Board set the date of October 11, 2023, for the Public Hearing related to required changes to the District Rules per the 88th Legislative session.

Secretary, Gary Young, moved to set October 11, 2023, as the date for the Public Hearing on the required changes to the District Rules. Director, Scott Brooks, seconded the motion.

Motion carried 5-0.

9. ***Discuss, consider, and take appropriate action to set the date for the prescribed public hearing as it relates to the required amendments to the District's current Groundwater Management Plan to update the Round 3 Desired Future Conditions set forth by GMA8.***

Dirk updated the Board on the status of Round 3 of the DFCs and the required amendments to the District's Groundwater Management Plan as set forth by GMA8.

Director, Scott Brooks, moved to set October 11, 2023, as the date for the Public Hearing on the required amendments to the District's Groundwater Management Plan. Vice President, Jody Williams, seconded the motion.

Motion carried 5-0.

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

- Possible permit hearing on the horizon
- Discussed information related to the Public Hearing for Rule changes and amendments to the Groundwater Management Plan

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

- **Leland Gersbach:** Commented on the drought and lake levels.
- **Jody Williams:** Pray harder for rain.
- **Gary Young:** Attended the town hall meeting in Salado regarding Mustang Springs. The room was full of people. Good turnout. Attended the Post Oak Savannah Symposium with Dirk and Jim.
- **Scott Brooks:** None
- **James Brown:** Attended the town hall meeting in Salado. Dirk did a great job addressing the public and getting the facts out there.

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

- Permit hearing.


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

Wednesday, September 13, 2023, 1:30 p.m. CUWCD office.

14. ***Adjourn.***

Board meeting closed with President, Leland Gersbach, at 3:56 p.m.


Leland Gersbach, President

ATTEST:

Gary Young, Secretary or
Dirk Aaron, Assistant Secretary

**RESOLUTION AND ORDER
OF THE BOARD OF DIRECTORS OF THE CLEARWATER
UNDERGROUND WATER CONSERVATION DISTRICT
MEETING HELD AUGUST 23, 2023**

THE STATE OF TEXAS	§	
	§	A RESOLUTION AND ORDER
COUNTY OF BELL	§	
	§	SETTING ANNUAL TAX RATE
CLEARWATER UWCD	§	

The Board of Directors of the Clearwater Underground Water Conservation District met in a regular session, open to the public, after due notice, at the Clearwater Underground Water Conservation District, located at 700 Kennedy Court, Belton, Texas, within the boundaries of the District, on the 23th day of August 2023, whereupon the roll was called of the members of the Board of Directors, to wit:

Leland Gersbach	President
Jody Williams	Vice President
C. Gary Young	Secretary
Scott A. Brooks	Director
James Brown	Director

Five (5) of the five (5) Board members were present, thus constituting a quorum.

WHEREUPON, among other business conducted by the Board, Director Scott Brooks introduced the Order set out below and moved for its adoption, which motion was seconded by Director Jody Williams and, after full discussion and the question being put to the Board of Directors, said motion was carried by the following vote:

“Aye”: 5; “No”: 0; “Abstained”: 0; “Absent”: 0.

The Order thus adopted is as follows:

WHEREAS, the Board of Directors was authorized by applicable statutory law to levy a sufficient tax to cover all maintenance and operation expenses of the District;

WHEREAS, the Board of Directors reviewed and approved its budget for its fiscal year October 1, 2023, through September 30, 2024, and determined what tax rate should be set to meet such budget requirements;

WHEREAS, the appraisal roll of the District for 2023 has been prepared and certified by the Tax Appraisal District of Bell County and submitted to the District's tax collector; and

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT THAT:

I.

The operation and maintenance tax rate for tax year 2023 shall be \$0.002372 per one hundred dollars (\$100) of assessed valuation. Be it known that this 2023 tax rate is less than last year's tax rate at \$0.002708 per \$100 of assessed valuation, but this rate will increase total taxes in Clearwater by 4.03%, or reduce by 5¢ per year on the average appraised value of a residence at \$249,753.00.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

The Bell County Tax Assessor and Collector shall take all steps necessary and authorized by the law to collect taxes as owed pursuant to this order. Said taxes shall be levied, assessed and collected at the rate of \$0.002372 per \$100 valuation for 2022 as provided for in the District's enabling act; Chapters 36 Texas Groundwater Water Code, as applicable; and all other applicable laws.

II.

The Board President or Vice President are authorized to execute, and the Secretary or any Assistant Secretary to attest, this order on behalf of the Board of Directors.

PASSED, APPROVED AND ADOPTED this the 23rd day of August 2023.

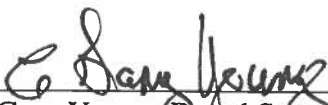
CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT

By:



Leland Gersbach, Board President (or)
Jody Williams, Board Vice President

ATTEST:



C. Gary Young, Board Secretary (or)
Dirk Aaron, Assistant Secretary