

**Clearwater Underground Water Conservation District Meeting**  
**640 Kennedy Court**  
**Belton, TX**  
**Wednesday, February 12, 2025**  
**Minutes**

The Clearwater Underground Water Conservation District (CUWCD) held a Workshop and Board meeting at 1:30 p.m. on Wednesday, February 12, 2025, in the Clearwater UWCD Board Room located at 640 Kennedy Court, Belton, Texas.

**Board Members Present:**

Jody Williams, President, Pct 3  
Leland Gersbach, Vice President, Pct 1  
Gary Young, Secretary, Pct 2  
Scott Brooks, Director, Pct 4

**Absent:**

Jim Brown, Director, At Large

**Staff:**

Dirk Aaron, General Manager  
Whitney Ingram, Asst. General Manager  
Shelly Chapman, Admin. Manager

**Guests:**

Bill Schumann	Cole Ruiz – Lloyd Gosselink	Dennis Baird – Landowner
Johnny Baird – Landowner	Kevin Cowan – LMS	Gretchen Miller – LRE
Stephanie Wong – LRE	Ryan Reed - Attorney	

**Board Meeting convened with President, Jody Williams, at 1:50 p.m.**

***1. Invocation and Pledge of Allegiance.***

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

***2. Public Comment.***

None.

***3. Approve minutes of the January 14, 2025, Board meeting and workshop.***

Board members received the minutes of January 14, 2025, Board meeting and workshop in their Board packet to review prior to the meeting.

Secretary, Gary Young, moved to approve the minutes of January 14, 2025, Board meeting and Workshop as presented. Director, Scott Brooks, seconded the motion.

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

***4. Discuss, consider, and take appropriate action, if necessary, to accept the monthly Financial Report for January 2025 (FY25) as presented.***

Board members received the monthly financial report for January 2025 in their Board packet to review prior to the meeting.

Vice President, Leland Gersbach, moved to accept the January 2025 financial report as presented. Secretary, Gary Young, seconded the motion.

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

***5. Discuss, consider, and take appropriate action, if necessary, to accept the monthly Investment Fund account report for January 2025 (FY25) as presented.***

Board members received the monthly investment Fund account report for January 2025 in their Board packet to review prior to the meeting.

Director, Scott Brooks, moved to accept the monthly Investment Fund account report for January 2025 as presented. Vice President, Leland Gersbach, seconded the motion.

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

***6. Discuss, consider, and take appropriate action, if necessary, to approve the FY25 line-item budget amendments as requested.***

Shelly Chapman noted that there were no FY25 budget amendments to present.

**7. *Discuss, consider, and take appropriate action, if necessary, to accept the FY24 Financial Audit as presented by the district's contracted auditing firm.***

Kevin Cowan with Ludwick, Montgomery & Stapp, P.C. presented the FY24 Annual Financial Audit. He gave a bird's eye view and presented highlights of the audit. He noted for the record that it was a clean audit, and the district is in good shape financially.

Vice President, Leland Gersbach, moved to accept the FY24 Financial Audit as presented. Director, Scott Brooks, seconded the motion.

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

**8. *Discuss, consider, and take appropriate action, if necessary, to approve PFAS Study proposal by Dr. Gretchen Miller.***

Dirk presented information related to recent media headlines and producer concerns regarding PFAS contamination in the area. Dirk and Whitney have worked to establish a "task force" to direct and develop a baseline study of PFAS presence in the groundwater in Bell County. Whitney named the recommended members of the task force.

Dr. Gretchen Miller (LRE Water) presented her proposal and scope of work for the PFAS Study.

The Board discussed some of their thoughts and concerns related to the study and cost. Dirk recommends the stakeholders make a recommendation of what wells to get a baseline from and then report back to the Board.

President, Jody Williams suggested that the task force committee look at the proposal and then have an opportunity to discuss it. He recommended the item be tabled until the next meeting.

**No action taken.**

**9. *Discuss, consider, and take appropriate action, if necessary, to regarding the General Manager's compliance review of the water well appurtenant to land described as "Tract One" in that January 1, 2023, Special Warranty Deed conveying said Tract One from Byron F Good to Goode Family Properties, LP and recorded in Bell County as Doc #2023023900 and Williamson County as Doc #2023044882.***

Jody acknowledged requests for public comments related to this agenda item. He asked Dennis Baird to come forward and address the Board.

Dennis introduced himself and noted that he was representing other family members as well. He and his family members own property and wells north of the Heidelberg quarry in Jarrell. He commented that CUWCD has equipped his well and is currently monitoring the well. He thanked the district for its efforts in water conservation and well monitoring in the area. Dennis commented that the quarry has one well located in Williamson County, and one possibly located in Bell County. He understands that the county line is undetermined at the moment. He hopes the location of the county line can be determined swiftly and if the well in question is in Bell County that restrictions will be put in place to protect wells currently being harmed by excessive pumping. He requests that CUWCD and Bell County take every action available to determine the true location of the well in question with cooperation from the quarry. Dennis offered his assistance in any way possible.

Cole Ruiz (CUWCD Attorney) introduced Ryan Reed who joined the meeting online. Ryan represents Heidelberg Materials. He stated that his client acquired the quarry and understood the well was not located in Bell County. They are taking the allegations seriously and are working with CUWCD's General Manager and legal team sharing information relevant to the situation. Ryan stated that based on a survey they received and information from Williamson County regarding the county line, the well in question is not in the Bell County or CUWCD's jurisdiction. They will continue to work with CUWCD's General Manager and legal counsel to resolve this matter.

General Manager, Dirk Aaron, presented information and maps regarding conclusions, or lack thereof, relating to the question of the county line.

Cole Ruiz commented that the deeds produced are all we have right now. It was a quick desktop search to see what could be determined. There are more land records out there, but this is what we have. After reviewing the deeds, there is no clear determination of the county line. He stated that there is no master map of where county lines begin and end. To make that determination one would have to dig into agreements, statutes, and land records, which would be a monumental task that would entail a team of surveyors and attorneys. There is a process for that in Chapter 72 of the government code.

Jody suggested the Board, along with legal counsel, move to Executive Session at 2:38 p.m. to discuss the matter further.

Board meeting reconvened from Executive Session at 3:10 p.m.

Jody noted that during Executive Session with general counsel the Board asked questions regarding this matter. They did not deliberate or make any decisions on the subject.

Jody asked Dennis Baird if he had any other comments or questions. He did not.

Jody asked if Ryan Reed had any other comments. Ryan was no longer on-line. He had to step out for another meeting.

Cole commented on the situation. Essentially the district has authority to enforce rules within its jurisdiction. The district does not have the authority to enforce rules outside its jurisdiction and does not have the authority to determine the boundaries of its jurisdiction. Those are set in statutes. The problem in this case is that it is not sufficiently clear where the boundary line is. Ryan Reed is going to share information they have on where they think the line really is and we can figure out a path moving forward. Cole stated that if the well actually is in Bell County, the district will be obligated to enforce its rules and likely order the well to be plugged. If that happens, there will be nothing stopping Heidelberg from moving the well 30-40 feet over towards Williamson County and we would be in the same situation anyway. This would be a waste of time and taxpayer resources. Cole encouraged the Baird's to look at chapter 72 and consult with their own attorney and have them reach out to Ryan Reed for an amicable solution.

Ryan asked if there was some geoscience information that the district could send him. Dirk will work on getting him what he needs.

Johnny Baird asked to make a final comment. He voiced his concern that the burden falls on him and others to hire representation to determine the county line.

Cole addressed Johnny Baird's concerns. The district can't address this concern because it doesn't know where the county line is, and the district doesn't have the authority to determine where it is. The district must be an objective 3<sup>rd</sup> party. The burden falls on the people bringing the claim.

**No action taken.**

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

- Permit renewals and invoices for transport fees will be going out. We will come to the Board in the fall to increase transport fees.
- The permit for 7KX was not renewed.
- Belton Partners and Lake Thomas RV Park were renewed.
- Mustang Springs drilling permit has been renewed but they are required to plug the pilot hole.
- JSWSC is still working through their issues.
- The Annual Report will be discussed in Workshop.
- Working with Salado ISD for a possible permit hearing next month.
- Whitney did a great job speaking at the TCEQ public hearing on the Mustang Springs discharge permit. Dirk received several phone calls about it.
- Legislative update. Keep watching information that is sent out related to the Legislative session.

***11. Review monthly report and possible consideration and Board action on the following:***

- a) ***Drought Status Reports*** – Dirk discussed drought status issues and concerns.
- 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.)

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

- **Jody Williams:** None
- **Scott Brooks:** His neighbor's well is dry. No water in it.
- **James Brown:** Absent
- **Gary Young:** None
- **Leland Gersbach:** None

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

- 2024 Annual report final approval
- Potential Permit Hearings for Salado ISD and Harrell Session/Amber Dankert
- Revisit PFAS Study and report on the committee
- Revisit Heidelberg county boundary issue

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

Wednesday, March 12, 2025, 1:30 – CUWCD Board Room – 640 Kennedy Court, Belton

**16. Adjourn.**

**Board meeting closed and Workshop convened with President, Jody Williams, at 3:48 p.m.**

**Workshop Item #1: Receive information related to the 89<sup>th</sup> Legislative Session and Groundwater Legislation.**

Dirk updated the Board on a couple of items in his general manager's report. There will be more information next month.

**Workshop Item #2: Receive a draft of the Annual Report for 2024.**

Board members received a draft copy of the 2024 Annual Report to review. Any edits, comments, or suggestions should be submitted to Tristin by Monday, March 3<sup>rd</sup>. The final report will be presented at the March meeting.

**Workshop Item #3: Receive information related to new building signage design.**

Dirk commented that he has spoken with a gentleman regarding new signage for the building. He has not received the design or quote yet but should have by the next meeting.

**Workshop Item #4: Receive information related to a cloud-based meter program for agricultural irrigators.**

Dirk presented information related to the McCrometer cloud-based metering program. He noted that this would be a pilot program for agricultural irrigators like Jody Williams and Mr. Mikeska.

**Workshop Item #5: Receive updates related to GMA8 DFC determination, per TWC section 36.108, and plans for the next round.**

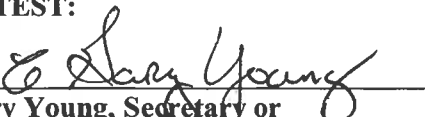
Not comfortable with the new Edwards BFZ GAM. They have had several meetings to discuss the issues and will work through it. This will be discussed at the next GMA8 meeting on February 25<sup>th</sup>.

**Workshop closed with President, Jody Williams, at 4:12 p.m.**



Jody Williams, President or  
Leland Gersbach, Vice President

ATTEST:



Gary Young, Secretary or  
Dirk Aaron, Assistant Secretary