

# UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

MONDAY, OCTOBER 17, 2016

## MINUTES OF MEETINGS OF THE BOARD OF DIRECTORS

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### INTRODUCTORY MATTERS

1. Welcome guests and members of the public. The meeting convened at 5:00 p.m.
  2. Roll call; establish a quorum; call Show Cause Hearing and Regular Board Meeting to order; declare them open to the public.  
  
Directors Present: Tim Watts, Mike Berkley, Tracy Mesler, Mike Massey, Richard English, and Don Majka  
  
Directors Absent: Dan Caudle and Billy Stout
  3. Pledges of allegiance to the flags.
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### SHOW CAUSE HEARING

1. Sean Jarboe spoke on behalf of Yes Communities. Director Massey moved to find Yes Communities committed a first major violation of District Rule 7.4 Failure to Make Fee Payments and assessed a \$250.00 penalty as well as a 10% late payment penalty for the 2013-2015 Water Production Reports, in addition to water production fees due through June 2016 (invoices 804143-804146). Director Majka seconded the motion. The motion passed unanimously.
  2. President Mesler adjourned the Show Cause Hearing for Yes Communities at 5:14 pm.
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### REGULAR BOARD MEETING

1. Public comment was made during the Show Cause Hearing.
2. Director Majka moved to approve the Consent Agenda, including minutes from Board meeting on September 19, 2016; bank statement ending September 30, 2016, and current financial reports of the District; approve payment of all bills/invoices received through October 17, 2016; reimburse staff for invoices/bills paid on behalf of the District through October 17, 2016. Director Watts seconded the motion. The motion passed unanimously.
3. No items were pulled from the Consent Agenda for further discussion.
4. Discussion regarding what should be included as items on Consent Agenda and what supporting material should be made regularly available for each meeting will continue at the next Regular Board Meeting, after staff consults with their auditor.
5. Director Massey moved to accept the Quarterly Investment Report and recommendations as presented. Director Berkley seconded the motion. The motion passed unanimously.
6. GM Shaw presented the Board with draft language, including an addendum provided by Director Massey, to be included as part of the Policy and Technical Justification section of the GMA 8 DFC Explanatory

Report. President Mesler moved to authorize GM Shaw, Attorney Brian Sledge, and Director Massey to continue to work on the document and submit it to GMA 8 by November 1, 2016. Director English seconded the motion. The motion passed unanimously.

7. Wade Oliver of INTERA presented the updated results from the recently commissioned spacing study. Director Massey moved to authorize INTERA to work with GM Shaw to develop a demonstration of a web-based tool that will allow District staff to identify potential localized impacts of proposed and existing subdivisions in an amount not to exceed \$5,000. Director English seconded the motion. The motion passed unanimously.
8. Director Watts moved to accept the updates to the District's Personnel Policy as presented and set the maximum amount of accrued compensatory hours at 100. Director Majka seconded the motion. The motion passed unanimously. The annual GM review was discussed in Executive Session.
9. The Board was presented with an initial working Draft of the District's 2017 Budget. Staff will work with the Chair of the Budget and Finance Committee to present an updated Draft for formal consideration at the next Regular Board Meeting.
10. **Management Report on Administrative and Operational Issues**
  - GM Shaw introduced Jacob Dove, the District's new Field Technician
  - Staff will purchase 3 pressure transducers/data loggers to install in 3 monitoring wells.
    - A. No action was taken in the General Manager's report.
    - B. Report on delinquent customers of the District; no action was taken.
    - C. Public Information Act Requests; none reported.
    - D. Education and outreach update was submitted to the Board.
    - E. Report on injection well applications filed with the Railroad Commission was submitted to the Board.
    - F. Well Registration and Groundwater Production Reports were submitted to the Board.
11. General Counsel's Report was discussed in Executive Session.
12. Director Majka moved to make the following amendments to the 2016 budget, which was recommended by staff:
  - Move \$8,000 from Salary to Payroll Expense (Tax Liability)
  - Move \$300 from Exception Fee Expense to Dues & FeesDirector Massey seconded the motion; motion carried unanimously.
13. The next Regular Board meeting will be Monday, November 21, 2016, in the Springtown office at 5:00 p.m.
14. In addition to topics already mentioned, the Board will also discuss and consider the Investment Plan, 2017 Meeting dates, 2017 District Holidays, Retention Policy and Allocation of Funds in the next Regular Board Meeting.

At 6:53 p.m., the Board went into Executive Session under Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, concerning attorney-client matters (§551.071) and personnel matters (§551.074).

President Mesler called the meeting back into open session at 7:40 p.m.


8. Director English moved to approve the change to the General Manager's salary (effective January 1, 2017) as recommended by the Policy and Personnel Committee in Executive Session. Director Berkley seconded the motion. The motion passed unanimously.

15. President Mesler adjourned the meeting at 7:43 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this

21 day of November, 2016.

Attest:

  
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Tracy Mesler, President

  
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Richard English, Secretary/Treasurer