

# UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

THURSDAY, JANUARY 19, 2017

## 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 Public Hearing and Regular Board Meeting to order; declare them open to the public.  
Directors Present: Tracy Mesler, Mike Massey, Tim Watts, Don Majka, and Dan Caudle  
Directors Absent: Richard English, Mike Berkley, and Billy Stout
  3. Pledges of allegiance to the flags.
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### PUBLIC HEARING

1. Devan Pharis and Matt Van Hattem spoke on behalf of Vaquero Peaster Partners LP. Director Massey moved to approve the new well application and application for exception to spacing requirements submitted by Vaquero Peaster Partners LP to be located at 3631 Harwell Lake Road Peaster, TX, in Parker County. The Motion included a requirement that the well be completed to standards (pump size, production capacity depth etc.) set forth in the application submitted to the District. Director Majka seconded the motion. The motion passed unanimously.
  2. President Mesler adjourned the Public Hearing for Vaquero Peaster Partners LP at 5:12 p.m.
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### REGULAR BOARD MEETING

1. In addition to those made during the Public Hearing, Public Comments were also made during agenda item 6 B.
2. Director Massey moved to approve the Consent Agenda, including minutes from Board meeting on December 19, 2016; bank statement ending December 31, 2016, and current financial reports of the District; approve payment of all bills/invoices (including addition of payment to SledgeLaw Group for \$15,393.69) received through January 19, 2017; reimburse staff for invoices/bills paid on behalf of the District through January 19, 2017. Director Watts seconded the motion. The motion passed unanimously.
3. No items were pulled from the Consent Agenda for further discussion.
4. General Counsel's Report was held in Executive Session.
5. **Management Report on Administrative and Operational Issues:** The General Manager and staff will brief the Board on the following and any other items included in the General Manager's written report, which may be discussed, considered, and acted upon by the Board, including authorizing the initiation of, managing, or resolving enforcement action or litigation where applicable.
  - A. General Manager's report

- 1) On January 5, 2017 the District closed on the real property located at 1855 W HWY 199 Springtown, TX.
  - 2) On January 3, Collier Consulting delivered the live version the District's new data system (HYDROS). District staff will fully test the system prior to acceptance and release of the 30% retainage.
  - B. Report on delinquent customers of the District; no action was taken.
  - C. Report on Education and Outreach activities; no action was taken.
  - D. Report on injection well applications filed with the Railroad Commission; no action was taken.
  - E. Well Registration and Groundwater Production reports; no action was taken.
6. Discussion regarding potential violation of District Rules, drilling a well without an approved registration, by the following; take action as necessary:
    - A. Director Massey moved to authorize GM Shaw to offer a settlement to Jared Hampton of Zack Burkett Company (Driller) and Mike James (Owner) or current owner at Turkey Creek Rd. Bowie, TX (Montague County). The settlement includes a first major violation of District Rules (Rule 3.5 (a)), a \$250 penalty (each), and registration of the well in question. Director Watts seconded the motion. The motion passed unanimously.
    - B. Nathan Kruzic spoke on behalf of the Springs Event Center LLC. Director Massey moved to authorize GM Shaw to offer a settlement to Thomas Gasmann of Earth Tech (Driller) and Springs Event Center LLC (Owner), 454 Thompson Rd. Weatherford, TX (Parker County). The settlement included a first major violation of District Rules (Rule 3.5 (a)), a \$250 penalty (each), and registration of the well in question. Because the well does not qualify for exemptions from District requirements to meter, report and pay associated fees; the settlement for the Springs Event Center also includes verification that a meter has been installed on the well, reporting of all water produced from the well from time of completion through December, 31 2016 and the payment of fees associated with that production (22 cents/1,000 gallons). Director Watts seconded the motion. The motion passed unanimously.
    - C. No action was taken regarding Matthew Gaston (Owner and Driller), FM 2953 Saint Jo, TX (Montague County).
  7. Discussion regarding the upcoming Groundwater Management Area (GMA8) meeting was held in Executive Session.
  8. Discussion regarding the development of District Rules; no action was taken.
  9. Director Massey moved to approve the Quarterly Investment Report as presented. Director Caudle seconded the motion. The motion passed unanimously.
  10. Director Watts moved to authorize GM Shaw and Legal Counsel to complete and publish Request for Qualifications (RFQ) for Architectural/Engineering Design Services due to the District by February 24, 2017. Director Majka seconded the motion. The motion passed unanimously.
  11. No budget amendment(s) were necessary.
  12. The next Regular Board meeting is tentatively scheduled to be held on Monday, February 27, 2017, at the District's Springtown office at 1250 E. Highway 199, Springtown. There was discussion regarding a work session to start at 5:00 p.m. at the District's new property (1855 W HWY 199, Springtown) and calling the Regular meeting to order at 5:30 p.m.; once a final decision is made Directors will notified and the agenda will reflect the proper times and locations.

13. No new business was placed on the next meeting agenda.

At 6:02 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).


President Mesler called the meeting back into open session at 6:50 p.m. and announced no action would be taken as a result of the executive session.

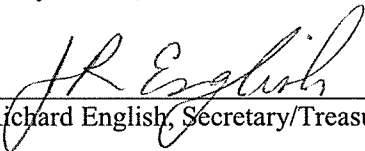
14. President Mesler adjourned the meeting at 6:51 p.m.

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

27 day of February, 2017.

Attest:

  
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Tracy Mesler, President

  
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Richard English, Secretary/Treasurer