

# UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

MONDAY, MARCH 20, 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, Richard English, Mike Berkley, and Dan Caudle  
  
Directors Absent: Billy Stout
  3. Pledges of allegiance to the flags.
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### PUBLIC HEARING

1. Don Mark Walden spoke on behalf of Nedlaw Properties (Little Texas Stars Daycare). GM Shaw read a letter from David and Linda Gonzales; they oppose the proposed well because it is too close to their existing water well (about 60 ft.). Director Massey moved to approve the new well application and application for exception to spacing requirements submitted by Nedlaw Properties LLC (Little Texas Stars Daycare) to be located at 8455 FM 920, Weatherford, TX (Peaster) in Parker County, so long as the following conditions are met: (1) install a meter on the well, report water usage to the District (no water usage fees will be assessed) not to exceed 2,800 gallons per week; (2) no irrigation from the water well; and (3) pressure seal to 200 feet and submit a cement bond log to the District upon completion. Director English seconded the motion. The motion passed unanimously.
  2. President Mesler adjourned the Public Hearing for Nedlaw Properties LLC (Little Texas Stars Daycare) at 5:35 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 4.
2. Director Majka moved to approve the Consent Agenda, including minutes from Board meeting on February 27, 2017; bank statement ending February 28, 2017, and current financial reports of the District; approve payment of all bills/invoices received through March 20, 2017; reimbursements for expenses incurred on behalf of the District through March 20, 2017; and the Investment Report. Director Watts seconded the motion. The motion passed unanimously.
3. No items were pulled from the Consent Agenda for further discussion.
4. Sam Jones spoke on behalf of GSBS Architects. Director Massey moved to authorize President Mesler, GM Shaw, and Attorney Brian Sledge to negotiate and for the GM to execute all contracts necessary to complete the architectural design of an office facility for the District. Director Majka seconded the

motion. The motion passed unanimously. In the next Regular Board meeting, Board Directors and staff will review design plans and take action as necessary.

President Mesler called for a brief recess at 6:07 p.m. The board reconvened at 6:15 p.m.

5. Update from INTERA including, but not limited to, a demonstration of a web-based tool that will allow District staff to identify potential localized impacts of proposed and existing wells will be given in the next Regular Board meeting.
6. Discussion regarding new well application submitted by Palo Duro Service Company for a 17 GPM Public Water System well; no action was taken.
7. 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) In upcoming months, the District may need to let CD's mature and allocate funds to pay for the District's new building.
    - 2) Director Caudle is working with District staff, the NRCS and others to develop a plan to fully utilize the District's property in order to illustrate how land management can impact the water cycle.
    - 3) GM Shaw demonstrated the District's new database to the directors.
  - 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
8. Discussion regarding potential violation of District Rules by the following; take action as necessary:
  - A. Director Massey moved that UTGCD finds Alpha Omega Water Wells committed a second major violation of District Rule 4.2 (b) and accepts the payment of the penalty assessed, pursuant to District Rules, in the settlement offer as appropriate settlement, in lieu of litigation, for this violation. Director English seconded the motion. The motion passed unanimously.
  - B. Director Massey moved that UTGCD finds Rio Brazos Water Service Corporation committed a first major violation of District Rule 3.11(b) (3) and accepts the payment of the penalty assessed, pursuant to District Rules, in the settlement offer as appropriate settlement, in lieu of litigation, for this violation. Director Majka seconded the motion. The motion passed unanimously.
9. Director Watts moved to authorize GM Shaw to sign the engagement letter from Boucher, Morgan and Young dated March 6, 2017 to audit the financial statements of activities for fiscal year 2016, including expenses not to exceed \$19,500. Director Berkley seconded the motion. The motion carried unanimously.
10. Attorney Brian Sledge of SledgeLaw Group briefed the Board on pertinent legal issues and developments impacting the District since the last regular Board meeting, and legal counsel's activities on behalf of the District, including groundwater-related legislative activities.
11. Discussion regarding the development of District Rules; no action was taken.
12. No budget amendment(s) were necessary.

13. The next Regular Board meeting is scheduled for Monday, April 17 at the District's office at 5:00 p.m.

14. Aside from topics already mentioned, no new business was placed on the next meeting agenda.


15. President Mesler adjourned the meeting at 7:35 p.m.

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

17 day of April, 2017.

Attest:

  
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Tracy Mesler, President

  
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Richard English, Secretary/Treasurer