

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, SEPTEMBER 18, 2017
MINUTES OF MEETINGS
OF THE
BOARD OF DIRECTORS

INTRODUCTORY MATTERS

1. Welcome guests and members of the public. The meeting convened at 5:03 p.m.
2. Roll call; establish a quorum; call Public Hearings and Regular Board Meeting to order; declare them open to the public.
Directors Present: Tracy Mesler, Mike Massey, Tim Watts, Don Majka and Mike Berkley
Directors Absent: Richard English, Dan Caudle and Jerrod Mowery
3. Pledges of allegiance to the flags.

PUBLIC HEARINGS

1. Discussion continued from August 21, 2017 regarding two new well applications and two applications for exception to spacing requirements submitted by Stonegate Partners - Deer Creek LP, to be located near the Town of Annetta, TX in Parker County.

At 5:45 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 public hearing back into open session at 6:37 p.m.

2. President Mesler announced the Public Hearing for Stonegate Partners - Deer Creek LP will continue on Monday, October 16 at the District's office at 5:00 p.m.
3. Richard Kienle represented Rio Brazos Water Supply Company in the discussion regarding a new well application and application for exception to spacing requirements submitted by Rio Brazos Water Supply Company, located at Old Thorpe Springs and FM 2580, Rio Brazos Subdivision, Weatherford, TX in Parker County. Director Watts moved to approve both the application for exception to spacing requirements as well as the application for a new well as granted, providing the District's General Manager finds a suitable location for the well within 50'-100' of the proposed location. Furthermore, (1) once a well driller is selected, they must sign and complete the application for a new well prior to the well being drilled and (2) once production begins from the new well all production must cease and the existing Well #3 shall be plugged according to State standards. Director Majka seconded the motion. The motion passed unanimously.
4. President Mesler adjourned the Public Hearing for Rio Brazos Water Supply Company at 6:55 p.m.

REGULAR BOARD MEETING

1. No public comments were made in addition to those made during the Public Hearings.
2. Director Massey moved to approve the Consent Agenda, including minutes from the Regular Board Meeting on August 21, 2017; approve the bank statement ending August 31, 2017, and current financial reports of the District; approve the Investment Report; approve payment of all bills/invoices received through September

18, 2017; and reimbursements for expenses incurred on behalf of the District through September 18, 2017. Director Berkley seconded the motion. The motion passed unanimously.

3. No items were pulled from the Consent Agenda for further discussion.
4. In the discussion regarding the development of the District's new office facility, Director Berkley moved to authorize GM Shaw to purchase a tractor with the attachments/implements as discussed for the ongoing maintenance and upkeep of the District's property in an amount not to exceed \$26,000. Director Majka seconded the motion. The motion passed unanimously.
5. Director Massey move to authorize GM Shaw to submit, in writing, a notice to the landlord that the District will be terminating its commercial lease at the end of year three as set forth in the Commercial Lease for the District's current office. The motion also authorized GM Shaw to attempt to negotiate a month-to-month option with the landlord, in case the new office is not completed upon termination of the District's existing lease. Director Berkley seconded the motion. The motion passed unanimously.
6. **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 written report was provided to the directors prior to the meeting.
 - The District will potentially hold two Public Hearings on Monday, October 16 at the District's office at 5:00 p.m., to discuss and consider four new well applications and applications for exception to spacing requirements submitted by AquaTexas, for two proposed subdivisions in Wise County.
 - Director Majka moved to authorize GM Shaw to send a letter to the Texas Department of Licensing and Regulation (TDLR) stating the District's interest in entering into a Memorandum of Understanding (MOU) with the TDLR for enforcement coordination on abandoned and deteriorated water wells in the District. Director Watts seconded the motion. The motion passed unanimously.
 - 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
7. Attorney Brian Sledge of SledgeLaw Group had no updates for the General Counsel's Report.
8. Discussion regarding the development of fiscal year 2018 Draft Budget in regards to legal services was held in Executive Session.
9. Director Berkley moved to adopt budget amendments as recommended by staff, including creating a sub-category for Capital Expenses-RE Purchase & Development for the purchase of equipment and furniture related to the new facility. Motion includes moving \$20,000 from the Hydrology/Engineering line item and \$10,000 from the Advertising/Public Relations line item to fund this item. Director Massey seconded the motion. Motion passed unanimously.
10. Discussion regarding the development of District Rules was held in Executive Session.

At 7:35 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 public hearing back into open session at 8:55 p.m. and announced no action would be taken as a result of the executive session.

11. The next Public Hearing and Regular Board meeting are scheduled for Monday, October 16 at the District's office at 5:00 p.m.
12. In addition to topics already mentioned, the Board directed staff to prepare a recommendation and Resolution regarding the fees charged for New Well Applications and place an item on the next agenda to allow for the adoption of that resolution.
13. President Mesler adjourned the meeting at 8:56 p.m.

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

16 day of October, 2017.

Attest:



Tracy Mesler, President



Tim Watts, Secretary/Treasurer