

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, NOVEMBER 20, 2017
MINUTES OF MEETINGS
OF THE
BOARD OF DIRECTORS

INTRODUCTORY MATTERS

1. Welcome guests and members of the public. The meeting convened at 5:01 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, Don Majka, Richard English, and Dan Caudle
Directors Absent: Tim Watts, Jerrod Mowery and Mike Berkley
3. Pledges of allegiance to the flags.

PUBLIC HEARINGS

1. Matt Van Hattem of Collier Consulting, Nancy Foust, and Melinda Darrah participated in the discussion regarding two new well applications and two applications for exception to spacing requirements submitted by Aqua Texas, to provide water to the Hillcrest Meadows subdivision, located at the intersection of CR 4010 and CR 4213 southeast of Decatur, TX in Wise County.

At 5:21 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 5:46 p.m.

President Mesler moved to approve the two new well applications and two applications for exception to spacing requirements, with the condition that Aqua Texas agrees to allow any existing well owner within Aqua Texas' CCN to connect to Aqua Texas' system for an amount not to exceed \$1,200 at any time. Director English seconded the motion. The motion passed unanimously.

2. President Mesler adjourned the Public Hearing for Aqua Texas at 5:47 pm.
3. Matt Van Hattem of Collier Consulting, Steve Hilliard and Tim Fleet participated in the discussion regarding two new well applications and two applications for exception to spacing requirements submitted by Aqua Texas, to provide water to the Single Tree subdivision, located at the intersection of FM 2264 and CR 4223 southeast of Decatur, TX in Wise County. President Mesler moved to approve the two new well applications and two applications for exception to spacing requirements, with the condition that Aqua Texas agrees to allow any existing well owner within Aqua Texas' CCN to connect to Aqua Texas' system for an amount not to exceed \$1,200 at any time. Director English seconded the motion. The motion passed unanimously.
4. President Mesler adjourned the Public Hearing for Aqua Texas at 6:03 pm.
5. Clint Yeager and Kimberly Cole, both of the Walsh Homeowners Association, and John Reding, nearby landowner, participated in the discussion regarding a new well application submitted by Walsh Homeowners Association for the purpose of filling an amenity pond in the proposed Walsh Ranch development in eastern Parker County. Director Massey moved to deny the application for exception to spacing requirements on the basis of proposed volume, use and location of the well. Director English seconded the motion. Motion passed unanimously.

6. President Mesler adjourned the Public Hearing for Walsh Homeowners Association at 6:15 pm.
7. Director Massey moved to amend the District's "Temporary Rules for Water Wells in Hood, Montague, Parker, and Wise Counties, Texas" in order to amend definition 38 (e) in the rules to achieve consistency with Chapter 36 of the Texas Water Code. Director Caudle seconded the motion. The motion passed unanimously.
8. President Mesler adjourned the Public Hearing for District's temporary rules at 6:20 pm.

REGULAR BOARD MEETING

1. Public comments were made in the Public Hearings.
2. Director Majka moved to approve the Consent Agenda, including minutes from the Public Hearings and Regular Board Meeting on October 16, 2017; approve the bank statement ending October 31, 2017, and current financial reports of the District; approve the Investment Report; approve payment of all bills/invoices received through November 20, 2017; and reimbursements for expenses incurred on behalf of the District through November 20, 2017. Director Massey 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 Massey moved to authorize GM Shaw to accept "Change Order 3," which includes road base at the entrance and bullet-proof glass/wall panels, in an amount not to exceed \$6,920. Director Caudle seconded the motion. The motion passed unanimously. GM Shaw will obtain quotes on a privacy fence by the next Regular Board meeting.
5. Director Massey moved to authorize GM Shaw to enter into an agreement with Intera to drill two monitoring wells at the District's new property in Springtown, TX in an amount not to exceed \$50,000, INTERA shall obtain a minimum of three bids from water well drilling companies. Director Mesler 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
 - B. Report on delinquent customers of the District and take any necessary action for collection of delinquent fees; 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. Director Massey moved to authorize GM Shaw to offer a settlement to Theron Bryant and Casey Tounget regarding two major violations, per well, of District Rules by two unregistered water wells near the Morningstar Development on FM 3325 (Farmer Road) in Parker County. Settlement will include the required registration of the wells in question, installation of meters on each of the wells in question, four major violations with an associated penalty fee in the amount of \$1,000 for each of the four violations. The settlement also included a requirement to submit proof when the wells became operational and proof regarding the total volume of water produced by month for each well so that the District may assess water use fees, plus late payment penalties. If the owners fail to provide proof of groundwater production District staff will assume constant pumping at the observed gallons per minute (33 gpm for each well) from the time

the wells became operational until the date meters are installed. Director Majka seconded the motion. Motion passed unanimously.

8. Director Massey moved to adopt the District's Investment Policy, as amended, and adopt Resolution 17-006 Adopting an Investment Plan for the District. Director English seconded the motion. The motion passed unanimously.
9. Director Massey moved to adopt the proposed 2018 budget (with revisions) and adopt Resolution 17-005 Adopting a Budget for 2018 (with minor revisions). Director Majka seconded the motion. The motion passed unanimously.

Director Massey moved to adopt Resolution 17-003 Allocation of Funds for the District. Director Mesler seconded the motion. The motion passed unanimously.

10. Budget amendment(s) will be made in the next Regular Board meeting.
11. Attorney Brian Sledge of SledgeLaw Group had no updates for the General Counsel's Report.
12. Discussion regarding the development of District Rules was held in Executive Session.

At 7:18 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 Regular Board meeting back into open session at 8:19 p.m. and announced no action would be taken as a result of the executive session.

13. A Public Hearing and Regular Board meeting are scheduled for Monday, December 18 at the District's office at 5:00 p.m.
14. In addition to topics already mentioned, no new business was placed on the next meeting agenda.
15. President Mesler adjourned the meeting at 8:20 p.m.

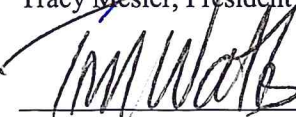
PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this

18 day of December, 2017.

Attest:



Tracy Mesler, President



Tim Watts, Secretary/Treasurer