

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, JUNE 18, 2018
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 Hearing and Board Meeting to order; declare them open to the public.

Directors Present: Tim Watts, Tracy Mesler, Mike Massey, Don Majka, Richard English, Shannon Nave, and Mike Berkley

Director Absent: Brent Wilson
 3. Pledges of allegiance to the flags were recited.
-

PUBLIC HEARING

1. Aaron Collier, of Collier Consulting represented Aqua TX, James Fling, Sean Heady, Kurt Carter, Brent Watkins, and Samuel Frankenfield represented themselves in the discussion regarding three new well applications and three applications for exception to spacing requirements submitted by Aqua Texas, for the purpose of providing additional water to the Chisholm Springs subdivision, located on U.S. HWY 287 in Southeast Wise County. The board and staff heard and answered several questions from the public regarding the applications. Director English moved to approve the new well applications and applications for exception to spacing requirements with the following conditions: (1) once selected, the well drilling contractor must complete and sign the portion of the applications related to well driller; (2) the applicants must submit a copy of TCEQ's preliminary approval related to the design of the three wells; (3) the applicant is required to provide all geophysical/electric logs related to the three wells to the District; and (4) the applicant shall provide proof to District Staff of deed recordation disallowing the drilling of private wells in the proposed phases of the subdivision. Director Massey seconded the motion. Aye-5 Nay-2; the motion passed.
 2. President Mesler adjourned the Public Hearing for Aqua Texas at 5:46 p.m.
-

REGULAR BOARD MEETING

1. Public comments were made during the Public Hearing.
2. Director Massey moved to approve the Consent Agenda, including minutes from the Special Called Meeting, Public Hearing and Regular Board Meeting on May 21, 2018; approve the bank statement ending May 31, 2018, and current financial reports of the District; approve the Investment Report; approve payment of all bills/invoices received through June 18, 2018; and reimbursements for expenses incurred on behalf of the District through June 18, 2018 (including mileage reimbursements for Director Majka \$71.94 and Director English \$266.48). Director English seconded the motion. The motion passed unanimously.
3. No items were pulled from the Consent Agenda for further discussion.
4. **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) Update on Draft 2017 Water Level Trend Analysis; no action was taken.
 - B. Report on delinquent customers of the District and take any necessary action for collection of delinquent fees.
 - 1) Update on Horseshoe Bend Water Works and Sunset Water Systems was given in Executive Session.
 - 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.
5. Attorney Brian Sledge of SledgeLaw Group provided updates on pertinent legal issues and developments impacting the District since the last Regular Board Meeting in executive session.

At 6:09 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).

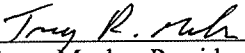
President Mesler called the Regular Board Meeting back into open session at 7:12 p.m.

Director Berkley moved to authorize District's Legal Counsel and GM Shaw to initiate and prosecute lawsuits in the name of the District against Horseshoe Bend Water Works and Sunset Water Systems, their owners and operators, for previously-listed violations of the District Rules. Lawsuit is to recover fees and civil penalties, attorney's fees, expenses and cost of court fees in the appropriate court of competent jurisdiction. Director Majka seconded the motion. The motion passed unanimously.

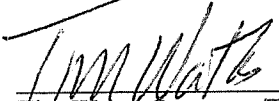
- 6. Discussion regarding the development of District Rules was held in the executive session.
- 7. The next Regular Board Meeting is scheduled for Monday, July 16, 2018 at the District's office at 5:00 p.m.
- 8. Presentation and discussion regarding the Annual Financial Report for the year ended December 31, 2017 was placed on the next meeting agenda.
- 9. President Mesler adjourned the meeting at 7:13 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 16 day of July, 2018.

Attest:



Tracy Mesler, President



Tim Watts, Secretary/Treasurer