

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, NOVEMBER 19, 2018
MINUTES OF MEETINGS
OF THE
BOARD OF DIRECTORS

INTRODUCTORY MATTERS

1. Welcome guests and members of the public. The meeting convened at 4:00 p.m.
2. Roll call; establish a quorum; call Public Hearings and Board Meeting to order; declare them open to the public.
Directors Present: Richard English, Tracy Mesler, Mike Massey, Don Majka, Shannon Nave, and Brent Wilson
Director Absent: Tim Watts and Mike Berkley
3. Pledges of allegiance to the flags were recited.

PUBLIC HEARING

3. President Mesler took item #3 out of order. Victoria Harkins of Harkins Engineering represented Town of Annetta. Bruce Pinckard, Mayor of Town of Annetta, submitted his written comments in advance. Drew Ryan, Rebecca Calhoun, Lana Fields, Aron Stewart, George Bledsoe and Rebecca Ryan represented themselves in the discussion regarding a new well application and an application for exception to spacing requirements submitted by Town of Annetta, for the purpose of providing additional water to Town of Annetta in Parker County.

At 4:21 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 Regular Board Meeting back into open session at 4:31 p.m.

4. Director Wilson moved to continue the Public Hearing for Town of Annetta on January 28, 2019 at 5:00 pm., in order to allow staff to run models with existing well locations. Director Nave seconded the motion. The motion passed unanimously.

President Mesler closed the Public Hearing for Town of Annetta at 4:34 p.m.

REGULAR BOARD MEETING

5. President Mesler took item #5 out of order. Robert Beaman represented R&B Mobile Homes in the discussion regarding a new well application and an application for exception to spacing requirements submitted by R&B Mobile Homes Inc. in Decatur, Wise County. Director English moved to approve the new well application and an application for exception in a location that is acceptable to GM Shaw, and which will minimize impact to neighboring properties. Director Majka seconded the motion. The motion passed Aye-5 Nay-1.

President Mesler closed the Regular Board meeting for item #5 at 4:52 p.m.

PUBLIC HEARINGS

1. GM Shaw gave a brief presentation on the proposed "District Rules for Water Wells in Hood, Montague, Parker, and Wise Counties, Texas". The board and staff received and responded to questions and comments regarding the proposed changes from the public, including Larry Walden, Sharon Hicks, Darryl Waldock, George Bledsoe, Judy Reeves, David Cook, Landry Burdine, Deionne Miles, Tyler Milton, Kathy Chruscielski, Doug Deweese, Charlie Daniels, Don Allen, Kerry Graham, Derrad Dickson, Mike Scott, Gerald Hobson, K.C. Miles, Lisa Elkins and others. Written comments submitted prior to the Public Hearing have been attached to these minutes.
2. The Public Hearing regarding development of District Rules will continue December 17, 2018 at 4:00 p.m.

President Mesler called for a brief recess at 6:42 p.m. The board reconvened at 6:52 p.m.

5. Matt Van Hattem of Collier Consulting spoke on behalf of Aqua Texas in the discussion regarding an application for an amendment to an approved public water supply well submitted by Aqua Texas, for the purpose of providing additional water for the expansion of the Hillcrest Meadows subdivision in Wise County.

Director Massey moved to approve the amendment to an approved application and application for exception to spacing requirements with the condition the applicant agrees to enter into an agreement with the District to allow for the ongoing measurement of water levels in the wells. Director Majka seconded the motion. The motion passed unanimously.

6. President Mesler adjourned the Public Hearing for Aqua Texas.

REGULAR BOARD MEETING

1. Director Massey moved to approve the Consent Agenda, including minutes from Public Hearing and Regular Board Meeting on October 15, 2018; approval of the bank statement ending October 31, 2018, and current financial reports of the District; approval of Investment Report; approve payment of all bills/invoices received through November 19, 2018; and reimbursements for expenses incurred on behalf of the District through November 19, 2018 (including additions from Directors Majka and English). Director Nave seconded the motion. The motion passed unanimously.
2. No items were pulled from consent agenda for further discussion.
3. In the discussion regarding two requests for a refund for all Registration Application Fees related to Well ID 11447, submitted by Jimmie Miller, and Well ID 11435, submitted by Barbara King, Director Massey stated that since we have been advised by Wise County officials that the drilling of individual private wells in the Highland Hills subdivision is inconsistent with the plat that was approved by the County for that subdivision, and approval by this District of this application for exception to the minimum tract size requirements would run afoul of the County's rules. Director Majka then made the following motion, "I recommend and move that the District revoke the approval of this application. And, because this only recently came to our attention and is an unusual circumstance, I would add to my motion that we authorize the General Manager to refund the application fee." Director Massey seconded the motion. The motion passed unanimously.
4. Director Massey moved to approve a new well application and an application for exception to spacing requirements submitted by Larry McDaniel in Bowie, Montague County contingent upon the applicant

obtaining an approved permit for an on-site-sewage system from Montague County. Director Majka seconded the motion. The motion passed unanimously.

6. Director English moved to adopt the District's Investment Policy as presented and adopt Resolution 18-009 Adopting an Investment Plan for the District. Director Majka seconded the motion. The motion passed unanimously.
7. Director Massey moved to approve the Investment Officer's investment recommendation, which included adding The Community Bank in Springtown and First State Bank in Bridgeport to the District's list of approved depositories and purchasing a \$240,000 Certificate of Deposit from the Community Bank in Springtown. Director Wilson seconded the motion. The motion passed unanimously.
8. Director Mesler moved to authorize GM Shaw to execute the necessary documents in order to enter into a service agreement with the City of Fort Worth for laboratory services. Director Majka seconded the motion. The motion passed unanimously.
9. Director Massey moved to adopt Resolution 18-010 Allocation of Funds for the District (with minor revisions recommended by the District's auditor). Director English seconded the motion. The motion passed unanimously.

Director English moved to approve the proposed 2019 Budget and allocation of District funds and adopt Resolution 18-011 Adopting a Budget for 2019. Director Nave seconded the motion. The motion passed unanimously.

10. **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 was submitted to the Board of Directors in advance of the Regular Board meeting; no action was taken.
 - B. In the report on delinquent customers, Director Wilson moved to authorize GM Shaw and the District's legal counsel to submit the returned checks for the outstanding invoices related to Horseshoe Bend's January-June 2018 (18SA1) water usage fees to the District Attorney for legal action. Director English seconded the motion. The motion passed unanimously.
 - 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.
11. Line item expenditures and budget amendment will be discussed in the next Regular Board meeting.
12. 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.
13. Discussion regarding the development of District Rules was held in executive session.

At 7:14 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 8:40 p.m. No action was taken as a result of the Executive Session.


14. Public Hearings and the next Regular Board Meeting are scheduled for Monday, December 17, 2018 at the District's office at 4:00 p.m.
15. In addition to topics already mentioned, the next meeting agenda will include discussion and possible action on the 2019 Regular Board meeting dates and the 2019 Holiday Calendar.
16. Public comment was heard in prior agenda topics.
17. President Mesler adjourned the meeting at 8:41 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 17 day of December 2018.

Attest:



Tracy Mesler, President



Richard English, Vice President