

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, FEBRUARY 25, 2019
MINUTES OF MEETINGS
OF THE
BOARD OF DIRECTORS

INTRODUCTORY MATTERS

1. Welcome guests and members of the public. The meeting convened at 4:12 p.m.
2. Roll call; establish a quorum; call Public Hearings and Board Meeting to order; declare them open to the public.

Directors Present: Tim Watts, Tracy Mesler, Mike Massey, Don Majka, Shannon Nave, Richard English and Mike Berkley (arrived at 4:18 p.m.)

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

PUBLIC HEARINGS

1. Victoria Harkins of Harkins Engineering represented Town of Annetta in the continuation of the Public Hearing from January 28, 2019, regarding a new well application and an application for exception to spacing requirements submitted by Town of Annetta, for the purpose of providing water to the Panther Creek Subdivision in Parker County. The board and staff received and responded to questions and comments regarding the applications from the public, including James Vasich, Jason Dumas, James White, and Scott Williams.

Director Nave moved to approve the new well application and application for exception to spacing requirements with the following conditions: (1) the well must be completed through the Twin Mountains portion of the Trinity Aquifer and sealed to the surface and the well's production capacity must not exceed 35 gallons per minute (gpm); (2) once selected, the well drilling contractor must complete and sign the applicable portion of the application; (3) the applicant must submit a copy of TCEQ's preliminary approval related to the engineering and design of the well; (4) the applicant is required to complete some form of geophysical/electric/gamma log of the boreholes and provide those logs to the District; (5) the applicant agrees to enter into an agreement with the District to allow for the ongoing measurement of water levels in the well; (6) plug the damaged well per Texas Department of Licensing and Regulation (TDLR) requirements; and (7) allow District staff to determine if existing well is suitable for the ongoing measurement of water levels in the well. Director English seconded the motion. Director Berkley abstained. The motion passed.
2. President Mesler adjourned the Public Hearing for Town of Annetta at 4:43 p.m.
3. President Mesler convened the Public Hearing at 4:46 p.m. Victoria Harkins of Harkins Engineering represented Town of Annetta in the continuation of the Public Hearing from January 28, 2019, regarding two new well applications and two applications for exception to spacing requirements submitted by Town of Annetta, for the purpose of providing water to the Aledo Heights subdivision in Parker County. The board and staff received and responded to questions and comments regarding the applications from the public, including Kath Clem, Randy Stevenson, and Carmen Villani.

Director Watts moved to approve the two new well applications and applications for exception to spacing requirements with the following conditions: (1) both wells must be completed through the Twin Mountains portion of the Trinity Aquifer and sealed to the surface and the combined maximum production of the wells shall be 75-100 gpm; (2) once selected, the well drilling contractor must complete and sign the applicable portion of the application; (3) the applicant must submit a copy of TCEQ's preliminary approval related to the engineering and design of the well; (4) the applicant is required to complete some form of geophysical/electric/gamma log of the boreholes and provide those logs to the District; (5) the applicant agrees to enter into an agreement with the District to allow for the ongoing measurement of water levels in the well. Director Nave seconded the motion. The motion passed unanimously.

4. President Mesler adjourned the Public Hearing for Town of Annetta at 5:11 p.m.
5. President Mesler convened the Public Hearing at 5:14 p.m. Donald Cole of D&S water and Kelly Bourne represented Crosswinds RV Park in the discussion regarding a new well application and an application for exception to spacing requirements submitted by Kelly Bourne for the purpose of providing water to the Crosswinds RV Park in Parker County. The board and staff received and responded to questions and comments regarding the applications from the public, including Trey Childers, Debra Routa, and Anne Henley.

Director Nave moved to approve the new well application and application for exception to spacing requirements with the following conditions: (1) the well's production capacity must not exceed 25 gallons per minute (gpm); (2) once selected, the well drilling contractor must complete and sign the applicable portion of the application; (3) the applicant must submit a copy of TCEQ's preliminary approval related to the engineering and design of the well; (4) the applicant is required to complete some form of geophysical/electric/gamma log of the boreholes and provide those logs to the District; and (5) the applicant agrees to enter into an agreement with the District to allow for the ongoing measurement of water levels in the well. Director Massey seconded the motion. The motion failed Aye-4 Nay-3.

6. President Mesler adjourned the Public Hearing for Kelly Bourne on behalf of Crosswinds RV Park at 5:45 p.m.

President Mesler called for a brief recess at 5:46 p.m. The board reconvened at 6:02 p.m.

REGULAR BOARD MEETING

1. Director Massey moved to approve the Consent Agenda, including minutes from Public Hearings and Regular Board Meeting on January 28, 2019; approval of bank statement ending January 31, 2019, and current financial reports of the District; approval of Investment Report; approve payment of bills/invoices received through February 25, 2019; and reimbursements for expenses incurred on behalf of the District through February 25, 2019. Director Berkley seconded the motion. The motion passed unanimously.
2. No items were pulled from consent agenda for further discussion.
3. Director Berkley moved to approve a request by Steven Crabtree for a second 240-day extension to drill an approved domestic well located in Wise County. Director Massey seconded the motion. The motion passed unanimously.
4. The discussion regarding a request by Mr. David Mestemaker for the District to waive the requirement to plug an existing domestic well that was to be replaced by an approved replacement well will be continued at the March 18, 2019 Regular Board meeting. Prior to the March 18 meeting, District staff and a representative from Texas Department of Licensing and Regulation (TDLR) will inspect the existing domestic well to determine if it is deteriorated and a potential contamination risk.

5. **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. 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.
6. Attorney Brian Sledge of SledgeLaw Group gave updates on pertinent legal issues and developments impacting the District during the Executive Session.
7. Discussion regarding the Development of District Rules occurred during the Executive Session.


At 6:21 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) and personnel matters (§551.074).

President Mesler called the Regular Board Meeting back into open session at 8:22 p.m. No action was taken as a result of the Executive Session.

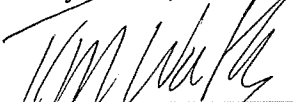
8. The next Regular Board Meeting is scheduled for Monday, March 18, 2019 at the District's office at 5:00 p.m.
9. No new business was placed on the next meeting agenda.
10. Public comment was heard in prior agenda topics.
11. President Mesler adjourned the meeting at 8:25 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 18 day of March 2019.

Attest:



 Tracy Mesler, President



 Tim Watts, Secretary