

NOTICE OF REGULAR MEETING AND SHOW CAUSE HEARING
OF THE
UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

District Office
1250 E. Highway 199, Suite 102
Springtown, TX 76082

Monday, August 17, 2015
Show Cause Hearings and Board Meeting begin at 5:00 PM
Regular Meeting begins at conclusion of Show Cause Hearings

INTRODUCTORY MATTERS

1. Welcome guests and members of the public.
2. Roll call, establish a quorum, call Show Cause Hearings and Board Meeting to order; declare the hearings and board meeting open to the public.
3. Pledges of allegiance to the flags.

SHOW CAUSE HEARINGS

1. Conduct Show Cause Hearing regarding Jeff Bennett (Bennett Water Well Drilling) and Dean Smith (Royal Crest Custom Homes) for alleged major violations of District Rules at 111 Rasha in the Deer Ridge Estates in Parker County: well spacing requirements.
2. Discuss, consider, and take appropriate action regarding the testimony received under item 1, to include authorizing President and/or General Manager to hire appropriate legal counsel to initiate a civil lawsuit in this matter to enforce compliance with the District Rules, including recovery of civil penalties, costs, and attorneys' fees, and all other appropriate legal and equitable relief.
3. Adjourn or continue Show Cause Hearing for Jeff Bennett (Bennett Water Well Drilling) and Dean Smith (Royal Crest Custom Homes).
4. Conduct Show Cause Hearing regarding James Cobb (Malone Well Service) for alleged major violations of District Rules at 120 Deer Grove in the Deer Ridge subdivision in Parker County: well spacing requirements.
5. Discuss, consider, and take appropriate action regarding the testimony received under item 4, to include authorizing President and/or General Manager to hire appropriate legal counsel to initiate a civil lawsuit in this matter to enforce compliance with the District Rules, including recovery of civil penalties, costs, and attorneys' fees, and all other appropriate legal and equitable relief.
6. Adjourn or continue Show Cause Hearing for James Cobb (Malone Well Service).
7. Continue Show Cause Hearing regarding Ray French of Ray French Land, 316 Meadow Hill Rd., Fort Worth; requesting refund of new well registration fees for the Arbors of Brock located on Grindstone Road.
8. Discuss, consider, and take appropriate action regarding the testimony received under item 7, to include authorizing President and/or General Manager to hire appropriate legal counsel to initiate a civil lawsuit in this matter to enforce compliance with the District Rules, including recovery of civil penalties, costs, and attorneys' fees, and all other appropriate legal and equitable relief.

9. Adjourn or continue Show Cause Hearing for Ray French Land.

REGULAR BOARD MEETING

The Board may discuss, consider, and take appropriate action, including expenditure of funds as necessary or appropriate, on any item listed on this agenda:

1. Public comment.
2. **Consent Agenda:** Each of these items is recommended by the Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval of the Consent Agenda authorizes the General Manager or his designee to implement each item in accordance with the Staff recommendations. The consent agenda will be approved as a block. Any Board member that has questions regarding any item on the consent agenda may have the item pulled and considered as a regular item on the agenda. Any items so pulled for separate discussion will be considered as the first items following approval of the consent agenda.
 - A. Approval of minutes from Board meeting on July 20, 2015.
 - B. Approval of bank statement ending June 30, 2015, and current financial report of the District.
 - C. Payment of bills/invoices received through August 17, 2015.
 - D. Reimburse General Manager, Office Manager and/or Field Technician for invoices/bills paid on behalf of the District through August 17, 2015.
3. Any items from consent agenda that were pulled for further discussion.
4. Board consideration and possible approval of Annual Report for year ending December 31, 2014.
5. Policy & Personnel Committee update including, but not limited to, General Manager 6 month review/evaluation; take action as necessary.
6. Public Education Committee update; take action as necessary.
7. Discussion and Possible action to adopt Resolution 15-004: Designating Persons Authorized to Disburse Funds by Check.
8. **Management Report on Administrative and Operational Issues:** The General Manager and staff will brief the Board on the following items, which may be discussed, considered, and acted upon by the Board, including an update on any compliance and enforcement activities for violations of District Rules, including ordering any show cause hearings under District Rule 9.6. or other litigation where applicable.
 - A. General Manager's report
 - 1) Discussion and possible action regarding alleged violation of District Rules at Claire Vista/Bear Country Estates (Parker County).
 - 2) Discussion and possible action regarding a request by the City of Aledo to file and/or request TAGD file an amicus brief in their support.
 - 3) Discussion and possible action regarding potential internship program with Tarleton State University.
 - 4) Discussion and possible action regarding trading in a current District vehicle.
 - B. Investment report
 - C. Report on delinquent customers of the District and take any necessary action for collection of delinquent fees, including but not limited to scheduling of Show Cause hearings for each.
 - D. Open Records Requests
 - E. Report on injection well applications filed with the Railroad Commission

F. Well Registration and Groundwater Volume reports

- 9. General Counsel’s Report: The District's legal counsel will brief the Board on pertinent legal issues and developments impacting the District since the last regular Board meeting, and legal counsel's activities on behalf of the District, including without limitation: waste injection well monitoring activities; District rules enforcement activities; District Rules and District Management Plan development or implementation issues; groundwater-related legislative activities; joint planning and desired future conditions development activities; developments in groundwater case law and submission of legal briefs; contractual issues related to the District; open government, policy, personnel, and financial issues of the District; and other legal activities on behalf of the District.
- 10. Hydrogeologist's Report: The District's Hydrogeologist will brief the Board regarding activities and work it has performed on behalf of the District, take action as necessary.
- 11. Board consideration and possible action regarding proposed Custom Software and Database Restructuring.
- 12. Board discussion on DFC and GMA 8 activities; take action as necessary.
- 13. Review line item expenditures and adopt budget amendment(s) as necessary.
- 14. Determine time and place for next meeting.
- 15. New business to be placed on the next meeting agenda.
- 16. Adjourn board meeting.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. These public meetings and hearings are available to all persons regardless of disability. If you require special assistance to attend the meetings or hearings, please call or (817) 523- 5200 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements.

At any time during the meeting or hearing and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Upper Trinity Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

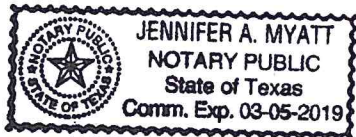
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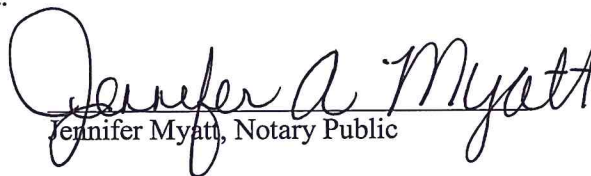
This is to certify that I, Doug Shaw, posted this agenda on the bulletin board of the Administrative Offices of the District at 1250 E. Highway 199, Springtown TX 76082, and also provided this agenda to the County Clerk in Parker County with a request that it be posted at or before 4:00 p.m. on the 14 of August.



Doug Shaw, General Manager

Sworn and subscribed to before me this 14 of August.





Jennifer Myatt, Notary Public