

# UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

MONDAY, OCTOBER 19, 2015

## MINUTES OF MEETINGS OF THE BOARD OF DIRECTORS

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### 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. Welcome guests and members of the public. The meeting convened at 5:01 p.m.
2. Roll call; establish a quorum; call Public Hearings, Show Cause Hearings and Regular Board Meeting to order; declare the hearings and board meeting open to the public.  
  
Directors present: Dan Caudle, Mike Berkley, Tracy Mesler, Mike Massey, Don Majka, Richard English, and Billy Stout  
  
Director absent: Tim Watts
3. Pledges of allegiance to the flags.
4. Public comment was held for Agenda item #9.
5. Director Massey moved to approve the entire consent agenda, including minutes from the Board meeting on September 24, 2015; bank statement ending September 30, 2015, and current financial report of the District; payment of bills/invoices received through October 19; and reimbursements to General Manager, Office Manager and/or Field Technician for invoices/bills paid on behalf of the District through October 19, 2015. Director Caudle seconded the motion. The motion carried unanimously.
6. No items were pulled from the consent agenda for further discussion.
7. Wade Oliver of Intera Incorporated briefed the Board regarding activities and work it has performed on behalf of the District including, Desired Future Conditions (DFCs), updates on GAM Runs 5, 6, 7, and 8, and GMA-8 activities and scheduling. The Board reached consensus on the zoned approach to developing DFCs, as recommended by staff and INTERA. The Board will continue discussions regarding the development and adoption of DFCs at their November meeting.

President Mesler called for a brief recess at 6:35 p.m. The board reconvened at 6:47 p.m.

8. The General Counsel's report was discussed in Executive Session.
9. **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) Director English moved to approve the request from the City of Nocona for a 2nd extension to their application for a new water well. Director Berkley seconded the motion. The motion carried unanimously.
- 2) Director Massey moved to find Colton Aardal of Associated Well Services Inc. committed a first major violation of District Rules 3.5(a), drilling a water well without approval, and 4.3, well spacing requirements; two \$250.00 penalties were assessed and the directive was given to obtain signatures on consent forms from all affected owners by November 9, 2015. Should Mr. Aardal not be able to attain the necessary signatures, he will be required to immediately plug the well. Director Caudle seconded the motion. The motion carried unanimously.
- 3) Aaron and Hughbert Collier of Collier Consulting and Doug Hughes from City of Springtown participated in the Board discussion to consider submitting an application to the Texas Water Development Board in response to the "Request for Applications for Demonstration Projects for Alternative Water Supplies." Director Caudle moved to authorize staff to submit an application to seek funds for the Aquifer Storage and Recovery (ASR) feasibility study in an amount not to exceed 25% of the total costs for phases I and II, should the UTGCD awarded the grant. President Mesler seconded the motion. Aye-2 Nay-4; the motion failed.

At 7:23 p.m., Director Majka left the meeting.

- B. The Board authorized staff to set show cause hearings for Fall Creek Utility Co. and Sunset Water Systems for failure to timely report and pay for water usage.
  - C. Jillian North responded to one Open Record Request in the past month.
  - D. Report on injection well applications filed with the Railroad Commission was provided to the directors in advance.
  - E. Well Registration and Groundwater Volume reports were provided to the directors in advance.
    - 1) The District has received 121 Existing well applications from the newspaper campaign.
  - F. Jillian North provided the Public Education/Advertising update. She will attend the Texas Well Owner Network seminars next week.
10. GM Shaw gave an update to the Board about the socioeconomic impacts reasonably expected to occur and impacts on the interests and rights in private property that may be associated with the adoption of Desired Future Conditions, as required by Texas Water Code Chapter 36.108 (d) (6) & (7). Staff will document the impacts and ask Legal to review before submitting a letter to GMA 8 for inclusion in the Explanatory Report.
11. In the next regular board meeting, the Board of Directors will discuss and take action to renew Medical Coverage for District employees for 2016.
12. Director Massey moved to approve the Investment Officer's Quarterly report with recommendations. Director English seconded the motion. The motion passed unanimously.

13. Director Berkley moved to adopt Resolution 15-005 Setting Water Use Fees for 2016, which set the water usage fees at \$0.22 per thousand gallons. Director Massey seconded the motion. The motion carried unanimously. Staff will mail a notice this month to all non-exempt well owners.
14. At the next regular board meeting, the Board of Directors will discuss and possibly take action to adopt the proposed 2016 budget by Resolution 15-006 'Adopting a Budget for 2016'.
15. At the next regular board meeting, the Board of Directors will discuss and may take action to adopt dates for meetings in 2016.
16. No budget amendments were requested.
17. The next Regular Board meeting will be November 16, 2015, in the Springtown office at 5:00 p.m.

At 8:23 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 meeting back into open session at 8:42 p.m. and announced no action would be taken as a result of the executive session.

18. Aside from the topics already mentioned, no new business was placed on the next meeting agenda.

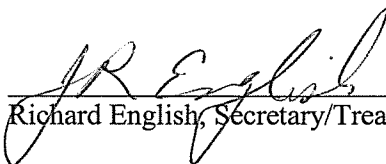
19. President Mesler adjourned the meeting at 8:43 p.m.

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

19th day of November, 2015.

Attest:

  
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Tracy Mesler, President

  
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Richard English, Secretary/Treasurer