

**UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, OCTOBER 15, 2018
MINUTES OF MEETINGS
OF THE
BOARD OF DIRECTORS**

INTRODUCTORY MATTERS

1. Welcome guests and members of the public. The meeting convened at 5:00 p.m.
2. Roll call; establish a quorum; call Public Hearing and Board Meeting to order; declare them open to the public.
Directors Present: Tracy Mesler, Mike Massey, Don Majka, Shannon Nave, and Brent Wilson
Director Absent: Tim Watts, Richard English, and Mike Berkley
3. Pledges of allegiance to the flags were recited.

PUBLIC HEARING

1. GM Shaw gave a brief presentation on the proposed changes to the District's 2018 Management Plan. Director Nave moved to approve the District's 2018 Management Plan with minor revisions and adopt Resolution 18-008 Adopting a Management Plan. The motion also granted GM Shaw authority to make revisions to the District's 2018 Management Plan, if requested by the Texas Water Development Board, without seeking further approval from the Board. Director Massey seconded the motion. The motion passed unanimously.
2. President Mesler adjourned the Public Hearing for the District's 2018 Management Plan at 5:09 p.m.

REGULAR BOARD MEETING

16. President Mesler took Public comment out of order. Mr. Ron Dupree expressed his concerns regarding the proposed Deer Glade subdivision south of Azle and adjacent to the existing Deer Ridge subdivision. The proposed development would include 143 lots with private water wells at each lot. Mr. Dupree lives very near the area and reported that many of his neighbors experienced significant issues with their water wells this past summer. He also stated that there is growing concern regarding the sustainability of groundwater resources in the area.
1. Director Majka moved to approve the Consent Agenda, including minutes from Public Hearing and Regular Board Meeting on September 17, 2018; approval of the bank statement ending September 28, 2018, and current financial reports of the District; approve payment of all bills/invoices received through October 15, 2018; and reimbursements for expenses incurred on behalf of the District through October 15, 2018. Director Wilson seconded the motion. The motion passed unanimously.
2. No items were pulled from consent agenda for further discussion.
3. Clay Montgomery represented Devon Energy in the discussion regarding a new well application submitted by Devon Energy at 2791 County Road 4227 in Rhome. Director Massey moved to approve

the new well application submitted by Devon Energy at 2791 County Road 4227 Rhome, TX in Wise County, with the condition that Devon Energy submits documentation to the District authorizing Clay Montgomery to sign on behalf of Devon Energy. Director Nave seconded the motion. The motion passed unanimously.

4. Director Massey moved to approve a request from Robert and Yvonne Jamnik for a second extension to drill an approved exempt new well in Wise County (Well ID 10887), with the condition that if they do not complete the well within the authorized time period, prior to Board consideration of a third extension, the landowners must be present to state their case before the Board. Director Majka seconded the motion. The motion passed unanimously.
5. In the discussion regarding Scotty Ross' request for a refund for all Registration Application Fees related to Well ID 11434, 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 Massey 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 Wilson seconded the motion. The motion passed unanimously.
6. Director Massey moved to approve the quarterly Investment Report as presented. Director Nave seconded the motion. The motion passed unanimously.
8. Discussion regarding the development of fiscal year 2019 Draft Budget will be held in the next Regular Board meeting.
9. Director Massey moved to adopt Resolution 18-007 Setting Water Use Fees for 2019, which set the water usage fees at \$0.22 per thousand gallons. Director Majka seconded the motion. The motion passed unanimously. Staff will e-mail a notice to all non-exempt well owners.
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. Report on delinquent customers; 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.
11. Line item expenditures and budget amendment will be discussed in the next Regular Board meeting.
13. 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 5:36 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).

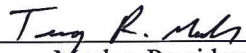
President Mesler called the Regular Board Meeting back into open session at 7:32 p.m. No action was taken

as a result of the Executive Session.

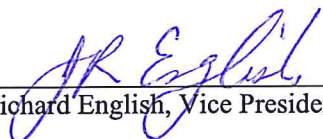
7. Director Massey moved to accept the recommendation from the Personnel Committee regarding the development of the 2019 Budget. Director Nave seconded the motion. The motion passed unanimously.
12. President Mesler moved to authorize GM Shaw to formally publish the proposed draft of District Rules for Water Wells in Hood, Montague, Parker, and Wise Counties. Director Nave seconded the motion. The motion passed unanimously.
14. The next Regular Board Meeting is scheduled for Monday, November 19, 2018 at the District's office at 5:00 p.m. Furthermore, GM Shaw was directed to work with the Directors from each county to schedule stakeholder meetings to discuss the rules in each county, perhaps combining two or more meetings and to post notice for a formal Rulemaking Hearing in conjunction with the next Regular Board Meeting.
15. In addition to topics already mentioned, the next meeting agenda will include discussion and possible action on a Public Hearing for Town of Annetta and a Rulemaking hearing.
17. President Mesler adjourned the meeting at 7:58 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 19 day of November 2018.

Attest:



Tracy Mesler, President



Richard English, Vice President