

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

MONDAY, JULY 15, 2019 MINUTES OF MEETINGS OF THE BOARD OF DIRECTORS

REGULAR BOARD MEETING

1. Welcome guests and members of the public. The meeting convened at 5:00 p.m.
2. Roll call; establish a quorum; call Board Meeting to order; declare the board meeting open to the public.
Directors Present: Jarrod Reynolds, Brent Wilson, Tracy Mesler, Tim Watts, Shannon Nave, and Richard English
Directors Absent: Don Majka and Mike Berkley
3. Pledges of allegiance to the flags were recited.
4. Melton Harms spoke on behalf of Parker County Livestock Improvement Association; his topic will be addressed in the next Regular Board meeting. Other public comment was heard where noted.
5. Director English moved to approve the Consent Agenda, including minutes from the Public Hearing and Regular Board Meeting on June 17, 2019; minutes from the Special Called Meeting on June 20, 2019; approval of bank statement ending June 28, 2019, and current financial reports of the District; approve payment of bills/invoices received through July 15, 2019; and reimbursements for expenses incurred on behalf of the District through July 15, 2019 (including additions from Directors English and Mesler). Director Watts seconded the motion. The motion passed unanimously.
6. No items were pulled from consent agenda for further discussion.
7. Board took the following action to elect District officers to serve two-year terms ending in July 2021:
Director Wilson moved to nominate Tracy Mesler to serve as President, Richard English to serve as Vice President, and Tim Watts to serve as Secretary/Treasurer. President Mesler moved that nominations cease, and the directors be elected by acclamation. Director Nave seconded the motion. Motion carried unanimously.
President Mesler appointed Directors Shannon Nave, Mike Berkley, Jarrod Reynolds, Donald Majka, and Brent Wilson to serve as Assistant Secretaries.
President Mesler made the following committee appointments:

--Committees--

--Budget & Finance--

Mike Berkley - Chair
Tim Watts
Jarrod Reynolds
Don Majka

--Policy & Personnel--

Richard English - Chair
Tracy Mesler
Tim Watts
Brent Wilson

--Public Education--

Don Majka - Chair
Jarrod Reynolds
Brent Wilson
Tracy Mesler

--Rules & Bylaws--

Tracy Mesler - Chair
Richard English
Shannon Nave
Don Majka

--Well Monitoring--

Tim Watts - Chair
Mike Berkley
Jarrod Reynolds
Brent Wilson

President Mesler appointed General Manager Doug Shaw to serve as the District's representative to GMA 8 and Shannon Nave to serve as his alternate.

8. Kimberly Knox-Lewis of Boucher, Morgan and Young presented the District's 2018 Financial Report. Director Wilson moved to approve the Annual Financial Report for the year ended December 31, 2018. Director Reynolds seconded the motion. The motion passed unanimously.
9. Director Watts moved to approve the Investment Officer's Quarterly report as presented. Director English seconded the motion. The motion passed unanimously.
10. Director English moved to adopt Resolution 19-001 Designating Persons Authorized to Disburse Funds by Check. Director Nave seconded the motion. The motion carried unanimously.
11. Deionne Miles represented Kelvin's Water Wells in the discussion regarding a potential violation of District Rules for Well ID 12282 at Lot 12 in Sweet Springs Villa in Parker County. Discussion will resume during the next Regular Board meeting.
12. Richard Young represented Action Water Wells in the discussion regarding a potential violation of District Rules for Well ID 12257 at 2706 Windpoint Ct., Tolar, TX in Hood County. Director Watts moved to find that Richard Young of Action Water Wells committed a first major violation of District Rules. As part of the Motion, a settlement was offered in lieu of litigation; the settlement included a \$250 civil penalty; and the submission of a completed Application for Exception and \$50 Exception Filing Fee prior to August 19, 2019. Director English seconded the motion. The motion passed unanimously.
13. Director English moved to approve a request for a second extension to drill a domestic water well at 101 The Lakes Dr., Aledo, TX in Parker County (Well ID 11881). Director Nave seconded the motion. The motion passed unanimously.
14. Matt Van Hattem represented Aqua Texas in the discussion regarding a request by Aqua TX for a second extension to drill two approved public water supply wells (Well IDs 10776 and 10777) located in Wise County. Director Watts moved to approve the 240-day extension. Director Wilson seconded the motion. The motion passed unanimously.
15. Josh Cowie, homeowner, participated in the discussion pertaining to UTGCD Report 19-001: Water Quality Issues, Las Brisas Subdivision in Wise County. No action was taken; discussion will resume in the next Regular Board meeting.
16. Update and discussion regarding ongoing enforcement issues with Wallace Hardie, aka "Butch" Hardie; Castle Water, Inc. D/B/A Horseshoe Bend Water Works; Texas Rain Holdings Company, Inc.; TRV Services, LLC; and Texas Rain Utility Management, LLC, for past and continued violations of District Rules, including potential settlement of violations, outstanding fees, and judgments with the owners or operators, including the current or former management company occurred in Executive Session. No action was taken; discussion will resume in the next Regular Board meeting.
17. **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. Discussion regarding Request for Qualifications for the purpose of entering into contract with drilling contractor(s) to drill observation wells will occur in the next Regular Board meeting.
 - 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.

18. Director Reynolds moved to adopt 2019 budget amendments, which included move \$200 from “Advertising/ Public Relations - Other” to “Public Notice - Newspapers”. Director Watts seconded the motion. The motion passed unanimously.

19. Discussion regarding the Development of District Rules occurred during Executive Session. Public hearing and possible action on proposed amendments to the District Rules will occur August 19, 2019.

At 6:25 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 8:43 p.m. No action was taken as a result of the Executive Session. The Board directed the General Manager and Legal Counsel to make the changes to the proposed District Rules as discussed in closed session in response to the comments received and publish those changes as soon as possible.

20. Attorney Brian Sledge of SledgeLaw Group gave updates on pertinent legal issues and developments impacting the District during the Executive Session. In the next Regular Board meeting, the Board will discuss and consider proposed amendments to District Bylaws in response to recent legislation.

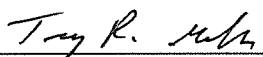
21. A Regular Board Meeting is scheduled for Monday, August 19, 2019 at the District’s office at 5:00 p.m.

22. New business to place on the next meeting agenda was mentioned above.

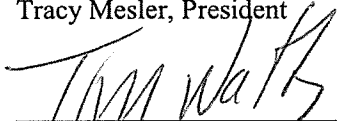
23. President Mesler adjourned the meeting at 8:48 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 19 day of August 2019.

Attest:



Tracy Mesler, President



Tim Watts, Secretary