

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, MAY 18, 2020
MINUTES OF MEETINGS
OF THE
BOARD OF DIRECTORS

INTRODUCTORY MATTERS

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 5:00 p.m.
2. Roll call, establish a quorum, call Public Hearing and Board Meeting to order; declare the hearing and board meeting open to the public.

Directors Present: Richard English, Shannon Nave, Tim Watts, Tracy Mesler, Don Majka, Jarrod Reynolds, Brent Wilson, and Mike Berkley

Directors Absent: None

3. President Mesler called for a moment of silence.
4. Public comments were made where noted below.

PUBLIC HEARING

1. General Manager Shaw presented a report and recommendations to the Board regarding the following applications for permits, permit amendments, and/or requests for exceptions to the District's water well spacing or minimum tract size requirements:

A. **Applicant/Owner:** Wise Water Corporation – 5622 Dyer St., Ste 200, Dallas, TX 75206

Type of Application: Operating Permit and Exception to Minimum Well Spacing Requirements

Location of well or proposed well: East Highway 380, Wise County; property containing the first house on the south side of Highway 380 immediately east of Denton Creek.

Requested Permit Volume: 3,660,000 gallons/year

Description of Request: Wise Water Corporation is seeking an Operating Permit to drill and operate a public water supply well for a new transient, noncommunity public water system on its property in eastern Wise County in order to provide public water supply for up to 100 spaces in a recreational vehicle ("RV") park. The applicant is also seeking an exception to the District's water well spacing requirements under District Rule 4.7, as the proposed well location fails to meet the required spacing from the nearest property line (1,000 ft.).

B. **Applicant/Owner:** Graford Holdings LLC – P.O. Box 44, Graford, TX 76449

Type of Application: Operating Permit and Exception to Minimum Well Spacing Requirements

Location of well or proposed well: 3680 Greenwood Road, Weatherford, TX 76088

Requested Permit Volume: 10,750,000 gallons/year

Description of Request: Graford Holdings is seeking an Operating Permit to drill and operate a public water supply well for a new public water system on its property in Parker County in order to provide public water supply for approximately 56 one-acre lots in a subdivision to be known as Estancia. The

applicant is also seeking an exception to the District's water well spacing requirements under District Rule 4.7, as the proposed well location fails to meet the required spacing from the nearest property line (1,000 ft.).

2. GM Shaw presented the background, specifics, and impact analysis results for each of the two proposed projects; UTGCD Reports 20-001 and 20-002 were made available to the Board and the public prior to the hearing. Mike Keester, Engineer for Wise Water Corporation, also participated in the discussion and answered several questions from the Board.

An e-mail was read into the record, from Phyllis Teakell, in opposition to granting the Operating Permit and Exception to Minimum Well Spacing Requirements for the request in Parker County

A. Director Reynolds moved to approve the Application for Exception to Spacing Requirements and Operating Permit as submitted by Wise Water Corporation (Operating Permit Volume: 3,660,000 gallons per year). Regarding the Application for Exception to Spacing Requirements, the following stipulations were added: (1) once selected, the well drilling contractor must complete and sign the appropriate section of the Application for New Well Registration, (2) the applicants must submit, to the District, a copy of TCEQ's preliminary approval related to the design of the well, (3) the applicant is required to complete some form of geophysical/electric/gamma log of the boreholes and provide those logs to the District and (4) the applicant agrees to enter into an agreement with the District to allow for the ongoing measurement of water levels in the well. Furthermore, the Board retains the right to reconsider the maximum design production capacity (gallons per minute) stated in the Application for Well Registration if/when the applicant submits an application to the District to increase the annual volume authorized under the Operating Permit. Director Majka seconded the motion. The motion passed unanimously.

B. Director Reynolds moved to approve the Application for Exception to Spacing Requirements and Operating Permit as submitted by Graford Holdings LLC (Operating Permit Volume: 10,750,000 gallons per year). Regarding the Application for Exception to Spacing Requirements, the following stipulations were added: (1) once selected, the well drilling contractor must complete and sign the appropriate section of the Application for New Well Registration, (2) the applicants must submit, to the District, a copy of TCEQ's preliminary approval related to the design of the well, (3) the applicant is required to complete some form of geophysical/electric/gamma log of the boreholes and provide those logs to the District and (4) the applicant agrees to enter into an agreement with the District to allow for the ongoing measurement of water levels in the well. . Director Watts seconded the motion. Director Nave abstained. The motion passed – 7 Aye, 0 No and 1 abstention.

3. President Mesler adjourned the permit hearing at 5:50 p.m.

REGULAR BOARD MEETING

1. Director Majka moved to approve the Consent Agenda, including minutes from the Regular Board Meeting on April 20, 2020; approve bank statement ending April 30, 2020, and current financial reports of the District; approve Investment Report; approve payment of bills/invoices received through May 18, 2020; and reimbursements for expenses incurred on behalf of the District through May 18, 2020. Director Berkley seconded the motion. The motion passed unanimously.

2. No items were pulled from consent agenda for further discussion.

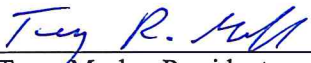
3. **Management Report on Administrative and Operational Issues:** The General Manager and staff will brief the Board on the following and any other items included in the General Manager's written report, which may be discussed, considered, and acted upon by the Board, including authorizing the initiation 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.

- B. Discussion regarding 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
4. Director Watts moved to adopt 2020 budget amendments, as presented by staff:
 - Move \$2,000 from Temporary/Intern to Unemployment (Tax Liability)Director Nave seconded the motion. The motion passed unanimously.
 5. Attorney Brian Sledge of SledgeLaw Group gave an update regarding ongoing legal issues related to the Horseshoe Bend Water System; no action was taken.
 6. The next Regular Board Meeting is scheduled for Monday, June 15, 2020 at a location to be determined.
 7. The next meeting agenda will include discussion regarding the District's Management Plan.
 8. President Mesler adjourned the meeting at 6:03 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 15 day of June 2020.

Attest:



Tracy Mesler, President



Secretary