

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, AUGUST 17, 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, Tracy Mesler, Don Majka (arrived at 5:14 p.m.), Jarrod Reynolds, Shannon Nave, Brent Wilson, and Mike Berkley

Directors Absent: Tim Watts

3. President Mesler called for a moment of silence.
4. No public comments were made.

PUBLIC HEARING CONTINUATION

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:

Applicant/Owner: North Texas Homestead Partners LLC - P.O. Box 128, Weatherford, TX 76086

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

Location of well or proposed well(s): 2052 Tin Top Rd., Weatherford, TX 76087

Requested Permit Volume: 1,752,000 gallons/year

Description of Request: North Texas Homestead Partners LLC is seeking an Operating Permit to drill and operate Three (3) public water supply wells for a new public water system on its property in Parker County in order to provide public water supply for up to 115 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 one of the proposed well location fails to meet the required spacing from the nearest property line (150 ft.) and one of the wells fails to meet the required spacing from the nearest registered water wells.

2. GM Shaw presented the background, specifics, and updated impact analysis results for the proposed project; UTGCD Report 20-003 was made available to the Board and the public prior to the hearing. Director Reynolds moved to approve the Application for Exception to Spacing Requirements and Operating Permit as submitted by North Texas Homestead Partners LLC. (Operating Permit Volume: 1,752,000 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 portion of the application related to well driller, (2) the applicant must submit a copy of TCEQ's preliminary approval related to the design of the wells, (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 wells. Director English seconded the motion. The motion passed unanimously.

3. President Mesler adjourned the permit hearing for North Texas Homestead Partners LLC at 5:19 p.m.

REGULAR BOARD MEETING

1. Director English moved to approve the Consent Agenda, including minutes from the Public Hearing and Regular Board Meeting on July 20, 2020; approve bank statement ending July 31, 2020, and current financial reports of the District; approve Investment Report; approve payment of bills/invoices received through August 17, 2020; and reimbursements for expenses incurred on behalf of the District through August 17, 2020. Director Majka seconded the motion. The motion passed unanimously.
2. No items were pulled from consent agenda for further discussion.
3. Discussion regarding the following requests for an extension to drill approved water wells:
 - A. Director Majka moved to approve the following request for an extension to drill a Non-Exempt Well:
 - 1) Well ID 12619 for the City of Alvord in Wise County.Director Nave seconded the motion. The motion passed unanimously.
 - B. Director Reynolds moved to approve the following requests for an extension to drill Exempt Wells:
 - 1) Well ID 12739 for Michael Lemmons in Parker County.
 - 2) Well ID 12748 for Charles McCuiston in Parker County.
 - 3) Well ID 12919 for Brookson Builders in Parker County.
 - 4) Well ID 13043 for Steven Williams in Montague County.
 - 5) Well ID 13070 for Ronald Lynn Oxner in Parker County.
 - 6) Well ID 13072 for Thomas Woodward in Wise County.Director English seconded the motion. The motion passed unanimously.
4. Director Nave moved to authorize GM Shaw to proceed with a monitoring well project in Parker County, in an amount not to exceed \$85,000.00. Director Reynolds seconded the motion. The motion passed unanimously.
5. **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
6. The Board will review line item expenditures and adopt budget amendment(s) as necessary in the next Regular Board meeting.
7. Director Berkley moved to approve the Investment Officer's investment recommendation, which included purchasing \$240,000 Certificate of Deposits from Bank OZK and PlainsCapital Bank. The motion also included and adding First National Bank of Weatherford and United Texas Bank as approved depositories, contingent upon submittal of an executed certification letter. In accordance with Resolution 19-001 Designating Persons Authorized to Disburse Funds by Check and District Bylaws, the Board authorizes any individuals authorized to disburse funds by checks on behalf of the District to be designated as signatories on any certificate of deposit or

any other investment made by the District. Director English seconded the motion. The motion passed unanimously.

At 5:51 p.m., the Board went into Executive Session under Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, for consultation concerning attorney-client matters (§551.071).

President Mesler called the Regular Board meeting back into open session at 6:05 p.m.

8. Director English moved to authorize GM Shaw and the District's Legal Counsel to tender an offer to the potential purchaser of Horseshoe Bend Water System as discussed in Executive Session. Director Majka seconded the motion. The motion passed unanimously.
9. Attorney Brian Sledge of SledgeLaw Group gave an update regarding ongoing legal issues related to the groundwater-related legislative activities; no action was taken.
10. The next Regular Board Meeting is scheduled for Monday, September 21, 2020 at 5:00 p.m. via online videoconference/teleconference.
11. New business to place on the next meeting agenda was mentioned above. Additionally, there will be a Public Hearing regarding Operating Permit and Exception to Minimum Well Spacing Requirements in Parker County. Staff plans to present the District's Annual Report for year ending December 31, 2019.
12. President Mesler adjourned the meeting at 6:10 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 21 day of September 2020.

Attest:



Tracy Mesler, President

Secretary