

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, JULY 20, 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, Tim Watts, Tracy Mesler, Don Majka, Jarrod Reynolds, Shannon Nave, 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:** Aqua Texas Inc. - 9450 Silver Creek Rd., Fort Worth, TX 76108
Type of Application: Operating Permit and Exception to Minimum Well Spacing Requirements
Location of well or proposed well(s): Chisholm Springs Phase II, Block M, Lot 2.
Requested Permit Volume: 29,726,000 gallons/year
Description of Request: Aqua Texas Inc. is seeking an Operating Permit to drill and operate two (2) public water supply wells for the expansion of an existing public water system in southeastern Wise County. The applicant is also seeking an exception to the District's water well spacing requirements under District Rule 4.7, as both of the proposed well locations fail to meet the required spacing from the nearest property line (1,000 ft.) and both of the proposed well locations fail to meet the minimum spacing from other wells the applicant own and operated as part of the system.
 - B. **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 impact analysis results for each of the two proposed projects; UTGCD Reports 20-003 and 20-004 were made available to the Board and the public prior to the hearing. Peter Schulmeyer, of Collier Consulting for Aqua Texas, and Tim Buffington, of North Texas Homestead Partners also participated in the discussion and answered several questions from the Board.
 - A. Director Berkley moved to approve the Application for Exception to Spacing Requirements and Operating Permit as submitted by Aqua Texas Inc. (Operating Permit Volume: 29,726,000 gallons per year). Regarding the Application for Exception to Spacing Requirements, the following stipulations were added: (1) prior to drilling either of the wells, the applicant provide documentation showing they have attained ownership or an easement to drill and operate a well on the property, (2) once selected, the well drilling contractor must complete and sign the portion of the application related to well driller, (3) the applicant must submit a copy of TCEQ's preliminary approval related to the design of the wells, (4) the applicant is required to complete some form of geophysical/electric/gamma log of the boreholes and provide those logs to the District, and (5) the applicant agrees to enter into an agreement with the District to allow for the ongoing measurement of water levels in the wells. Director Majka seconded the motion. The motion passed unanimously.
 - B. Director Reynolds moved to continue the Public Hearing for North Texas Homestead Partners LLC on August 17, 2020 at 5:00 pm. Director Nave seconded the motion. The motion passed unanimously.
3. President Mesler adjourned the permit hearing for Aqua Texas at 5:38 p.m.

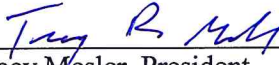
REGULAR BOARD MEETING

1. Director Majka moved to approve the Consent Agenda, including minutes from the Public Hearing and Regular Board Meeting on June 15, 2020; approve bank statement ending June 30, 2020, and current financial reports of the District; approve payment of bills/invoices received through July 20, 2020; and reimbursements for expenses incurred on behalf of the District through July 20, 2020. Director English seconded the motion. The motion passed unanimously.
2. No items were pulled from consent agenda for further discussion.
3. Kimberly Knox-Lewis of Boucher, Morgan and Young presented the District's 2019 Financial Report. Director English moved to approve the Annual Financial Report for the year ended December 31, 2019. Director Berkley seconded the motion. The motion passed unanimously.
4. Director Berkley moved to approve the Investment Officer's Quarterly report as presented. Director Majka seconded the motion. The motion passed unanimously.
5. Discussion regarding the following requests for an extension to drill approved water wells:
 - A. Director English moved to approve the following requests for an extension to drill Non-Exempt Wells:
 - 1) Well IDs 10776 and 10777 for Aqua Texas Inc. in Wise County.
 - 2) Well ID 11799 for the City of Hudson Oaks in Parker County.
 Director Watts seconded the motion. The motion passed unanimously.
 - B. Director Berkley moved to approve the following request for an extension to drill an Exempt Well:
 - 1) Well ID 12981 for Randy Pack in Parker County.
 Director Nave seconded the motion. Director Watts abstained. The motion passed – 7 Aye, 0 No and 1 abstention.
6. **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
7. Director Watts moved to adopt 2020 budget amendments, as presented by staff:
- Move \$5,000 from Temporary/Intern to Credit Card Processing
- Director Reynolds seconded the motion. The motion passed unanimously.
8. Attorney Brian Sledge of SledgeLaw Group gave an update regarding ongoing legal issues related to the Horseshoe Bend Water System; no action was taken.
9. The next Regular Board Meeting is scheduled for Monday, August 17, 2020 at 5:00 p.m. via online videoconference/teleconference.
10. New business to place on the next meeting agenda was mentioned above.
11. President Mesler adjourned the meeting at 6:06 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 17 day of August 2020.

Attest:



Tracy Mesler, President

Secretary