

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, SEPTEMBER 21, 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, Jarrod Reynolds, Shannon Nave, Tim Watts, and Mike Berkley

Directors Absent: Brent Wilson

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.

GM Shaw presented the background, specifics, impact analysis results, and recommendations for following applications:

A. Applicant/Owner: Town of Annetta - P.O. Box 1150, Aledo, TX 76008

Type of Application: Operating Permit

Location of well or proposed well(s): Aledo ISD New Elementary, W FM 5, Annetta, TX

Requested Permit Volume: 35,040,000 gallons/year

Description of Request: The Town of Annetta is seeking an Operating Permit to drill and operate a public water supply well to provide municipal public water supply to the new Aledo ISD elementary school located along FM 5 in the Town of Annetta.

UTGCD Report 20-004 was made available to the Board and the public prior to the hearing.

B. Applicant/Owner: Paloma Venado Ranch LLC - 3912 Broadway Ave., Haltom City, TX 76117

Type of Application: Exception to Minimum Well Spacing Requirements

Location of well or proposed well(s): 1222 Friendship Road, Weatherford, TX 76085

Description of Request: Paloma Venado Ranch LLC is seeking an exception to the District's water well spacing requirements under District Rule 4.7, in order to drill and operate two (2) new high capacity water wells for the purpose of agricultural irrigation. 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 also fail to meet the minimum spacing from other registered wells (3,250 ft.).

Rick Shaffer, Water/Wastewater and Engineering Director for the City of Weatherford, and Jim Leonard, of Leonard Water Services, participated in the discussion regarding Paloma Venado Ranch LLC. GM Shaw presented three separate letters submitted by the City of Weatherford, Tarrant Regional Water District, and Randy and Lisa Henderson opposing the approval of the exception request.

C. Applicant/Owner: Richard and Mary Corley - P.O. Box 278, Saint Jo, TX 76265

Type of Application: Exception to Minimum Well Spacing Requirements

Location of well or proposed well(s): Roberts Cut Off Road, Bowie, TX - Acres: 1.500, AB 982, FRANK MARLETT SURVEY, 1 WF LOT

Description of Request: Richard and Mary Corley are seeking an exception to the District's water well tract size and spacing requirements under District Rule 4.7, in order to drill and a domestic water well for a future home. The well is proposed to be located on a lot that is less than the required 2-acre minimum tract-size and fails to meet the required spacing from the nearest property line (50 ft.).

At 5:33 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 6:21 p.m.

2. Upon returning to open session, the following motions were made:

A. Director Watts moved to approve the Operating Permit as submitted by Town of Annetta. (Operating Permit Volume: 35,040,000 gallons per year). Director Nave seconded the motion. The motion passed unanimously.

B. Director Nave moved to continue the Public Hearing for Paloma Venado Ranch LLC until the next Regular Board Meeting, on October 19, 2020 at 5:00 p.m., to allow an opportunity for the General Manager to visit with the applicant regarding the proposed project. Director Majka seconded the motion. The motion passed unanimously. Should the applicant choose to amend their application such that an exception to District Rules is not required, there shall be no need for the continuation.

C. Director Berkley moved to approve the request for exception to District Rules, by Richard and Mary Corley with the stipulation that Mr. and Mrs. Corley enter into an agreement with the District to allow for the ongoing measurement of water levels in the well and to require that the well driller or applicant contact the District a minimum of 72 hours prior to drilling the well to allow District staff to be on site to log the well prior to the pump installation. Director Majka seconded the motion. The motion passed unanimously.

3. President Mesler adjourned the Public Hearing at 6:25 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 August 17, 2020; approve bank statement ending August 31, 2020, and current financial reports of the District; approve Investment Report; approve payment of bills/invoices received through September 21, 2020; and reimbursements for expenses incurred on behalf of the District through September 21, 2020. Director Reynolds seconded the motion. The motion passed unanimously.

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

3. Director Nave moved to approve the Annual Report for year ending December 31, 2019 as presented. Director Majka seconded the motion. The motion passed unanimously.

4. Discussion regarding the following requests for an extension to drill approved water wells:

A. Non-Exempt Wells:

- 1) Well ID 10150 and 10151 for Stonegate Partners - Deer Creek LP.
- 2) Well ID 11901 for Lackland Fairview LLC in Wise County.
- 3) Well ID 11570, 11992 and 11993 for the Town of Annetta in Parker County.

B. Exempt Well:

- 1) Well ID 13193 for Antonio Porras in Wise County.

Director Reynolds moved to approve the requests for an extension to drill Exempt and Non-Exempt wells as recommended with the stipulation that no further extensions shall be granted for Well IDs 10150 and 10151

submitted by Stonegate Partners - Deer Creek LP. President Mesler seconded the motion. The motion passed unanimously.

5. Director English moved to table the discussion regarding the two (2) applications for replacement wells submitted by Rolling Hills Water Service in Hood County until the next Regular Board meeting to allow staff time to conduct an impact analysis of the proposed project. Director Berkley seconded the motion. The motion passed unanimously.
6. Director Majka moved to adopt Resolution 20-004 Setting Water Use Fees for 2021, which set the water usage fees at \$0.22 per thousand gallons. Director Watts seconded the motion. The motion passed unanimously. Staff will send a notice to all non-exempt well owners.
7. **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. District Staff and Board of Directors agreed to cancel the District's Premier Subscription to BoardBook, effective immediately.
 - 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
8. Director Majka moved to adopt 2020 budget amendments, as presented by staff:
 - Move \$2,000 from Kitchen Supplies to Computer Software & Hardware
 - Move \$2,500 from Legislative Attendance and \$2,500 from Travel & Training: Board to Tuition Assistance ProgramDirector English 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, October 19, 2020 at 5:00 p.m. via online videoconference/teleconference.
11. New business to be placed on the next meeting agenda was mentioned under previous agenda items. Additionally, there will be an update and recommendation from the Policy and Personnel Committee regarding staff salaries in preparation for the development of fiscal year 2021 Draft Budget.
12. President Mesler adjourned the meeting at 7:01 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 19 day of October 2020.

Attest:



Tracy Mesler, President

Secretary