

**UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT**  
**MONDAY, JANUARY 25, 2021**  
**MINUTES OF MEETINGS**  
**OF THE**  
**BOARD OF DIRECTORS**

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**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 5:01 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: Tracy Mesler, Don Majka, Shannon Nave, Tim Watts, Mike Berkley, and Brent Wilson

Directors Absent: Jarrod Reynolds and Richard English

3. President Mesler called for a moment of silence.
4. Public comments were made by John Anderson who requested to comment on District Rule 4.5(b) at the next Regular Board meeting.

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**PUBLIC HEARING**

1. The Board met to accept public comment and consider the proposed Desired Future Conditions for the groundwater resources (Trinity Aquifer Group) within the District pursuant to Section 36.108(d-2) of the Texas Water Code. The proposed Desired Future Conditions for the District are based on total average feet of drawdown over the course of the planning period (through 2080) and are as follows: District-wide average aquifer drawdown through 2080 of (in feet by aquifer/layer): 47 in the outcrop of the Antlers; 154 in the downdip of the Antlers; 6 in the outcrop of the Paluxy; 2 in the downdip of the Paluxy; 15 in the outcrop of the Glen Rose; 45 in the downdip of the Glen Rose; 10 in the outcrop of the Twin Mountain; 70 in the downdip of the Twin Mountains. County-wide average aquifer drawdown through 2080 of (in feet by aquifer/layer): Hood – 6 in the outcrop of the Paluxy, 9 in the outcrop of the Glen Rose, 39 in the downdip of the Glen Rose, 13 in the outcrop of the Twin Mountains, 72 in the downdip of the Twin Mountains; Montague – 40 in the outcrop of the Antlers; Parker – 42 in the outcrop of the Antlers, 6 in the outcrop of the Paluxy, 2 in the downdip of the Paluxy, 20 in the outcrop of the Glen Rose, 50 in the downdip of the Glen Rose, 7 in the outcrop of the Twin Mountains, 68 in the downdip of the Twin Mountains; Wise – 60 in the outcrop of the Antlers, 154 in the downdip of the Antlers. General Manager Shaw presented a report and next steps to the Board. No action was taken.
2. President Mesler adjourned the Public Hearing at 5:16 p.m.

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**REGULAR BOARD MEETING**

1. Director Watts moved to approve the Consent Agenda, including minutes from the Regular Board Meeting on December 21, 2020; approve bank statement ending December 31, 2020, and current financial reports of the District; approve payment of bills/invoices received through January 25, 2021; and reimbursements for expenses incurred on behalf of the District through January 25, 2021. Director Majka seconded the motion. The motion passed unanimously.
2. No items were pulled from consent agenda for further discussion.
3. Director Watts moved to approve the Investment Officer's Quarterly report as presented. Director Majka seconded the motion. The motion passed unanimously.
4. Director Mesler moved to approve the Settlement Agreement, as presented, between the District and Land Fund Manager, LP regarding alleged failure to timely submit accurate water production reports and water use fees to the

District for calendar years 2009 through 2014 for wells owned by Land Fund Manager, LP in Hood County. The Motion also authorized the General Manager to execute the agreement on behalf of the District. Director Nave seconded the motion. The motion passed unanimously.

5. Director Watts moved to approve the following requests for an extension to drill approved water wells:

A. Exempt Well(s):

1) Well ID 13564 for Paul Chavez in Parker County.

B. Nonexempt Well(s):

1) Well ID 11570 for Town of Annetta in Parker County.

2) Well ID 11901 for Lackland Fairview LLC/New Fairview MUD in Wise County.

3) Well ID 11992 for Town of Annetta in Parker County.

4) Well ID 11993 for Town of Annetta in Parker County.

5) Well ID 12969 for WPS I LLC in Parker County.

6) Well ID 12970 for WPS I LLC in Parker County.

7) Well ID 12971 for WPS I LLC in Parker County.

8) Well ID 12972 for WPS I LLC in Parker County.

Director Majka seconded the motion. The motion passed unanimously.

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. No budget amendments were necessary.

8. Attorney Brian Sledge of SledgeLaw Group gave an update regarding ongoing legal issues related to the groundwater-related legislative activities; no action was taken.

9. The next Public Hearing and Regular Board Meeting are scheduled for Monday, February 22, 2021 at 5:00 p.m. via online videoconference/teleconference.

10. New business to be placed on the next meeting agenda includes a Public Hearing for a Rules revision to extend several deadlines required by District Rules; a Public Hearing to consider a request to amend the location of an approved well location for a Public Water Supply in Parker County.

11. President Mesler adjourned the meeting at 5:52 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 22 day of February 2021.

Attest:

  
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Tracy Mesler, President

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Secretary

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