

**UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT**  
**MONDAY, APRIL 19, 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 5:00 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: Don Majka, Tim Watts, Tracy Mesler, Mike Berkley, Shannon Nave, and Richard English

Directors Absent: Jarrod Reynolds and Brent Wilson

3. There was no public comment.

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**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 the following application:

**A. Applicant/Owner:** FFILP Land Holding, LLC, 3045 Lackland Rd in Fort Worth

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

**Location of well or proposed well(s):** Hillcrest North subdivision

**Requested Permit Volume:** 42,741,500 gallons/year

**Description of Request:** FFILP Land Holding, LLC is seeking an Operating Permit to drill and operate a public water supply well to provide water for Hillcrest North subdivision. The applicant is also seeking an exception to the District's water well spacing requirements under Rule 4.7, as the proposed well location fails to meet the required spacing from the nearest property line (1,000 ft.) and other wells (3,250 ft.).

2. GM Shaw presented the background, specifics, and impact analysis results for the proposed project; UTGCD Report 21-001 was made available to the Board and the public prior to the hearing. Matt Van Hattem took part in the discussion and answered questions on behalf of the applicant. Director English made a motion to approve the Application for Operating Permit and Application for Exception to Spacing Requirements submitted by FFILP Land Holdings, LLC as follows:

- Operating Permit in the amount of 24,576,362.5 gallons per year;
- Exception to minimum well and property line spacing with the following stipulations:
  1. Once selected, the well drilling contractor must complete and sign the appropriate section of the registration application,
  2. The applicant must submit 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 Majka seconded the motion. The motion passed unanimously.

3. President Mesler adjourned the Public Hearing at 5:35 p.m.

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### REGULAR BOARD MEETING

1. Director Majka moved to approve the Consent Agenda, including minutes from the Regular Board Meeting on March 15, 2021; approve bank statement ending March 31, 2021, and current financial reports of the District; approve payment of bills/invoices received through April 19, 2021; and reimbursements for expenses incurred on behalf of the District through April 19, 2021. Director Berkley 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 quarterly Investment Report as presented. Director Majka seconded the motion. The motion passed unanimously.
4. Director Watts moved to approve the following requests for an extension to drill approved water wells:
  - A. Well ID 13724 for Erin Davis in Parker County.
  - B. Well ID 13899 for R&B Mobile Homes in Wise County.
  - C. Well ID 13963 for Steve Weaver in Parker County.
  - D. Well ID 13976 for R&B Mobile Homes in Wise County.
  - E. Well ID 13990 for George Dean in Wise County.
  - F. Well ID 14084 for Michael Mikus in Parker County.

Director English seconded the motion. The motion passed unanimously.

5. Discussion regarding the following potential violations of District Rules; take action as necessary.
  - A. Director Majka moved to find that Jerett Broten committed a first major violation of District Rules for Well ID 9941 at 325 Loggins Trail, Poolville, in Parker County. As part of the Motion, a settlement was offered in lieu of litigation; the settlement included a \$250 penalty fee. Director Watts seconded the motion. The motion passed unanimously.
  - B. Director Majka moved to find that Moores Water Well Service committed a first major violation of District Rules for Well ID 15068 at 1009 Latigo Lane, Millsap, in Parker County. As part of the Motion, a settlement was offered in lieu of litigation; the settlement included a \$250 penalty fee and forfeiture of their \$100 Well Completion Report Deposit. Director Nave 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.

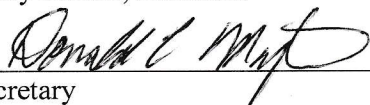
7. No budget amendments were necessary.
8. Attorney Brian Sledge of SledgeLaw Group gave an update regarding ongoing legal issues related to the groundwater-related legislative activities; no action was taken.
9. The next Public Hearing and Regular Board Meeting are scheduled for Monday, May 17, 2021 at 5:00 p.m. at the District's office and via online videoconference/teleconference.
10. New business to be placed on the next meeting agenda includes a Historic Use Permit Hearing to be held in conjunction with the regular meeting.
11. President Mesler adjourned the meeting at 6:07 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 17 day of May 2021.

Attest:



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Tracy Mesler, President



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Secretary