

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, NOVEMBER 15, 2021
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: Jarrod Reynolds, Don Majka, Tracy Mesler, Shannon Nave, and Brent Wilson
Directors Absent: Richard English, Tim Watts, and Mike Berkley
3. Pledges of allegiance to the flags.
4. Public comment was made where mentioned 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 the following applications:

- A. **Applicant/Owner:** Mary Dougherty — 6340 Lake Worth Blvd, Fort Worth, TX, 76135

Type of Application: Operating Permit

Location of well or proposed well: 12800 Cleburne Hwy, Cresson, TX, 76035

Requested Permit Volume: 378,000 gallons/year

Description of Request: Mary Dougherty is seeking an Operating Permit to drill and operate a water well on their property in Parker County in order to provide water for a new RV Park.

- B. **Applicant/Owner:** Susan Linzy — 12533 Villa Milano, Fort Worth, TX, 76108

Type of Application: Operating Permit

Location of well or proposed well: 12800 Cleburne Hwy, Cresson, TX, 76035

Requested Permit Volume: 378,000 gallons/year

Description of Request: Susan Linzy is seeking an Operating Permit to drill and operate a water well on their property in Parker County in order to provide water for a new RV Park.

- C. **Applicant/Owner:** Elizabeth Daley — 8803 Spaugh Court, Fort Worth, TX, 76108

Type of Application: Operating Permit

Location of well or proposed well: 12800 Cleburne Hwy, Cresson, TX, 76035

Requested Permit Volume: 378,000 gallons/year

Description of Request: Elizabeth Daley is seeking an Operating Permit to drill and operate a water well on their property in Parker County in order to provide water for a new RV Park.

D. **Applicant/Owner:** Matthew Carroll — 12901 Flora Dr, Fort Worth, TX, 76108

Type of Application: Operating Permit

Location of well or proposed well: 12800 Cleburne Hwy, Cresson, TX, 76035

Requested Permit Volume: 378,000 gallons/year

Description of Request: Matthew Carroll is seeking an Operating Permit to drill and operate a water well on their property in Parker County in order to provide water for a new RV Park.

At 5:12 p.m., the Board went into Executive Session under Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, concerning attorney-client matters. (§551.071).

President Mesler called the Public Hearing back into open session at 5:44 p.m.

2. Discuss, consider, and possible action by the Board to approve or deny, in whole or in part, the applications for permits, permit amendments, and/or requests for exceptions to the District's water well spacing or minimum tract size requirements set forth above in this agenda.

Applicant/Owner Matthew Carroll attended the meeting but did not comment. GM Shaw presented the background, specifics, and impact analysis results for the project proposed by each of the four applicants; UTGCD Report 21-007 was made available to the Board and the public prior to the hearing. Director Nave made a motion to approve the Applications for Operating Permits, as presented, in the amount of 378,000 gallons per year for each applicant. Director Reynolds seconded the motion. The motion passed unanimously.

3. President Mesler adjourned the Public Hearing at 5:45 p.m.

REGULAR BOARD MEETING

1. Director Majka moved to approve the Consent Agenda, including
 - A. Approval of minutes from Public Hearing and Regular Board Meeting on October 18, 2021.
 - B. Approval of bank statement ending October 29, 2021, and current financial reports of the District.
 - C. Approval of Investment Report.
 - D. Payment of bills/invoices received through November 15, 2021.
 - E. Reimbursements for expenses incurred on behalf of the District through November 15, 2021.
 - F. Approval of Request for an Extension Applications submitted through November 15, 2021.Director Wilson seconded the motion. Motion passed unanimously.
2. No items were pulled from consent agenda for further discussion.
3. Discussion regarding the following potential violations of District Rules; take action as necessary.
 - A. President Mesler moved to find that James Lindley of Moore's Water Well Service committed a third major violation of District Rules for a new water well at 105 Tobiano Trace, Weatherford, in Parker County, and in lieu of litigation offer a settlement to include 1) \$2,500 penalty fee, and 2) requirement to submit a complete new well registration application along with the associated fees - \$600 new well registration fee and \$100 well report deposit (the deposit shall be forfeited). Director Nave seconded the motion. Motion passed unanimously.
 - B. Director Majka moved to find that Kenny Grantham, of B&B Pump, has committed a second major violation of District Rules for a new water well at 100 Quail Ridge, Decatur, TX in Wise County, and in lieu of litigation offer a settlement to include 1) \$250 penalty fee, and 2) requirement to submit a complete new well registration application along with the associated fees - \$600 new well registration fee and \$100 well report deposit (the deposit shall be forfeited). Director Nave seconded the motion. Motion passed unanimously.
 - C. Director Wilson moved to find that New Fairview MUD has committed a first major violation of District Rules for a new water well in the Fairview Meadows Subdivision in Wise County, and in lieu of litigation

offer a settlement to include 1) \$1,000 penalty fee, and 2) forfeiture of the \$100 well report deposit. Director Majka seconded the motion. Motion passed unanimously.

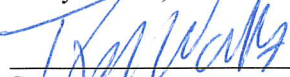
- D. Steve Cone of Lonestar Water Well Drilling and Service Company participated in the discussion regarding a potential violation of well ID 15470. President Mesler moved to find that Daniel Morgan, of Trinity Classic Homes, has committed a first major violation of District Rules for a new water well at Lot 15 in Stafford Farm Estates in Parker County, and in lieu of litigation offer a settlement to include 1) \$250 penalty fee, and 2) a requirement to plug the existing well (15470) and resubmit an application (with all fees) for a new well that meets all District spacing requirements. Director Wilson seconded the motion. Motion passed unanimously.
4. Director Nave moved to adopt the 2022 Regular Board meeting dates as January 24, February 28, March 21, April 18, May 16, June 20, July 18, August 15, September 19, October 17, November 21, and December 19. The motion also included affirmation that the District will adopt the 2022 Parker County Holiday Calendar. Director Wilson seconded the motion. The motion passed unanimously.
 5. Director Wilson moved to approve the proposed 2022 Budget and allocation of District funds as presented; adopt Resolution 21-004 Adopting a Budget for 2022; and adopt Resolution 21-005 Allocation of Funds for the District. 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. The Board will review line item expenditures and adopt budget amendment(s) as necessary in the next Regular Board meeting.
 8. Attorney Brian Sledge of SledgeLaw Group gave no updates on pertinent legal issues and developments impacting the District since the last regular Board meeting.
 9. The next Regular Board meeting is scheduled for Thursday, December 16, 2021, at 5:00 p.m. at the District's office.
 10. Discussion regarding applications for Historic Use Permits will be placed on the next meeting agenda.
 11. President Mesler adjourned the meeting at 6:37 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 16 day of December 2021.

Attest:



Tracy Mesler, President



Secretary