

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
MONDAY, MAY 16, 2022
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 Mike Berkley
Directors Absent: Richard English, Brent Wilson, and Tim Watts
3. Pledges of allegiance to the flags.
4. Public comment was 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, and impact analysis results for the following applications:

Applicant/Owner: Hammett Excavation — 1545 CR 2917, Dodd City, TX, 75438

Type of Application: Operating Permit Amendment

Location of well or proposed well: Hwy 82, Nocona, TX, 76255

Requested Additional Permit Volume: 0 gallons/year

Description of Request: Hammett Excavation, Inc is seeking to amend an operating permit in order to drill and operate one new commercial water well to supply water for the Hwy 82 construction project. The applicant is only seeking to add an additional well to the system. There is no additional volume requested.

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.

GM Shaw presented his recommendations for the project proposed by Hammett Excavation. Director Berkley made a motion to approve the Application to Amend an Operating Permit, submitted by Hammett Excavation Inc., in order to add Well ID 17473 to Permit 098-M-OP. Director Majka seconded the motion. Motion passed unanimously.

3. President Mesler adjourned the Public Hearing at 5:09 p.m.

REGULAR BOARD MEETING

1. Director Nave moved to approve the Consent Agenda, including:
 - A. Approval of minutes from Public Hearing and Regular Board Meeting on April 18, 2022.
 - B. Approval of bank statement ending April 29, 2022, and current financial reports of the District.

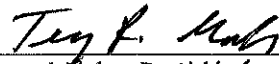
- C. Approval of Investment Report.
- D. Payment of bills/invoices received through May 16, 2022.
- E. Reimbursements for expenses incurred on behalf of the District through May 16, 2022 (including mileage reimbursement for Director Majka).
- F. Approval of Request for an Extension Applications submitted through May 16, 2022.

Director Reynolds seconded the motion. Motion passed unanimously.

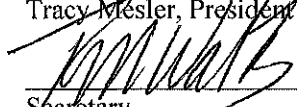
- 2. No items were pulled from consent agenda for further discussion.
- 3. Roger Lewis, of Roger Lewis Water Well participated in the discussion regarding a potential violation of District Rules at Lot 2, Blk 1 of Moss Estates, Paradise, TX, Wise Co. Director Berkley moved to offer Mr. Lewis a settlement, in lieu of litigation, to include the following: (1) a first major violation of District rules, (2) a penalty fee of \$1.00 and (3) the requirement to plug the existing well (Well ID 13996). Additionally, the motion stipulates that once the applicant/Mr. Lewis submits a new well application to replace the well that is being plugged, that the well report deposit associated with the new well application be forfeited. Director Reynolds seconded the motion. Motion passed unanimously.
- 4. **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.
- 5. Director Nave moved to adopt 2022 budget amendments, as presented by staff:
 - Move \$50,000 from Assigned Funds: Facilities/Building Fund to Capital Expenses: Property Development
 Director Berkley seconded the motion. The motion passed unanimously.
- 6. Attorney Brian Sledge of SledgeLaw Group gave a brief update regarding groundwater-related legislative activities related to the District.
- 7. The next Public Hearing and Regular Board meeting are scheduled for Thursday, June 23, 2022, at 4:00 p.m. at the District’s office.
- 8. The next meeting agenda will include a Public Hearing regarding multiple Operating and/or Historic Use Permit Applications in Wise, Hood and Montague Counties.
- 9. President Mesler adjourned the meeting at 5:33 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 23 day of June 2022.

Attest:



 Tracy Mesler, President



 Secretary