

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
THURSDAY, JULY 25, 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, Tracy Mesler, Shannon Nave, Mike Berkley, Tim Watts, Don Majka and Brent Wilson
Directors Absent: Richard English
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.
 - A. **Applicant/Owner:** Roger R Fawcett Revocable Trust. — PO Box 386, Lipan, TX, 76462
Type of Application: Operating Permit
Location of well or proposed well: Winners Circle, Weatherford, TX, 76087
Requested Permit Volume: 682,000 gallons/year
General Manager's Recommendation: 671,000 gallons/year
Description of Request: Roger R Fawcett Revocable Trust is seeking an operating permit in order to drill and operate two new commercial wells to supply water for commercial buildings on the property. The proposed wells meet all of the District's well spacing requirements.
 - B. **Applicant/Owner:** Lafleur- Roach LP
Type of Application: Operating Permit
Location of well or proposed well: 114 Scenic Hill Rd, Weatherford, TX, 76088
Requested Permit Volume: 140,400 gallons/year
General Manager's Recommendation: 140,400 gallons/year
Description of Request: Lafleur-Roach LP is seeking an operating permit in order to drill and operate one new commercial well to supply water for commercial buildings on the property. The proposed well meets all of the District's well spacing requirements
 - C. **Applicant/Owner:** TVS Weatherford Investments, LLC – 1212 Corporate Dr. Ste 150, Irving, TX, 75038
Type of Application: Operating Permit
Location of well or proposed well: 117 Winners Circle, Weatherford, TX, 76087
Requested Permit Volume: 682,000 gallons/year
General Manager's Recommendation: 682,000 gallons/year
Description of Request: TVS Weatherford Investments, LLC is seeking an operating permit in order to drill and

operate one new commercial well to supply water for apartment buildings on the property. The proposed well meets all of the District's well spacing requirements

CONTINUED FROM JUNE 23, 2022

D. Applicant/Owner: Texas Water Utilities, L.P. — 12535 Reed Road, Sugar Land, TX, 77478
Type of Application: Operating Permit Amendment and Exception to Minimum Well Spacing Requirements
Location of well or proposed well: 4985 Tin Top Road, Weatherford, TX, 76087

Requested Additional Permit Volume: 0 gallons/year

General Manager's Recommendation: Approval of the amendment to add an additional well to the system.

Description of Request: Texas Water Utilities, L.P. is seeking to amend an operating permit and an exception to the District's water well spacing requirements under District Rule 4.7, in order to drill and operate one new public water supply well to supply water for Elevation Estates. The applicant is seeking to add an additional well to the system. There is no additional volume requested. The proposed well fails to meet the spacing to other wells (3,250 ft.). The applicant is also seeking to amend the capacity of a previously approved water well and is seeking an exception to the District's water well spacing requirements under District Rule 4.7. The proposed well amendment fails to meet spacing to other wells (3,250 ft.).

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 Roger R Fawcett Revocable Trust. Director Wilson made a motion to approve the Application for Operating Permit 194-P-OP, as presented, in the amount of 671,000 gallons per year. Director Nave seconded the motion. Aye-5 Nay-0. Director Reynolds abstained. Director Berkley was absent. Motion passed.

GM Shaw presented his recommendations for the project proposed by Lafleur- Roach LP. Director Nave made a motion to approve Operating Permit 195-P-OP, as presented, in the amount of 140,400 gallons per year. Director Watts seconded the motion. Aye-6 Nay-0. Director Berkley abstained. Motion passed.

GM Shaw presented his recommendations for the project proposed by TVS Weatherford Investments, LLC. Director Watts made a motion to approve Operating Permit 192-P-OP, as presented, in the amount of 682,000 gallons per year. Director Nave seconded the motion. Aye-6 Nay-0. Director Berkley was absent. Motion passed.

Jarrold Reynolds spoke on behalf of the applicant. GM Shaw presented his recommendations for the project proposed by Texas Water Utilities, L.P. President Mesler made a motion to approve the Application to Amend an Operating Permit related to Permit ID 193-P-OP, seeking to add Well ID 17769 to the permit. The Applications for Exception to Spacing Requirements, related to Well IDs 15771 and 17769, have been tabled until a later date. Aye-5 Nay-0. Directors Reynolds and Watts abstained and have provided affidavits stating their conflict of interest related to the application. Motion passed.

3. President Mesler adjourned the Public Hearing at 5:53 p.m.

REGULAR BOARD MEETING

President Mesler took agenda items 1-3 out of order at 5:31 p.m., then returned to the Public Hearing at 5:35 p.m.

1. Director Majka moved to approve the Consent Agenda, including:
 - A. Approval of minutes from Public Hearing and Regular Board Meeting on June 23, 2022.
 - B. Approval of bank statement ending June 30, 2022, and current financial reports of the District.
 - C. Payment of bills/invoices received through July 18, 2022.
 - D. Reimbursements for expenses incurred on behalf of the District through July 18, 2022.
 - E. Approval of Request for an Extension Applications submitted through July 18, 2022 (including those added by GM Shaw).

Director Reynolds seconded the motion. Aye-6 Nay-0. Director Berkley was absent. Motion passed.

2. No items were pulled from consent agenda for further discussion.
3. Director Reynolds moved to approve the quarterly Investment Report as presented. Director Majka seconded the motion. Aye-6 Nay-0. Director Berkley was absent. Motion passed.
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. No line item expenditures or budget amendments were necessary.
6. Attorney Brian Sledge of SledgeLaw Group gave no updates regarding activities related to the District.
7. The next Regular Board meeting is scheduled for Monday, September 19, 2022, at 5:00 p.m. at the District's office.
8. The next Regular Board meeting agenda may include an update from the Rainwater Harvesting Grant Committee, presentation of the District's 2021 Financial Report, and a presentation of the fiscal year 2023 Budget.
9. President Mesler adjourned the meeting at 6:01 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 19 day of September 2022.

Attest:



Tracy Mesler, President



Secretary