

NOTICE OF REGULAR MEETING AND PUBLIC HEARING
OF THE
UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

District Office
1859 W. Highway 199
Springtown, TX 76082

Zoom Remote Conferencing Service
<https://us02web.zoom.us/j/89783488580>
1 (346) 248-7799 – US
Meeting ID: 897 8348 8580

Monday, September 19, 2022
Public Hearing and Board Meeting begin at 5:00 PM
Regular Meeting begins at conclusion of Public Hearing

For this hearing and meeting, at least a quorum of the Board will be physically present at the Board’s regular meeting location at the District office in Springtown, Texas. However, members of the public interested in joining the meeting may do so in-person at the District office or remotely via the Zoom Remote Conferencing Service.

Persons wanting to join the meeting remotely to observe the meeting, hear the communications that occur at the meeting and the public deliberations of the Board, or to comment on a permit application, or any other item on the agenda, may join the hearing at no charge online at the following address: <https://us02web.zoom.us/j/89783488580> . Members of the public may also access the hearing by telephone at the following number: (346) 248-7799. Use Meeting ID: 897 8348 8580. Long distance charges may apply to persons calling in to the number, depending upon their phone carrier and plan.

Persons not able to join the hearing remotely but who wish to comment on a permit application may submit comments or other information via email to the following address: doug@uppertrinitygcd.com. Written comments must be received prior to the Board’s decision on the application.

Persons may make comments for or against a permit application without the need to request a contested case hearing on the application. However, persons wanting to protest a permit application by requesting a contested case hearing must do so in writing. Written requests for a contested case hearing must be received by the District on or before the date of the public hearing as it appears on this notice, and before Board action on the application. Written requests for a contested case hearing may be mailed to the District at P.O. Box 1749, Springtown, Texas, 76082, or submitted by email to: doug@uppertrinitygcd.com.

Additional requirements for requesting a contested case hearing on an application, including the information that must be included in such a request, may be found in Appendix E, Rule E.6, of the District Rules: <https://uppertrinitygcd.com/pdf/UTGCD-RULES.pdf>

Any additional public information concerning this hearing will be made available upon request.

Persons wanting to comment on an agenda item but otherwise not wishing to join the meeting may email comments to the following address: doug@uppertrinitygcd.com. Additionally, an audiorecording of the meeting will be made, and can be requested after the conclusion of the meeting by sending a written request to the District at P.O. Box 1749, Springtown, Texas, 76082, or by email to: doug@uppertrinitygcd.com.

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.
2. Roll call, establish a quorum, call Public Hearing and Board Meeting to order; declare the hearing and board meeting open to the public.
3. Pledges of allegiance to the flags.
4. Public comment.

PUBLIC HEARING

1. Receive any public comments, requests to contest, and the General Manager’s report and recommendations 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:** Bear View Properties, L.P. — 1250 Santa Fe Dr, Weatherford, TX 76086
Type of Application: Operating Permit
Location of well or proposed well: Various locations within La Madera subdivision
Requested Permit Volume: 13,412,000 gallons/year
General Manager’s Recommendation: 13,412,000 gallons/year

Description of Request: Bear View Properties, L.P. is seeking an operating permit in order to drill operate six existing commercial wells to supply water for the water feature located in La Madera subdivision.
 - B. **Applicant/Owner:** Peaster ISD — PO Box 129, Peaster, TX, 76485
Type of Application: Operating Permit
Location of well or proposed well: Harwell Lake Rd.
Requested Permit Volume: 3,000,000 gallons/year
General Manager’s Recommendation: 3,000,000 gallons/year

Description of Request: Peaster ISD is seeking an operating permit in order to drill and operate one new public water supply well to supply water for the new intermediate school on the property. The proposed well meets all of the District’s well spacing requirements.
 - C. **Applicant/Owner:** Top-Way Quarry Properties, LLC – 12775 N. Saginaw Blvd, Fort Worth, TX, 76179
Type of Application: Operating Permit
Location of well or proposed well: 136 PR 4918, Rhome, TX, 76078
Requested Permit Volume: 29,000,000 gallons/year
General Manager’s Recommendation: 29,000,000 gallons/year

Description of Request: Top-Way Quarry Properties, LLC seeking an operating permit in order to drill and operate one new commercial well to supply water for sand mining operations on the property. The proposed well meets all of the District’s well spacing requirements.
 - D. **Applicant/Owner:** Sky Family Investments, LLC
Type of Application: Operating Permit
Location of well or proposed well: 7311 FM 1886, #100, Azle, TX, 76020
Requested Permit Volume: 657,000 gallons/year
General Manager’s Recommendation: 657,000 gallons/year

Description of Request: Sky Family Investments, LLC is seeking an operating permit in order to drill two new wells and operate four commercial well to supply water for cabins on the property. The proposed wells meet all of the District’s well spacing requirements.
 - E. **Applicant/Owner:** Jeffery and Patsy Skinner – PO Box 353, Nocona, TX, 76255
Type of Application: Operating Permit
Location of well or proposed well: PR 472, Nocona, TX, 76255
Requested Permit Volume: 3,613,370 gallons/year
General Manager’s Recommendation: 3,612,370 gallons/year
Description of Request: Jeffery and Patsy Skinner are seeking an operating permit in order to operate two existing commercial wells to supply water for oil and gas operations.
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.
3. Adjourn or continue hearing in whole or in part.

REGULAR BOARD MEETING

1. **Consent Agenda:** Each of these items is recommended by the Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval of the Consent Agenda authorizes the General Manager or his designee to implement each item in accordance with the Staff recommendations. The consent agenda will be approved as a block. Any Board member that has questions regarding any item on the consent agenda may have the item pulled and considered as a regular item on the agenda. Any items so pulled for separate discussion will be considered as the first items following approval of the consent agenda.
 - A. Approval of minutes from Public Hearing and Regular Board Meeting on July 18, 2022.
 - B. Approval of bank statements ending July 29, 2022 and August 31, 2022, and current financial reports of the District.
 - C. Approval of Investment Report.
 - D. Payment of bills/invoices received through September 19, 2022.
 - E. Reimbursements for expenses incurred on behalf of the District through September 19, 2022.
 - F. Approval of Request for an Extension Applications submitted through September 19, 2022.
2. Any items from consent agenda that were pulled for further discussion.
3. Discussion regarding the following potential violations of District Rules; take action as necessary.
 - A. Well ID 12671 at 201 Twin Creek Dr., Azle, TX in Parker Co. owned by Jack Burgess.
 - B. Well IDs 13797 & 14973 at 7311 Hwy 1886, Azle, TX in Parker Co. owned by Sky Family Investments.
 - C. Well ID 723 located on Bear Creek Road near Aledo, TX in Parker Co. owned by Bar-Ko Land Company.
4. Discussion regarding the following requests to drill a replacement well at a location greater than 100 feet from the well being replaced; take action as necessary.
 - A. Well ID 17912 at 3114 Springtime St., Granbury, TX owned by Roy Hickey Jr.
 - B. Well ID 18416 at 269 Amanda Way, Decatur, TX owned by Bobby and Beverly Duck.
5. Presentation and discussion regarding the Annual Financial Report for the year ended December 31, 2021; take action as necessary.
6. Discussion and presentation of the District's 2021 Annual Report; take action as necessary.
7. Discussion and possible action to renew medical coverage and the Health Reimbursement Arrangement (HRA) for District employees for the 2023 Budget Year; take action as necessary.
8. Update and recommendation from the Policy and Personnel Committee and General Manager regarding staff compensation in preparation for the development of fiscal year 2023 Budget, including but not limited to the approval of the Employment Agreement with the General Manager; take action as necessary.
9. Discussion regarding a proposed Ongoing Rainwater Harvesting Grant Program, including but not limited to the adoption of Resolution 22-002 Establishing an Ongoing Rainwater Harvesting Grant Program; take action as necessary.
10. Discussion regarding fees charged by the District, including but not limited to the adoption of Resolution 22-003 Setting Water Use and Transport and Administrative Fees; take action as necessary.

11. **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
 - B. Report on delinquent customers of the District and take any necessary action for collection of delinquent fees
 - C. Report on Education and Outreach activities
 - D. Report on injection well applications filed with the Railroad Commission
 - E. Well Registration and Groundwater Production reports
12. Review line item expenditures and adopt budget amendment(s), including transferring Assigned Funds from "Facilities/Building Fund" into the 2022 Budget; take action as necessary.
13. General Counsel's Report: The District's legal counsel will brief the Board on pertinent legal issues and developments impacting the District since the last regular Board meeting, and legal counsel's activities on behalf of the District, including without limitation: waste injection; well monitoring activities; District rules enforcement activities; District Rules and District Management Plan development or implementation issues; groundwater related legislative activities; joint planning and desired future conditions development activities; developments in groundwater case law and submission of legal briefs; contractual issues related to the District; open government, policy, personnel, and financial issues of the District; and other legal activities on behalf of the District, take action as necessary.
14. Determine time and place for next meeting.
15. New business to be placed on the next meeting agenda.
16. Adjourn board meeting.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. These public meetings and hearings are available to all persons regardless of disability. If you require special assistance to attend the meetings or hearings, please call or (817) 523- 5200 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements.

At any time during a work session, meeting or hearing and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Upper Trinity Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

--Please visit the website – www.uppertrinitygcd.com

This is to certify that I, Doug Shaw, posted this agenda on the bulletin board of the Administrative Offices of the District at 1859 W. Highway 199, Springtown TX 76082, and also provided this agenda to the County Clerk in Parker County with a request that it be posted at or before 4:00 p.m. on the 16 of September 2022.



Doug Shaw, General Manager