

NOTICE OF HEARING AND REGULAR MEETING
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/82825623505>
1 (346) 248-7799 – US
Meeting ID: 828 2562 3505

Thursday, April 20, 2023
Hearing begins 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/82825623505> of the public may also access the hearing by telephone at the following number: (346) 248-7799. Use Meeting ID: 828 2562 3505. 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 either in writing or by appearing at the public hearing on the date specified in this notice and opposing the application. 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 this 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 posted on the District’s website “Meetings” page prior to or during the hearing at: <https://uppertrinitygcd.com/meetings/>

Additionally, an audio recording of the hearing will be made, and can be requested after the conclusion of the hearing by sending a written request to the District at P.O. Box 1749, Springtown, Texas, 76082, or by email to: doug@uppertrinitygcd.com.

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 hearings 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:** City of Chico — 400 S Hovey St., Chico, TX 76431
Type of Application: Operating Permit and Exception to Minimum Well Spacing Requirements
System ID: 013-W
Location of well or proposed well: Park Rd. Adjacent to 400 S Hovey St., Chico, TX 76431
Requested Permit Volume: 23,650,000 gallons/year
General Manager's Recommendation: 14,537,000 gallons/year
Description of Request: The City of Chico is seeking 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 the City of Chico.
 - B. **Applicant/Owner:** Outlaw Estates, LLC — 2124 CR 4127, Decatur, TX 76234
Type of Application: Operating Permit
System ID: 199-W
Location of well or proposed well: 2124 CR 4127, Decatur, TX 76234
Requested Permit Volume: 2,000,000 gallons/year
General Manager's Recommendation: 2,000,000 gallons/year
Description of Request: Outlaw Estates, LLC is seeking an operating permit in order to drill and operate one new commercial water well to supply water for the equine facility on the property.
 - C. **Applicant/Owner:** 208 Clayt Dr., Aurora, TX 76078
Type of Application: Exception to Minimum Tract Size Requirements
Location of well or proposed well: 201 Clayt Dr., Aurora, TX 76078
Description of Request: Jose Rivas is seeking an exception to the District's 2-acre minimum tract size requirement in order to drill a water well on a 1.55 acre tract of land.
 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.
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REGULAR BOARD MEETING

1. Discuss and consider appointment of person to fill vacancy on Board of Directors for an unexpired term representing Hood county created by the resignation of Mr. Richard English, including but not limited to the adoption of Resolution 23-003 and consultation with the District's Attorney in executive session, in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, concerning personnel matters (§551.074); any action will be taken during the open meeting.
2. **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 the Regular Board Meeting and Public Hearing on March 16, 2023.
 - B. Approval of bank statement ending March 31, 2023, and current financial reports of the District.
 - C. Payment of bills/invoices received through April 20, 2023.
 - D. Reimbursements for expenses incurred on behalf of the District through April 20, 2023.
 - E. Approval of Request for an Extension Applications submitted through April 20, 2023.
3. Any items from consent agenda that were pulled for further discussion.
4. Board consideration and possible approval of quarterly Investment Report with recommendations.
5. Presentation and discussion regarding the Regional Water Supply and Facilities Planning Study from Freese & Nichols.
6. Discussion regarding the potential bill to be filed by State Representative Glenn Rogers to create the Cross Timbers Regional Utility Authority; take action as necessary, including the possible adoption of Resolution 23-002: Support for the Creation for the Cross Timbers Regional Utility Authority.
7. Discussion regarding the following potential violations of District Rules; take action as necessary.
 - A. Well ID 723 in Parker County owned by Elmwood Homes, LLC.
8. **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
9. **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.

10. Determine time and place for next meeting.
11. New business to be placed on the next meeting agenda.
12. 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 14th of April 2023.



Doug Shaw, General Manager