

UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT
THURSDAY, DECEMBER 11, 2023
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 2:00 p.m.
2. Roll call, establish a quorum, call Public Hearing and Regular Board Meeting to order; declare the Hearing and Meeting open to the public.

Directors Present: Brent Wilson, Bob Lusk, Tracy Mesler, Shannon Nave, Don Majka, and Mike Berkley
Directors Absent: Jarrod Reynolds and Tim Watts
3. Pledges of allegiance to the flags.
4. Public comments were made where noted below.

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:** Kris Mowery — 243 Alamo Rd., Montague, TX 76251
Type of Application: Operating Permit
System ID: 100-M
Location of well or proposed well: 243 Alamo Rd., Montague, TX 76251
Requested Permit Volume: 3,000,000 gallons/year
General Manager's Recommendation: 2,729,450 gallons/year
Description of Request: Kris Mowery is seeking an Operating Permit in order utilize an existing well to provide water for commercial and oil/gas water sales.
 - B. **Applicant/Owner:** Lafleur-Roach, LP. — 210 Clear Lake, Weatherford, TX 76086
Type of Application: Operating Permit Amendment
System ID: 195-P
Location of well or proposed well: 114 Scenic Hill Rd, Weatherford, TX 76088
Requested Permit Volume: 1,197,749 gallons/year
General Manager's Recommendation: 1,057,349 gallons/year
Description of Request: Lafleur-Roach, L.P is seeking an amendment to an Operating Permit in order to provide additional water for a commercial business park on the property.
 - C. **Applicant/Owner:** City of Lipan — 105 E. Lipan Dr., Lipan, TX 76462
Type of Application: Operating Permit
System ID: 029-H
Location of well or proposed well: Various locations south of the City of Lipan
Requested Permit Volume: 14,000,000 gallons/year
General Manager's Recommendation: 14,000,000 gallons/year
Description of Request: The City of Lipan is seeking an Operating Permit in order to provide additional water for the city's public water supply.

- D. **Continuation of Hearing for the applications related to Permit IDs 007-W-OP, 011-H-OP, and 014-P-OP Submitted by Aqua TX and described in the Notice of Hearing for the September 21 hearing ("the Hearing Notice"), which was posted prior to September 11, 2023.**
2. General Manager Shaw presented background information and his recommendations for the related to the permit applications:
- A. Director Wilson made a motion to approve the General Manager's recommendation, as presented, for Operating Permit 100-M-OP submitted by Kris Mowery in the amount of 2,729,450 gallons per year. President Mesler seconded the motion. Motion passed unanimously.
 - B. Director Nave made a motion to approve the General Manager's recommendation, as presented, for Operating Permit 195-P-OP submitted by Lafleur-Roach, LP. in the amount of 1,057,349 gallons per year. Director Berkley seconded the motion. Motion passed unanimously.
 - C. Director Nave made a motion to approve the General Manager's recommendation, as presented, for Operating Permit 029-H-OP submitted by City of Lipan in the amount of 14,000,000 gallons per year. Director Lusk seconded the motion. Motion passed unanimously.
 - D. Director Majka made a motion to approve the General Manager's recommendation, as presented, for Operating Permit 007-W-OP submitted by Aqua Texas in the amount of 420,400 gallons per year. Director Wilson seconded the motion. Motion passed unanimously.

President Mesler called for a brief recess at 2:24 p.m. The board returned at 2:27 p.m.

Director Lusk made a motion to approve the General Manager's recommendation, as presented, for Operating Permit 011-H-OP submitted by Aqua Texas in the amount of 575,400 gallons per year. Director Wilson seconded the motion. Motion passed unanimously.

Matt Van Hattem participated in the discussion regarding Operating Permit 014-P-OP. President Mesler made a motion to deny the application for Operating Permit 014-P-OP submitted by Aqua Texas in the amount of 420,400 gallons per year. Director Berkley seconded the motion. Motion passed unanimously.

3. President Mesler adjourned the Public Hearing at 2:36 p.m.

REGULAR BOARD MEETING

1. Director Nave moved to approve the Consent Agenda, including:
- A. Approval of minutes from the Regular Board Meeting and Public Hearing on November 16, 2023.
 - B. Approval of bank statement ending November 30, 2023, and current financial reports of the District.
 - C. Approval of Investment Report.
 - D. Payment of bills/invoices received through December 11, 2023.
 - E. Reimbursements for expenses incurred on behalf of the District through December 11, 2023 including the addition of a mileage reimbursement submitted by Director Majka.
 - F. Approval of Request for an Extension Applications submitted through December 11, 2023.
- Director Lusk seconded the motion. Motion passed unanimously.
2. No items were pulled from the consent agenda for further discussion.
3. **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.


4. Director Berkley moved to adopt 2023 budget amendments, as presented by staff:
- \$2,000.00 from Public Notice – Newspapers to Advertising/ Public Relations - Other
 - \$100.00 from Credit Card Processing to Bank Service Charge - Other
 - \$500.00 from Equipment & Appliances to Monitoring Well Drilling
 - \$200.00 from Dues, Fees, & Subscriptions to Admin Filing Expense
 - \$3,500.00 from Equipment Repair & Maintenance to Computer Software & Hardware
 - \$500.00 from Equipment Repair & Maintenance to Kitchen Supplies
 - \$4,000.00 from Retirement Contribution to Payroll Expense (Tax Liability)
 - \$20,000.00 from Payroll Expenses – Other to Salary
 - \$40,000.00 from GAM Update/Development to Legal Fees - Other
 - \$1,000.00 from Miscellaneous Expense-Other to Kitchen Supplies
 - \$500.00 from Postage to Office Expense-Other

Director Nave seconded the motion. The motion passed unanimously.

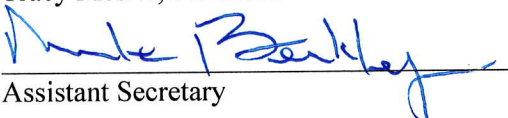
- 5. District General Counsel from SledgeLaw Group gave brief updates regarding legislative activities related to the District.
- 6. The next Hearing and Regular Board meeting are scheduled for Thursday, January 18, 2024, at 5:00 p.m. at the District's office.
- 7. The next meeting agenda will include a Hearing regarding multiple applications for Operating Permits.
- 8. President Mesler adjourned the meeting at 2:48 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 18 day of January 2024.

Attest:



Tracy Mesler, President



Assistant Secretary