



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS

March 3, 2022

REGULAR SESSION BOARD MEETING

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District (UTRWD) convened in Regular Session Board Meeting with President Brian Roberson presiding at 1:08 P.M. on Thursday, March 3, 2022.

2. Roll Call and confirm Quorum

The attendance of the Board of Directors was taken. A quorum was present for the meeting.

Board Members in Attendance:

Brian Roberson, President, Aubrey
Clay Riggs, Treasurer, Flower Mound
Troy Norton, Argyle
Corbett Howard, Celina
Stephen Moore, Denton
Kevin Mercer, DCFWSD #7
Richard Lubke, Highland Village
Greg Scott, Justin
Mike Fairfield, Lake Cities MUA
Allen McCracken, Pilot Point
Frank Jaromin, Prosper

Bob Hart, Vice President, Corinth
Lyle Drescher, Secretary, Northlake
Del Knowler, Bartonville
Mark Pape, Copper Canyon
Gary Calmes, Denton County at Large
Dave Nelson, Double Oak
Orlando Sanchez, Irving
Nate Winchester, Krum
Chris Boyd, Mustang SUD
Michael Anderson, Ponder
Alina Ciocan, Sanger

Absent:

Eric Ferris, Lewisville *

* Excuse Absent

Vacant: Denton County

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director
Nancy Tam, Assistant to Executive Director
Bill Greenleaf, Chief Financial Officer
Dustin Wright, Network System Administrator
Kurt Staller, Assistant Director, Eng & Const
Jan Morris, Assistant Director for Administration
Todd Williams, Mgr of Budget & Financial
Blake Aldredge, Water Education Coordinator

Matthew Butler, Boyle & Lowry, LLP
Jason Pierce, Manager of Governmental Affairs
Tom Snyder, Director of Eng & Constr
Marcos Zepeda, IT Specialist
Adam McKnight, Sr. Professional Engineer
Mark Skaggs, Manager of IT Services
Doug Janeway, Manager of Property Services
Nick Bulaich, Financial Advisor

Others in Attendance:

Kurt Sewell, DCFWSD #7

3. Pledge of Allegiance and Invocation

Pledge of Allegiance was led by Corbett Howard. The invocation was delivered by Bob Hart.

4. Oath of Office

The City of Sanger appointed Alina Ciocan, Assistant City Manager to serve the remainder of Tracy LaPiene's term. President Roberson administered the Oath of Office and welcomed her to the Board.

5. Opening Remarks:

- A. President's Remarks concerning current events, conduct of the meeting, posted agenda items, committee assignments, and related matters.

President Roberson commented that as we celebrated the National Presidents' Day, the Officers attended the District's Presidents Roundtable. It was a great opportunity to meet and learn from these leaders which contributed to the success of the District.

- B. Executive Director's Status Report about legislation and regulatory matters, about budgets, current projects and on-going programs of the District, including: the Regional Water System, Water Resource Development, Regional Water Reclamation Systems, Watershed Protection and Water Conservation.

- According to the U.S. Drought Monitor, we are currently experiencing severe drought condition throughout Texas.
- Water Demand is above average; the increase is due to growth and drought condition.
- Regarding power outage prevention, on March 1, 2022, the District submitted the TCEQ Emergency Preparedness Plan Template. The State confirmed that the District has met the initial reporting requirement.

- C. Presentations about awards, recognitions, achievements, etc. of the District, Board Members, Member Entities and Staff.

None.

6. Visitor Comments Concerning Agenda Topics.

None.

CONSENT AGENDA

Gary Calmes made the motion to approve the Consent Agenda Items No. 7 - 13 as presented by staff. Seconded by Bob Hart. The *Roll Call Vote* was unanimous, 21 Yes, 0 No; 1 Absent (Ferris). Motion carried. The approved Consent Agenda items were:

7. Adopt Minutes of February 3, 2022 Board Meeting.

8. Accept Monthly Management Report for the period ended January 31, 2022.



9. Authorize the Executive Director to reject the bid for the Purchase and Installation of Sodium Hydroxide 50% storage tanks.
10. Authorize the Executive Director to qualify and utilize the following vendors as needed for demolition and debris removal services within the Lake Ralph Hall Project area:
 - Blake Goode Welding & Construction LLC (dba TGW Land Services)
 - Calaway Landworx
 - JMK Site Work LLC
 - Mills Custom Services
 - Moir Watershed Services LLC
 - Outlaw Land Clearing and Fencing LLC
 - Town Haul LLC
11. Consider adoption of Employee Grievance Policy.
12. Received report of construction change orders approved by staff.
13. Receive update of emergency repairs of Hickory Creek Wastewater Lift Station.

INDIVIDUAL CONSIDERATION

14. Consider adoption of Resolution of Appreciation and Commendation for Johnny Harris and his distinguished service as a member of the Upper Trinity Regional Water District Board of Directors.

A selection of photos of Johnny Harris was presented. President Roberson recognized Mrs. Kitty Harris and presented her a bouquet of yellow roses. Rich Lubke read the proposed Resolution of Appreciation which noted that Johnny had provided 31+ years of dedicated service and extraordinary leadership on the Board of Directors. He also served as Vice President 1996-98 and President 1998-99. His vision and leadership will be greatly missed. **Rich Lubke made the motion and a second by Kevin Mercer.** The *Roll Call Vote* was unanimous, 21 Yes, 0 No, 1 vote Absent (Ferris); motion carried.

15. Consider approval of a Resolution consenting to the assignment of Denton County Fresh Water Supply District No. 1A's (Castle Hills) Participating Member contracts for Wholesale Treated Water and Non-Potable Water Services to City of Lewisville.

In November 2021, City of Lewisville annexed approximately 2,569 acres, comprising all of Castle Hills, into its city limits. In addition, Lewisville assumed all the assets, rights, duties, and obligations of FWSD No. 1A. The City of Lewisville has requested said contracts be transferred and assigned to the City.

Staff recommended approval of Resolution consenting to the assumption by the City of Lewisville of two utility contracts between the District and Denton County Fresh Water Supply District No. 1A. **Gary Calmes made the motion to approve Agenda No. 15 as recommended by staff. Seconded by Troy Norton.** The *Roll Call Vote* was unanimous with 21 Yes, 0 No, 1 Absent (Eric Ferris). Motion carried.

16. Consider resolution to authorize using Lakeview Regional Water Reclamation System's Non-Bond Capital Reserve funds for a one-year loan to Lake Cities Municipal Utility Authority for the cost to rehabilitate the Hickory Creek Wastewater Lift Station.

The Lake Cities MUA Hickory Creek Lift Station required extensive repairs and rehabilitation. In November 2021, Board ratified an Emergency Purchase to do the required rehabilitation work. LCMUA requested financing assistance for the cost of the rehabilitation. Staff recommended approval of the Resolution



approving the use of the Lakeview Regional Water Reclamation System’s Non-Bond Capital Reserve funds as a one-year loan to Lake Cities Municipal Utility Authority for the Hickory Creek Wastewater Lift Station Rehabilitation Project.

Bob Hart made the motion to approve Agenda No. 16 as recommended by staff. Seconded by Greg Scott. The *Roll Call Vote* was unanimous with 21 Yes, 0 No, 1 vote Absent (Ferris); motion carried.

17. Consider authorizing Executive Director to enter into a purchase agreement with Pure Technologies U.S., Inc., to use in-line leak detection technology for inspection of District treated water transmission pipelines. **(Weighted Capital Vote)**

The proposed in-line leak detection includes inspection of approximately 9.5 miles of treated water pipelines that are in corrosive soils. If leaks are found, results will determine the best method of repair. Staff recommended that the Board authorize Executive Director to execute a purchase order with Pure Technologies U.S., Inc. for inspection of treated water transmission pipelines for \$83,000.

Corbett Howard made the motion to approve Agenda No. 17 as recommended by staff. Seconded by Clay Riggs. The *Weighted Capital Vote* was 39 Yes, 0 No, 3 votes Absent (Ferris); motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Howard	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Moore	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWS #7 – Mercer	2	2		
DOUBLE OAK – Nelson	1	1		
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Sanchez	2	2		
JUSTIN – Scott	1	1		
KRUM – Winchester	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	3			3
MUSTANG SUD – Boyd	3	3		
NORTHLAKE – Dresher	1	1		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		



PROSPER – Jaromin	1	1	
SANGER – Clocan	1	1	
TOTAL	42	39	3

18. Executive Session concerning granting or acquisition of easements, rights-of-way and other property including leases for Water Resource Development or for Regional Treated Water System, pursuant to Texas Government Code, Section 551.072, according to location maps of the projects available in the District Office; and regarding water rights and related permits; for discussion of security matters pursuant to Texas Government Code, Section 551.076, and, concerning personnel matters related to compensation for Executive Director pursuant to Texas Government Code Section 551.074, and, regarding General Counsel and Executive Director’s review of legal implications for the relocation of a District water pipeline; and, regarding potential lawsuit related to construction projects; and, meeting with legal counsel pursuant to Texas Government Code, Section 551.071, relative to a matter in which the attorney is required under the Texas Disciplinary Rules of Professional Conduct to convey advice in Executive Session.

The Board of Directors went into Executive Session at 1:57 P.M.
 The Board returned to open meeting at 2:33 P.M.

19. Consider action on property matters, some of which may have been discussed in Executive Session. (Weighted Capital Vote)

None.

20. Approve Resolution(s) deeming necessity and authorizing acquisition of property including exercising the Power of Eminent Domain for the Lake Ralph Hall Project.

The Board of Directors discussed purchases of properties necessary for the Lake Ralph Hall Project. Staff recommended to approve individual Resolutions deeming necessity and authorizing acquisition of real property, including exercising the power of eminent domain for the following parcels and take the necessary steps to finalize and close the purchase of property necessary for the Lake Ralph Hall Project:

- Resolution # 2022-07 – Vicente Raymundo and wife Apolonia Martinez De Raymundo
- Resolution # 2022-08 – David A. Shubert and wife Judith L. Shubert

Bob Hart made the motion to approve Agenda No. 20 as recommended by staff. Seconded by Corbett Howard. The *Weighted Capital Vote* was 39 Yes, 0 No, 3 votes Absent (Ferris); motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Howard	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Moore	2	2		
DC AT-LARGE - Calmes	1	1		



DCFWSO #7 – Mercer	2	2	
DOUBLE OAK – Nelson	1	1	
FLOWER MOUND – Riggs	9	9	
HIGHLAND VILLAGE – Lubke	2	2	
IRVING – Sanchez	2	2	
JUSTIN – Scott	1	1	
KRUM – Winchester	1	1	
LAKE CITIES MUA – Fairfield	2	2	
LEWISVILLE – Ferris	3		3
MUSTANG SUD – Boyd	3	3	
NORTHLAKE – Drescher	1	1	
PILOT POINT – McCracken	1	1	
PONDER – Anderson	1	1	
PROSPER – Jaromin	1	1	
SANGER – Ciocan	1	1	
TOTAL	42	39	3

21. Consider action on personnel and compensation matters for the Executive Director as discussed in Executive Session.

The Officers reviewed and evaluated the performance of the Executive Director during year 2021 and shared their evaluation with the entire Board in Executive Session.

Frank Jaromin made the motion to authorize an increase of 9% in the Executive Director's base compensation. Seconded by Corbett Howard. The *Roll Call Vote* was 12 Yes, 9 No, 1 Absent (Ferris); motion carried

Larry Patterson, Executive Director expressed his appreciation to the Board. However, he requested that the compensation increase be adjusted to a 6% increase. **Bob Hart made the motion to approve the revised motion. Seconded by Rich Lubke.** The *Roll Call Vote* was unanimous 21 Yes, 0 No, 1 vote Absent (Ferris); motion carried.

23. Review potential agenda items, activities and announcements for future Board meetings.

Regarding next Board Meeting which is normally scheduled for April 7th. However, due to conflicting schedules with the Texas Water 2022 Conference, it has been rescheduled for April 14, 2022. It will be a regular meeting, not an all-day retreat or field trip.

24. Visitor Comments Concerning Non-Agenda Topics.

None.



25. Adjournment.

There being no further business, President Roberson adjourned the meeting at 2:45 P.M.

Recorded by: *Nancy Tam*
Nancy T. Tam, Assistant Secretary, Board of Directors

Certified by: *Lyle Dresher*
Lyle Dresher, Secretary, Board of Directors

