

MINUTES OF THE  
PERMIT HEARING AND MEETING OF  
THE BOARD OF DIRECTORS OF THE  
MIDDLE TRINITY GROUNDWATER CONSERVATION DISTRICT  
HELD: February 16, 2023

THE STATE OF TEXAS  
COUNTY OF ERATH

On this 16<sup>th</sup> day of February 2023 the Board of Directors of the Middle Trinity Groundwater Conservation District convened in a PERMIT HEARING at 930 Wolfe Nursery Rd, Stephenville, Texas at 1:00 PM with the following members present:

Rodney Stephens – President  
Fred Parker - Secretary  
Shane Tucker - Director  
Kenneth Bullington – Director  
Joe Altebaumer – Director  
Frank Volleman – Director

Barbara Domel – Vice-President  
Jerry Hinshaw - Director  
Gary Kafer - Director  
Charles Ferguson – Director  
Robert Payne – Director  
W.B. Maples - Director

No Board Members were absent. Also present were Patrick Wagner, Johnny Wells, Stephanie Wells, Debbie Montgomery, and Rachael Phillips.

President Rodney Stephens called the hearing to order, declared a quorum present and that the hearing was duly convened and ready to transact business.

Notice of the hearing was given, stating the time, place and purpose, all as required by Chapter 551 of the Government Code.

1. Hearing called to order by Rodney Stephens.
2. Roll Call of members was given by Debbie Montgomery.
3. All operating permit applications were presented as administratively complete.
4. Motion to adjourn permit hearing made by Fred Parker. Second by Charles Ferguson. All members present voted yes.
5. Rodney Stephens adjourned the permit hearing.

THE STATE OF TEXAS  
COUNTY OF ERATH

On this 16<sup>th</sup> day of February 2023, the Board of Directors of the Middle Trinity Groundwater Conservation District convened in a STATED SESSION at 930 Wolfe Nursery Rd, Stephenville, Texas at 1:00 PM with the following members present:

Rodney Stephens – President  
Fred Parker - Secretary  
Shane Tucker - Director  
Kenneth Bullington – Director  
Joe Altebaumer – Director  
Frank Volleman – Director

Barbara Domel – Vice-President  
Jerry Hinshaw - Director  
Gary Kafer - Director  
Charles Ferguson – Director  
Robert Payne – Director  
W.B. Maples - Director

No Board Members were absent. Also present were Patrick Wagner, Johnny Wells, Stephanie Wells, Debbie Montgomery, and Rachael Phillips.

President Rodney Stephens called the meeting to order, declared a quorum present and that the meeting was duly convened and ready to transact business.

Notice of the hearing was given, stating the time, place and purpose, all as required by Chapter 551 of the Government Code.

1. Meeting called to order by Rodney Stephens.
2. Roll Call of Members was given by Debbie Montgomery.
3. Invocation was given by Joe Altebaumer.
4. Pledge of Allegiance was conducted
5. There were no guests present.
6. There were no public comments.
7. Kenneth Bullington made a motion to approve all operating permit applications on the permit hearing agenda. Second by Robert Payne. All members present voted yes to approve the permit applications.
8. There was a review of the Minutes of the January 5<sup>th</sup>, 2022 monthly Board Meeting. Kenneth Bullington moved to approve the minutes, second by Joe Altebaumer. All members present voted yes to approve the minutes.
9. Check Detail Report reviewed for dates 1/3/2023 through 1/31/2023, for check numbers 12071 through 12118, and including electronic checks 1132023, 1312023, 2023113, 2023131, and 3112023. Motion was made by Kenneth Bullington, second by Joe Altebaumer, to approve and ratify the payment of the bills. All members present voted yes.
10. Income/Expense Comparison was reviewed by Patrick Wagner.
11. There was a review of the current tax rate and percent of revenue collected. 64.9 % has been collected.
12. Patrick Wagner went over the Annual Report on Achievement of MTGCD Management Plan Objectives.
13. Manager's Report was given by Patrick Wagner.
14. Office Administrator's Report was given by Debbie Montgomery. In addition to the permit applications, there were 20 new exempt well registrations during the past month.
15. Field Tech report was given by Johnny Wells. Five wells were plugged in the month of January, 3 in Comanche County and 2 in Erath County. Five water quality tests were completed, 1 in Erath County, 5 in Comanche County, and 3 in Coryell County. All 3 Coryell County wells tested high in Salinity and TDS.. Erath County wells were monitored in January and Comanche County wells will be monitored in February.
16. Education/PR Report/The Ditch Water Discovery Center Update was given by Stephanie Keith.
17. There was discussion on the service contract that ended 1/31/2023 with Lake Flato Architects and Studio Outside. An Additional Service Request for the Ditch Water Discovery Center was presented, with hourly, not-to-exceed fees. Charles Ferguson made a motion for Patrick Wagner to negotiate up to \$5000 for as-needed services in order get obtain SITES documentation. Second by Jerry Hinshaw. All members present voted yes.
18. There was discussion on the Resolution to Waive Penalty and Interest for Comanche County for the days that the Comanche County offices were closed due to inclement weather, which may have presented some persons from timely paying their 2022 property taxes. Frank Volleman moved to waive the penalty and interest for those days, second by Jerry Hinshaw. All members present voted yes. Resolution passed and approved.
19. Patrick Wagner went over Modeled Available Groundwater and Desired Future Conditions.
20. Monthly Drought Report was given by Patrick Wagner.
21. No Executive Session taken.
22. There was discussion on agenda items for the March Board Meeting.
23. Fred Parker moved to adjourn the meeting, second by Charles Ferguson. Meeting adjourned by Rodney Stephens.

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Joe Altebaumer/Erath Co.

*Fred Parker*

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Fred Parker/Erath Co.

*Jerry Hinshaw*

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Jerry Hinshaw/ Erath Co.

*Shane Tucker*

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Shane Tucker /Comanche Co.

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Frank Volleman/Comanche Co.

*Rodney Stephens*

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Rodney Stephens/Comanche Co.

*Charles E. Ferguson*

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Charles E. Ferguson/ Bosque Co.

*Barbara Domel*

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Barbara Domel/Bosque Co.

*Robert Payne*

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Robert Payne/Bosque Co.

*Gary Kafer*

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Gary Kafer/Coryell Co.

*Kenneth Bullington*

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Kenneth Bullington/Coryell Co.

*W.B. Maples*

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W.B. Maples/ Coryell Co.

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
MIDDLE TRINITY GROUNDWATER CONSERVATION DISTRICT  
CONFIRMING THE ANNUAL REVIEW AND CONTINUANCE OF THE  
INVESTMENT POLICY, WITHOUT AMENDMENT, FOR THE DISTRICT**

THE STATE OF TEXAS

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MIDDLE TRINITY GROUNDWATER CONSERVATION DISTRICT

§§

**WHEREAS**, the Middle Trinity Groundwater Conservation District (“District”) was created by the Texas Legislature, pursuant to the authority Article XVI, § 59 of the Texas Constitution, through Act of May 25, 2001, 77<sup>th</sup> Leg., R.S., ch. 1362, 2001 Tex. Gen. Laws 2271, as amended (“the Act”), codified as Chapter 8862 of the Texas Special District Local Laws Code as a groundwater conservation district operating under Chapter 36, Texas Water Code, and the Act:

**WHEREAS**, Section 8862.101 of the Act grants the District with the rights, powers, privileges, functions, and duties provided by the general law of Texas, including Chapter 36 of the Texas Water Code;

**WHEREAS**, Section 36.061 of the Texas Water Code requires a groundwater conservation district to adopt a policy relating to District investments which the District has previously adopted;

**WHEREAS**, the Texas Public Funds Investment Act (Chapter 2256 of the Texas Government Code) requires the Board of Directors of the District to conduct an annual review of its investments policy and make any necessary changes to the said Policy;

**WHEREAS**, the Board now finds that such review has been conducted and no amendments were identified for the District’s investment policy.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF MIDDLE TRINITY GROUNDWATER CONSERVATION DISTRICT THAT:

1. The above recitals are true and correct.
2. The Board of Directors of the District has hereby conducted its annual review of the Investment Policy and did not identify an amendment that needed to be made to the Investment Policy for the District.
3. The attached Investment Policy attached as Exhibit “A” shall continue in effect until modified by the Board of Directors.
4. The Board of Directors hereby authorizes and directs the District General Manager and legal counsel to take any and all action necessary to implement the terms of the Resolution.

**AND IT IS SO ORDERED.**

**PASSED AND ADOPTED on the 5<sup>th</sup> day of January 2023.**

MIDDLE TRINITY GROUNDWATER CONSERVATION DISTRICT

ATTEST:

  
Secretary

By:   
President, Board of Directors

RESOLUTION TO WAIVE PENALTY AND INTEREST

WHEREAS, Texas Property Tax Code §33.011 authorizes the governing body of a taxing unit to waive penalty and interest on a tax if an act or omission of an officer, employee, or agent of the taxing unit caused or resulted in the taxpayer's failure to pay the tax before the delinquency and such taxes are paid within twenty-one days of the date such taxes were due: and,

WHEREAS, Texas Property Tax Code provides that taxes are due upon receipt of the tax bill and are delinquent if not paid before February 1 of the year following the year of the tax and 6.05(i); and,

WHEREAS, on January 30, 2023, the County Judge in order to protect the courthouse personnel and the public from the inclement weather on said day ordered the closing of the Courthouse, which prevented some persons from timely paying their 2022 property taxes to the County Tax Assessor-Collector; and,

WHEREAS, the governing body of the Middle Trinity Groundwater Conservation District (Taxing Unit) had determined it was in the public interest for the courthouse to close and has also determined that the inability to make timely payment by certain person was due to the actions of the taxing unit and not the public at large, and for such reason those persons who attempted to timely pay their taxes should not be charged any penalties and interest on the taxes provided that such taxes are paid by close of business February 8, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE Middle Trinity Groundwater Conservation District (Taxing Unit) THAT:

1. All of the recitals stated above are true and correct.
2. The Tax Assessor-Collector of the Taxing Unit is hereby authorized under Texas Property Tax Code §33.011 to waive any penalties and interest on the payment of the 2022 property taxes, provided said taxes are paid by close of business February 8, 2023.

PASSED AND APPROVED THIS the 16<sup>th</sup> Day of February, 2023

  
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Presiding Officer of the Taxing Unit

  
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Secretary of the Taxing Unit