

# MINUTES

## UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS

May 2, 2024

### 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 Vice President Lyle Dresher presiding at 1:05 p.m. on Thursday, May 2, 2024, at 900 N. Kealy Avenue, Lewisville, TX 75057.

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:**

Clay M. Riggs, President | Flower Mound  
Greg Scott, Treasurer | Justin  
Brian Roberson | Aubrey  
Kimberly Brawner | Celina  
Stephen Gay | Denton  
Dave Nelson | Double Oak  
Orlando Sanchez | Irving  
Chris Boyd | Mustang SUD  
Michael Anderson | Ponder  
Alina Ciocan | Sanger

Lyle Dresher, VP | Denton County At Large  
Allen L. McCracken, II, Secretary | Pilot Point  
Del Knowler | Bartonville  
Mark Pape | Copper Canyon  
Kevin Mercer | DCFWSD #7  
Rich Lubke | Highland Village  
Kelly Rouse | Lewisville  
Drew Corn | Northlake  
George Dupont | Prosper

**Absent:**

Glenn Barker | Corinth\*  
Mike Fairfield | Lake Cities MUA\*

Nate Winchester | Krum\*

**Staff and Advisors in Attendance:**

Larry N. Patterson, Executive Director  
Nancy Tam, Assistant to Executive Director  
Lester Harris, Chief Financial Officer  
Dustin Wright, Mgr of IT Services  
Kurt Staller, Director of Eng & Construction  
Jody Zabolio, Director of Operations  
Steve McHenry, Operations Supervisor  
Ed Motley, LRH Program Mgr  
Doug Janeway, Manager of Property Services  
Rebecca Zabolio, Communications Specialist

Matthew Boyle, General Counsel  
Jason Pierce, Mgr of Gov Affairs & Comm  
Mary Dockery, Controller  
Marcos Zepeda, IT Specialist  
Adam McKnight, Chief Engineer  
Ben Hodges, Deputy Director of Operations  
Jason Lucero, Sr Wastewater Operator  
Ronna Hartt, Asst Dir of Ops – Water Res  
Jan Morris, Chief Administrative Officer  
Nick Bulaich, Hilltop Securities

**Others in Attendance:**

Troy Norton, Former Board Member  
Jerry Snead II, HDR  
Andre Garces, Plummer Associates, Inc.

Andre McBarnette, CDM Smith  
Anthony Samarripas, Kimley-Horn  
Tom Beatty, Citizen

3. Pledge of Allegiance and Invocation

Pledge of Allegiance was led by Greg Scott. The invocation was delivered by Drew Corn.

4. Oath of Office

None.

5. Opening Remarks:

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

Lyle Drescher announced that he would be running the meeting. The President, Clay Riggs, is currently traveling. Vice President Drescher reminded everyone that Memorial Day will be observed at the end of the month.

- B. Executive Director's Status Report about legislation and regulatory matters, 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.

- Statewide the drought condition has very much improved. Thankful for the recent rainfall. However, Lake Travis in the Austin area is still down 40'.
- Taylor Plant High Service Pump #7 failed. It will cost \$127,000 to repair.
- Mustang SUD – received award from the Texas Rural Water Association for Outstanding Large Utility

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

District and staff received numerous awards and were recognized at the 2024 Texas Water Conference (Fort Worth, TX):

- UTRWD received the Exemplary Employer Award
- UTRWD received the Watermark Award for Communication Excellence (Don't Water At All Y'all Campaign)
- Peninsula WRP received the Plant of the Year – Category 1
- Doe Branch WRP received Plant of the Year – Category 2
- Jody Zabolio received the Winfield S. Mahlie Award
- Kaylee Waldo received the Emerging Leader Award
- Ben Hodges received the Workforce Development Award
- Steven McHenry received the Bill Tatum Operations Excellence Award



6. Visitor Comments Concerning Agenda Topics

Tom Beatty, who resides in Aubrey, Texas, asked to speak. He stated that he observed a survey team working around his house, unannounced, and walking around his front yard. Mr. Beatty asked for transparency as to the work being done. Doug Janeway stepped out of the meeting to speak with him and offered assistance.

**CONSENT AGENDA**

**Rich Lubke made the motion to approve the Consent Agenda Items 7-13 as presented by staff. Seconded by Brian Roberson.** The *Roll Call Vote* was 18 Yes, 0 No, 3 votes Absent (Barker, Winchester and Fairfield). Motion carried. The approved Consent Agenda items were:

7. Adopt Minutes of April 4, 2024 Board Meeting.
8. Accept Monthly Management Report for the period ended March 31, 2024.
9. Accept Quarterly Investment Report for the period ended March 31, 2024.
10. Authorize the Executive Director to enter into pricing agreements for the purchase of chemicals for the wastewater treatment process:
  - A. Garrison Minerals LLC for the purchase of Magnesium Hydroxide.
  - B. Polydyne Inc. and Solenis LLC for the purchase of Cationic Polyacrylamide Emulsion (Wastewater Polymer).
  - C. Commercial Chemical Products, Inc. (Purify) and PVS Minibulk, Inc. for the purchase of Sodium Hypochlorite.
11. Authorize the Executive Director to enter into purchasing agreements with:
  - A. Opengov, Inc. for the renewal of Maintenance CMMS software license.
  - B. Xylem Water Solutions USA, Inc. for the purchase of a replacement Flygt Pump for the Lantana Lift Station within the Lakeview Water Reclamation System.
12. Adopt Proclamation proclaiming the week of May 5-11, 2024 as **Drinking Water Week** in the District's Service Area.
13. Receive report of construction change orders approved by staff.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

14. Authorize the Executive Director to enter into a termination agreement with Enterprise Fleet Management for the purchase of all ordered and leased vehicles and approve associated Budget Amendments. **(Weighted Capital Vote)**



Currently the District is leasing thirty (30) vehicles and awaiting delivery on four (4) new vehicles. Enterprise submitted a purchase proposal based on the current residual book value of all leased vehicles and the cost of the four new vehicles not yet received in the amount of \$1,700,047.88. The residual book value on the leased vehicles takes into account the lease payments already made by the District and the mileage and age of the vehicles.

Staff evaluated the pricing and determined it is equitable and fair. Staff recommended that the Executive Director be able to enter into a termination agreement with Enterprise Fleet Management for the purchase of thirty-four vehicles in the amount of \$1,700,047.88, and approve the associated Budget Amendments.

**Drew Corn made the motion to approve Agenda Item 14 as presented by staff. Seconded by Greg Scott.** The *Weighted Capital Vote* was 42 Yes, 0 No, 6 votes Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Vacant (1 vote)					
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3				3
DENTON (city) – Gay	2	2			
DENTON COUNTY AT LARGE – Dresher	1	1			
DCFWSD #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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>48</b>	<b>42</b>	<b>0</b>	<b>0</b>	<b>6</b>

- Consider adoption of Resolution of Appreciation and Commendation for Troy Norton and his distinguished service as a member of the Upper Trinity Regional Water District Board of Directors.

Treasurer Greg Scott read the Resolution of Appreciation honoring Mr. Troy Norton and his distinguished service as a member of the Board of Directors. On behalf of the Board, Vice President Dresher presented him a plaque of appreciation. **Greg Scott made the motion to approve Item 15. Seconded by Allen McCracken.** The *Roll Call Vote* was 18 Yes, 0 No, 3 votes Absent (Barker, Winchester and Fairfield). Motion carried.



16. Consider adoption of Resolution recognizing the Town of Double Oak’s 50<sup>th</sup> Anniversary.

The Town of Double Oak is celebrating its 50<sup>th</sup> Anniversary this year. The Board of Directors of Upper Trinity Regional Water District wishes to extend to the Town of Double Oak, its leaders and citizens, a message of best wishes and congratulations on this special occasion. **Greg Scott made the motion to approve Item 16 as presented. Seconded by Alina Ciocan.** The *Roll Call Vote* was 18 Yes, 0 No, 3 votes Absent (Barker, Winchester and Fairfield). Motion carried.

17. Consider adoption of Resolution(s) authorizing Staff to file an application(s) with Texas Water Development Board (TWDB) for financial assistance in support of:

- A. The proposed Lake Ralph Hall Project.
- B. The proposed Harpool Water Treatment Plant Expansion Project.

The District submitted to TWDB for two abridged (preliminary) applications for both the Lake Ralph Hall Project and the Harpool Water Treatment Plant Expansion Project. TWDB did an extensive evaluation and ranking process to develop an applicant funding invitation listing. On April 11th, the TWDB notified the District that Board Participation for the Lake Ralph Hall Project and the Harpool Water Treatment Plant Expansion Project had met all qualifications and invited the District to formally apply for funding. **Drew Corn made the motion to approve Items 17A and 17B as presented by staff. Seconded by Allen McCracken.** The *Roll Call Vote* was 18 Yes, 0 No, 3 votes Absent (Barker, Winchester and Fairfield). Motion carried.

18. Consider approval of Interlocal Agreement between Greater Texoma Utility Authority, North Texas Municipal Water District, and Upper Trinity Regional Water District to participate in a Joint Water Supply Study and to share in the cost thereof. (Weighted Capital Vote)

In recent years, there are tremendous growth and development in the North Texas area. The proposed Interlocal Agreement provides for Upper Trinity, GTUA, and NTMWD to jointly participate in the new study and to share in the costs to explore the possibility of developing a new regional water treatment and transmission system to enable GTUA to serve parts of Collin, Cooke, Denton, and Grayson counties. Cost to be shared equally between the Parties. Upper Trinity’s share is \$269,238.33. Upper Trinity’s participation focused on service for Celina, Mustang SUD & Pilot Point.

Staff recommended approval of the Interlocal Cooperation Agreement between Greater Texoma Utility Authority, North Texas Municipal Water District and Upper Trinity for the Joint Water Supply Study. **Alina Ciocan made the motion to approve Agenda Item 18 as presented. Seconded by Kimberly Brawner.** The *Weighted Capital Vote* was 42 Yes, 0 No, 6 votes Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Vacant (1 vote)					
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			



CELINA – Brawner	4	4			
CORINTH – Barker	3				3
DENTON (city) – Gay	2	2			
DENTON COUNTY AT LARGE – Dresher	1	1			
DCFWSD #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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>48</b>	<b>42</b>	<b>0</b>	<b>0</b>	<b>6</b>

19. Consider approval of Task Order No. 8 with HDR Engineering, Inc. for engineering services related to identifying pipeline alignments to serve Ponder and Krum. (Weighted Capital Vote)

The western and northwestern portion of the District’s service area is experiencing growth that is expected to continue for many more years. District staff continues to evaluate existing facilities in order to identify the most cost-effective means to address growth in the regional water system.

The proposed Task Order No. 8 with HDR Engineering, Inc. is for engineering services related to evaluating pipeline alignments, identifying key hydraulic parameters, and recommending up to three alignments for the future transmission pipeline. The total amount for Task Order No. 8 is \$447,443.00. **Rich Lubke made the motion to approve Agenda Item 19 as presented by staff. Seconded by Greg Scott.** The *Weighted Capital Vote* was 42 Yes, 0 No, 6 votes Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Vacant (1 vote)					
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3				3
DENTON (city) – Gay	2	2			
DENTON COUNTY AT LARGE – Dresher	1	1			
DCFWSD #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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>48</b>	<b>42</b>	<b>0</b>	<b>0</b>	<b>6</b>

20. Lake Ralph Hall Agenda Items: (Weighted Capital Vote)

- A. Consider Resolution authorizing acceptance of completed work, approval of final change order, final payment, and release of retainage for construction contract awarded to RES Environmental Operating Co., LLC, and related budget amendment.

All work has been completed in accordance to plans, specifications, and change orders, except for minor punch list items. Staff recommended approval of a Resolution authorizing acceptance of completed work, final change order, final payment and release of retainage for the construction contract awarded to RES Environmental Operating Company, LLC for clearing and demolition of the Lake Ralph Hall Reservoir Area East of SH 34 Bridge.

Stephen Gay and Mark Pape left the meeting at 1:55 p.m.

- B. Consider approval of Amendment No. 5 to an existing Construction Manager at Risk (CMAR) contract with Archer Western Construction, LLC to establish a Progressive Guaranteed Maximum Price No. 4 for Lake Ralph Hall Raw Water Pump Station.

Archer Western has publicly solicited bids for Bid Package 10 and 11:

- Bid Package 10 is for the Maintenance Facility. Two bids received, staff evaluated and recommended awarding package to Rudick Construction for \$7,550,832.
- Bid Package 11 is for the SCADA Integration at LRH remote sites: Maintenance Building, Balancing Reservoir and Delivery Point. Prime Controls provided a proposal which was reviewed and recommended to include in this contract for \$537,012.

Staff recommended that the Board approval of Amendment No. 5 to the Archer Western Construction, LLC CMAR contract for Lake Ralph Hall Raw Water Pump Station -- Progressive GMP No. 4 in the not to exceed amount of \$9,664,314.17.

**Del Knowler made the motion to approve Agenda Items 20A and 20B as presented. Seconded by Dave Nelson.** The *Weighted Capital Vote* was 40 Yes, 0 No, 8 votes Absent. Motion carried.



Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Vacant (1 vote)					
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3				3
DENTON (city) – Gay	2				2
DENTON COUNTY AT LARGE – Dresher	1	1			
DCFWSD #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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>48</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>8</b>

- Receive report of Nominating Committee and conduct election of Officers for the year beginning June 1, 2024.

At the last Board Meeting (April 4<sup>th</sup>), President Clay Riggs appointed the following Board Members to serve on the Nominating Committee: Rich Lubke (Highland Village) Chair, Dave Nelson (Double Oak), Mike Fairfield (Lake Cities MUA), Kelly Rouse (Lewisville), and Alina Ciocan (Sanger).

The Committee has deliberated and recommended that the following Officers to serve another 1-year term as their current position:

Clay Riggs, President  
 Greg Scott, Treasurer

Lyle Dresher, Vice President  
 Allen McCracken, Secretary

**Rich Lubke made the motion to approve Item 21 as recommended by the Nominating Committee. Seconded by Kevin Mercer.** The Roll Call Vote was 17 Yes, 0 No, 4 votes Absent (Barker, Gay, Winchester and Fairfield). Motion passed.

- 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,





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 including but not limited to construction contracts and projects related to Lake Ralph Hall.

There was no Executive Session required for this meeting.

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

None.

24. Consider action on Lake Ralph Hall construction change orders, some of which may have been discussed in Executive Session. (Weighted Capital Vote)

None.

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

None.

26. Visitor Comments Concerning Non-Agenda Topics.

None.

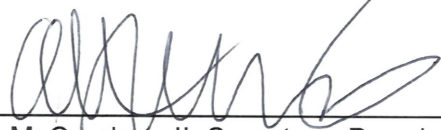
27. Adjournment.

There being no further business, Vice President Drescher adjourned the meeting at 2:10 p.m.

Recorded by:

  
\_\_\_\_\_  
Nancy T. Tam, Assistant Secretary, Board of Directors

Certified by:

  
\_\_\_\_\_  
Allen L. McCracken, II, Secretary, Board of Directors

