



# MINUTES

## UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS

October 3, 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 President Clay Riggs presiding at 1:09 p.m. on Thursday, October 3, 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  
Bobby Johnson | Argyle  
Del Knowler | Bartonville  
Mark Pape | Copper Canyon  
Kevin Mercer | DCFWSD #7  
Richard Lubke | Highland Village  
Mike Fairfield | Lake Cities MUA  
Chris Boyd | Mustang SUD  
George Dupont | Prosper

Lyle Drescher, VP | Denton County At Large  
Allen L. McCracken, II, Secretary | Pilot Point  
Brian Roberson | Aubrey  
Kimberly Brawner | Celina  
Glenn Barker | Corinth  
Dave Nelson | Double Oak  
Orlando Sanchez | Irving  
Kelly Rouse | Lewisville  
Michael Anderson | Ponder  
Jim Bolz | Sanger

**Absent:**

Stephen Gay | Denton\*  
Drew Corn | Northlake\*

Nate Winchester | Krum\*

\* Excused Absence

**Vacant:** Denton County

**Staff and Advisors in Attendance:**

Larry N. Patterson, Executive Director  
Nancy Tam, Assistant to Executive Director  
Lester Harris, Chief Financial Officer  
Tina Cheng, Staff Accountant II  
Stephanie Noel, Sr. Financial Analyst  
Marcos Zepeda, IT Specialist  
Adam McKnight, Director of Eng & Construction  
Jody Zabolio, Chief Operations Officer  
Jason Lucero, Sr. Wastewater Operator  
Dustin Clark, Sr. Wastewater Operator  
Brad Rebhan, Operations Supervisor

Matthew Boyle, General Counsel  
Jason Pierce, Dir of Gov Affairs & Comm  
Mary Dockery, Controller  
Todd Williams, Manager of Budget & Financial  
Dustin Wright, Manager of IT Services  
Kurt Staller, District Engineer  
Kaylee Waldo, Project Engineer  
Ben Hodges, Director of Operations  
Jeff Mlak, Water Operations Manager  
Scott Moore, Sr. Transmission Operator  
Mark Long, Water Operator III

Joe Thompson, Operations Supervisor  
Ed Motley, LRH Program Manager  
Doug Janeway, Manager of Property Services  
Jeremy Sander, Procurement/Risk Manager

Jarrod Stevens, Sr. Water Operator III  
Ronna Hartt, Dir of Water Resources & Planning  
Jan Morris, Chief Administrative Officer

**Others in Attendance:**

Trent Vandagriff, Wall Engineering  
Andre Garces, Plummer Associates  
Chad Simmons, Freese and Nichols  
Stephanie Winquest, Pape-Dawson

Ashlyn Morgan, Kimley-Horn  
Bill Pembroke, Halff  
Anthony Samarripas, Kimley-Horn

3. Pledge of Allegiance and Invocation

The Pledge of Allegiance was led by Lyle Drescher; Invocation was delivered by Greg Scott.

Larry Patterson asked for a moment of silence for the five Granite employees killed in a vehicle accident (about a week ago) on their way to work at Lake Ralph Hall, and to keep their families in your prayers.

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.

The Ministry of Foreign Affairs of Denmark and the Water Technology Alliance invited Water Sector representatives from California, Michigan, Ohio and Texas to visit Denmark to exchange knowledge and technology. Clay Riggs and Jody Zabolio were invited to participate as UTRWD representatives. The Tour Program was from September 15-21, 2024. According to President Riggs, it was an intense sharing and learning experience!

Secretary McCracken recognized Trent Vandergriff, former Public Works Director for City of Pilot Point.

- 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.

- The Executive Director showed two videos. The first was about TWDB's traveling board meetings; the second was about the importance of water conservation.
- Planning to have a meeting with Senator Perry regarding legislation on water supply funding. Water funding is a big issue across the State and during the next legislative session.



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

Ben Hodges presented an informative statistic of TCEQ Water Utility Licenses (Class D to Class A) for water and wastewater operators. Achieving “AA” Licenses are a remarkable achievement in the utility business. President Riggs and Executive Director presented three employees with a plaque recognizing their accomplishment in reaching the AA operator distinction:

- Mark Long, Water Operator III, Harpool Regional Water Plant
- Dustin Clark, Sr. Wastewater Operator, Doe Branch Regional Water Reclamation Plant
- Jason Lucero, Sr. Wastewater Operator, Peninsula Water Reclamation Plant

6. Visitor Comments Concerning Agenda Topics

None.

### **CONSENT AGENDA**

**Richard Lubke made the motion to approve the Consent Agenda Items 7-11 as presented. Seconded by Brian Roberson.** The *Roll Call Vote* was 19 Yes, 0 No, 3 Absent. Motion carried. The approved Consent Agenda items were:

7. Adopt Minutes of September 5, 2024 Board Meeting.
8. Accept Monthly Management Report for the period ended August 31, 2024.
9. Authorize the Executive Director to enter into pricing agreements with:
  - A. U.S. Peroxide, LLC (USP Technologies) for the purchase of odor control chemicals and related services at the Lakeview Water Reclamation Plant.
  - B. Chameleon Industries, Inc. for the purchase of Aluminum Sulfate used in the treatment at all District water reclamation plants.
10. Receive report of construction change orders approved by staff.
11. Authorize the Executive Director to execute an Engagement Letter with the District’s external auditor Deloitte & Touche, LLP to conduct the District’s FY 2024 annual financial audit.

### **ITEMS FOR INDIVIDUAL CONSIDERATION**

12. Authorize the Executive Director to enter into a purchasing agreement with Sam Pack Five Star Ford for the purchase of a van for the Maintenance Department as authorized in the FY 25 Budget. **(Weighted Capital Vote)**

A High Roof Cargo Van was authorized in the FY 25 Budget. This vehicle was found locally and will be available to put into service within a few weeks. Staff recommended the Board authorize the Executive Director to enter into a purchasing agreement with Sam Pack Five Star Ford for the



purchase of the van for the Maintenance Department as authorized in the FY 25 Budget in the amount of \$70,300.17.

**Greg Scott made the motion to approve Item 12 as presented. Seconded by Mike Fairfield.** The *Weighted Capital Vote* was 44 Yes, 0 No, 6 Absent (Gay, Winchester, Corn). Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2				2
DENTON (county) (Vacant, 1 vote)					
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	6	6			
NORTHLAKE – Corn	3				3
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
<b>TOTAL:</b>	<b>50</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>6</b>

13. Authorize the Executive Director to enter into a purchasing agreement with Vulcan Industries, Inc. for the purchase of a washing press for the Doe Branch Water Reclamation Plant. (Weighted Capital Vote)

A Washing Press is used in the initial stages of the wastewater treatment process. It removes large and potentially damaging materials from the treatment stream. Purchasing a second Washing Press will provide redundancy and allow for increased treatment during high flows.

Staff recommended that the Board authorize the Executive Director to enter into a purchasing agreement with Vulcan Industries, Inc. for the purchase of a Washing Press for the Doe Branch Water Reclamation Plant in the amount of \$130,678 as authorized by the FY 25 Budget. **Greg Scott made the motion to approve Item 13 as presented. Seconded by Kimberly Brawner.** The *Weighted Capital Vote* was 44 Yes, 0 No, 6 Absent (Gay, Winchester, Corn). Motion carried.



Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2				2
DENTON (county) (Vacant, 1 vote)					
DENTON COUNTY AT LARGE – Dresher	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 – Rouse	3	3			
MUSTANG SUD – Boyd	6	6			
NORTHLAKE – Corn	3				3
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
<b>TOTAL:</b>	<b>50</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>6</b>

14. Consider Change Order to existing Harpool WTP Diurnal Pond Contract with Archer Western Construction, LLC for installation of 48-inch tee, butterfly valve, and associated appurtenances in advance of the Northeast Pipeline Phase 2 Project. (Weighted Capital Vote)

The proposed Change Order reduces impacts and complexity of scheduling multiple shutdowns and that the construction can be completed this winter – during low flow period.

Staff recommended that the Board approve Change Order No. 9 to Harpool Diurnal Pond Project with Archer Western Construction, LLC for the installation of a 48-inch tee, butterfly valve, and associated appurtenances in advance of the Northeast Pipeline Phase 2 Project for \$1,258,299.93. **Richard Lubke made the motion to approve Item 14 as presented. Seconded by Kimberly Brawner.** The *Weighted Capital Vote* was 44 Yes, 0 No, 6 Absent (Gay, Winchester, Corn). Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			



CORINTH – Barker	3	3			
DENTON (city) – Gay	2				2
DENTON (county) (Vacant, 1 vote)					
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	6	6			
NORTHLAKE – Corn	3				3
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
<b>TOTAL:</b>	<b>50</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>6</b>

15. Consider approval of Task Order No. 5 to the existing contract with Freese and Nichols, Inc. for Engineering and Other Technical Support Relating to Permitting and Regulatory Compliance for Lake Ralph Hall. (Weighted Capital Vote)

Freese and Nichols, Inc. has unique expertise in permitting and regulatory matters relating to large reservoirs in Texas and has served as a sub-consultant advising the District on Lake Ralph Hall permitting activities for more than ten years. FNI’s services are still needed to support the District on the *404 Permit Compliance & Support*, and *Cultural Resource Permitting & Compliance Assistance*.

Staff recommended the Board approval of Task Order No. 5 with Freese and Nichols, Inc. for a not-to-exceed amount of \$70,000. **Greg Scott made the motion to approve Item 15 as presented. Seconded by Lyle Dresher.** The *Weighted Capital Vote* was 44 Yes, 0 No, 6 Absent (Gay, Winchester, Corn). Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2				2
DENTON (county) (Vacant, 1 vote)					
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	6	6			
NORTHLAKE – Corn	3				3
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
<b>TOTAL:</b>	<b>50</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>6</b>

16. Consider approval of Contract with Dallas County Park Cities Municipal Utility District for purchase of untreated water.

Dallas County Park Cities MUD provides treated and untreated water to University Park, Highland Park, Grapevine, and Brookhollow Golf Course. They partnered with Upper Trinity to evaluate water supply in Grapevine Lake and the Study determined that DCPCMUD has excess raw water available.

Staff recommended approval of Contract for Sale of Wholesale Untreated Water with Dallas County Park Cities MUD and authorize the Executive Director to finalize the necessary documents with the City of Dallas to implement the associated untreated water exchange. **Mike Fairfield made the motion to approve Item 16 as presented. Seconded by Allen McCracken.** The Roll Call Vote was 19 Yes, 0 No, 3 Absent. Motion carried.

Glenn Barker and Mark Pape left the meeting at 2:05 p.m.

17. 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 and service contracts related to energy procurement.

The Executive Session began at 2:06 p.m.  
 The Board returned to open meeting at 2:40 p.m.



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

A. The Board discussed in Executive Session the following Resolutions related to acquisition of **NE Pipeline Phase 2 Project**: *Resolution #2024-33 --10,000 Celina Road, LLC and Resolution #2024-34 – Pignataro Intl Ltd.*

**Kimberly Brawner made the motion to approve both Resolution #2024-33 and Resolution #2024-34 consistent with our discussions in Executive Session.** Seconded by Dave Nelson. The *Weighted Capital Vote* was 41 Yes, 0 No, 9 Absent (Barker, Gay, Winchester, Corn). Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3				3
DENTON (city) – Gay	2				2
DENTON (county) – (Vacant, 1 vote)					
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	6	6			
NORTHLAKE – Corn	3				3
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
<b>TOTAL:</b>	<b>50</b>	<b>41</b>	<b>0</b>	<b>0</b>	<b>9</b>

B. The Board also discussed Resolution #2024-35 (North Texas Natural Select Materials) in Executive Session related easement rights across owner’s property and said easement is an intricate part of the District’s Regional Treated Water System (NE Pipeline Phase 3).

**Kevin Mercer made the motion to approve Resolution #2024-35 consistent with our discussions in Executive Session.** Seconded by Brian Roberson. The *Weighted Capital Vote* was 41 Yes, 0 No, 9 Absent (Barker, Gay, Winchester, Corn). Motion carried.





Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3				3
DENTON (city) – Gay	2				2
DENTON (county) (Vacant, 1 vote)					
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	6	6			
NORTHLAKE – Corn	3				3
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
<b>TOTAL:</b>	<b>50</b>	<b>41</b>	<b>0</b>	<b>0</b>	<b>9</b>

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

None.

20. Consider action on future energy procurement contracts, some of which may have been discussed in Executive Session.

Regarding future energy procurement contracts, **Greg Scott made the motion to approve an Energy Sales Agreement consistent with our discussions in Executive Session and authorize the Executive Director to execute same and to take all other necessary action. Seconded by Allen McCracken.** The Roll Call Vote was 18 Yes, 0 No, 4 Absent. Motion carried.

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

Please note that the November 7, 2024 Board Meeting will be a retreat. It will be an all-day affair. Staff will be planning a field trip for the Board to visit the local District facilities, including lunch and Board Meeting at Mustang SUD. The Board will visit Stone Hill Pump Station, Harpool Water Treatment Plant, Mustang SUD, and Peninsula Water Reclamation Plant.

Staff also planning a Board meeting/retreat to see Lake Ralph Hall Project in April 2025.

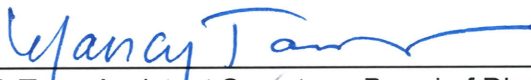


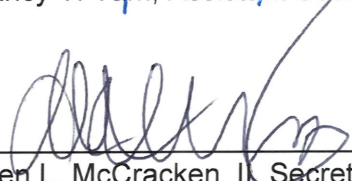
22. Visitor Comments Concerning Non-Agenda Topics.

None.

23. Adjournment.

There being no further business, President Riggs adjourned the meeting at 2:50 p.m.

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

Certified by:   
Allen L. McCracken, II, Secretary, Board of Directors

