

**MINUTES
TOWN OF COPPER CANYON
REGULAR TOWN COUNCIL MEETING
MONDAY, FEBRUARY 12, 2024
7:00 P.M.**

The Town Council of the Town of Copper Canyon met in regular session on Monday, February 12, 2024, at 7:00 p.m. in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, whereupon the following items were considered:

I. CALL TO ORDER

Mayor Robertson called the regular meeting of the Copper Canyon Town Council to order at 7:00 on the 12th day of February 2024.

Council Present

Steve Hill	Mayor Pro Tem
Rudy Castillo	Deputy Mayor Pro Tem
Dale Andrews	Council Member
Chase Lybbert	Council Member
Larry Johnson	Council Member

Staff Present

Troy Meyer	Town Administrator
Sheila Morales	Town Secretary

A quorum of the Town Council was established.

Mayor Robertson and **Council Members** led meeting attendees in the Pledge of Allegiance to the U.S. and Texas Flags.

II. PUBLIC INPUT

Citizens can make comments to the Town Council during this section of the meeting agenda. We ask citizens who wish to speak on agenda items to sign in on the sheet provided on the table at the back of the Council Chambers. There is a 3-minute time limit for each speaker. Pursuant to State Open Meetings law, the Town Council cannot discuss or take action on items not posted on the agenda. Therefore, the Council cannot take action on or discuss any issues or items brought up during public input.

Mike Boswell (Toll Brothers) presented the Town a table (Founders Table) made from a large, monumental tree on the Vickery property (Pecan, Tree #2080) and dedicated the table to the Vickery Family in celebration of the Vickery Family and all that they did for the Town and for the surrounding community. The table was handcrafted by Dale Heaton, with Smooth Water Woodworks of Sanger. Two other trees from the property were also cut and turned into long a block of wood and placed at the north end of the larger pond in Vickery Estates.

III. STAFF, MAYOR, AND COUNCIL REPORTS ON ITEMS OF COMMUNITY INTEREST

(Pursuant to Texas Government Code Section 551.0415 the Town Council may report on the following items: (1) expression of thanks, congratulations, or condolences; (2) information about holiday schedules, (3) recognition of individuals; (4) reminders about upcoming Town Council events; (5) information about community events; and (6) announcements involving imminent threat to public health and safety. No deliberations and actions will be taken.

Council Member Andrews briefed the Council and meeting attendees regarding road repairs/updates.

Mayor Pro Tem Hill briefed the Council and meeting attendees regarding the Town's finances.

Town Administrator Mayer and **Fire Chief** highlighted various items included in the Staff Report (below).

Mayor Robertson briefed the Council and meeting attendees regarding the Mayor's Crime Prevention Luncheon held on January 25, 2024 (close to 100 attendees including three Texas State Representatives, surrounding Police Chiefs, Fire Chiefs, DCESD Board of Commissioners, County Judge, County Commissioners and Denton County Sheriff and Deputies). He thanked Crossroads Bible Church (Double Oak) for holding the event, CoServ for their generous support of the luncheon, Bob William of Ranch Hand Rescue and Bob's House of Hope for speaking and thanked the many volunteers who made it all possible.

IV. UPPER TRINITY PRESENTATION

Mark Pape thanked the Council for appointing him to serve as Copper Canyon's representative on the Board of Upper Trinity Regional Water District. He also thanked the Council for recommending him to the Denton County Commissioners as a prospective candidate for the open position as Commissioner of the Denton County Emergency Services District #1 (ESD1). This position represents all the areas served by EDS1.

Mark Pape presented an Upper Trinity Regional Water District (UTRWD) PowerPoint presentation (presentation attached to minutes). His presentation is summarized as follows:

- Copper Canyon is a member of the UTRWD and he represents Copper Canyon by serving as one of twenty-four Board members who represent the municipalities served by UTRWD.
- UTRWD serves all of Denton County and parts of Collin and Dallas counties.
- Historical Background
 - UTRWD was created by the Texas Legislature in 1989 to provide wholesale treated water and wastewater treatment services to its members, similar to a cooperative created to serve its participants.
 - Copper Canyon joined on June 6, 1991, when membership was available (and inexpensive) and increased its participation in the debt service/growth fund on May 6, 1999.
 - I (Mark Pape) was appointed to represent Copper Canyon by the Town Council on June 11, 2018, succeeding Janet Aune.
- Copper Canyon pays a small annual fee for its membership based on our per capital residents: Last paid in October 2023 based on 1,835 residents: 0.800 cents demand plus 0.435 cents for debt service/growth, total of \$0.01235 for total annual fee of \$2,266.00.
- Copper Canyon is an “indirect customer” of the District since we do not buy water directly from the District like the other members do. We source our water from Cross Timbers Water Supply, which gets about one quarter of its water from Upper Trinity and the rest from its own wells. Cross Timbers is on the Rate Committee of the District.
- As a result, the Town’s board seat is “NON-VOTING,” essentially ‘observer’ status. I participate in all Board meetings and serve on the Water Conservation Committee and the Watershed Protection Committee. I have a 98% attendance record.
- UTRWD is a big business.
 - Budgeted Revenues for fiscal 2024, ending October, are \$97.4 million. About 90% from sale of water, rest is primarily wastewater treatment
 - Budgeted Operating Expenses for fiscal 2024 are \$89 million, including \$39.2 million for debt service.
 - 2024 Budgeted Capital expenditures are \$376 million, the vast majority of which is related to the LRH construction, that I will talk about in few minutes.
 - This would lead to a net increase in the fund balances (essentially the net profit) of \$8.4 million.
- In the 2023 fiscal year, UTRWD delivered 15.31 billion gallons of water to its customers and the water reclamation plants treated 4.6 billion gallons of wastewater.
- The District is audited annually by the big firm of Deloitte & Touche.

- The District manages more than 110 miles of treated water transmission pipelines. The map of those pipelines is confidential for security reasons, but it is an amazing spaghetti looking picture that is almost incomprehensible anyway until you can zoom in on specific locations. Incredible to me that they know where every line is and how deep underground it is. Always lots of work going on in the District's service area relocating pipelines as TXDOT builds and expands roadways and as pipe sizes need to be increased to support area growth.
- Total Assets: approx. \$1 billion; Total Debt: approx. \$800 million
- Water supply planning – Why Lake Ralph Hall?
 - The District sources its water from: Lake Chapman in East Texas (10.5 mgd), Dallas (2.2 mgd), Denton (15.5 mgd), and reuse (5.25 mgd).
 - This has been the District's most complex project for the last few years.
 - Total cost when finished will be about \$900 million.
 - Only second lake to be created in Texas in last 30 years.
 - Begins filling 2Q25 and water delivery begins 2Q26
 - Other construction related activities include: relocation of telephone, electric and gas lines, cultural resource studies, recreation plans for shoreline, marina, and fishing. So, for example, will be installing "reef balls" and leaving brush piles for fish habitat.
 - When full LRH will hold only about 180,000-acre feet of water. Lake Lewisville is much larger at 550,000-acre feet and Ray Roberts holds 788,000-acre feet. Lake Grapevine can hold 247,000-acre feet for flood control. An acre foot is amount of water that will cover an acre one foot deep – think of a football field with one foot of water. An acre foot is equivalent to 326,000 gallons. Olympic swimming pool is 490,000 gallons or 1.5-acre feet of water. So, when full, LRH will hold about 59 billion gallons or 120,000 Olympic pools.
- Usage Details
 - During the summer of 2023, on the peak usage day, the District delivered a record of 82.6 MGD (in weight that is about 330,000 tons of water, all on one day).
 - In 2023 there were no service disruptions to the District's customers.
 - You will not be surprised to learn that after the recent rainfall the area's reservoirs are all at full capacity. Of course, an extensive drought in the summer can quickly turn that around.
- Conservation Details
 - A recent hot button issue is PFAS, known as "forever chemicals." Per- and poly-fluoro-alkyl substances are manufactured chemicals used since the 1940's for many things such as non-stick cookware and stain/water resistant chemicals. Only recently have we become aware that these are everywhere and that they break down very slowly and can build up in people, animals, and the environment over time. The good news for us is that all tests have shown results that are below the new EPS contaminant levels and in many cases showed no PFAS at all.
 - Upper Trinity is frequently awarded and recognized for the quality of its water and its financial disclosure.

V. PUBLIC HEARING

The Town Council will conduct a Public Hearing for the purpose of hearing any and all comments and consider a recommendation from the Planning and Zoning Commission regarding the Jernigan Estates Conceptual / Development Plan, allowing for the development of approximately 12 acres, and to allow for the development of six (6) single family lots, located at 545 Jernigan Road, Copper Canyon, Texas 75077.

Mayor Robertson opened the public hearing at 7:47 p.m. and announced that no action would be taken on this item (due to a notification glitch) but that the public hearing would be continued (remain open) until the March 11, 2024, Council meeting.

Council Member Johnson recused himself and sat in the audience.

The following people spoke:

Ted Stranczek (1020 N Berry Trail Court) complimented the Council on their work the last six months relating to the future police department and Town financials. Suggested Council really analyze the current and future Jernigan Estates submittals.

Victoria Hubbord (400 Claire Court) encouraged Council to protect Town citizens by holding future developers their agreements when developing property in the Town.

Julia Anderson (811 Lonesome Dove Lane) expressed the following concerns relating to Jernigan Estates Development: current and future drainage problems, possible wet land on the property, and spoke against requiring streetlights in the development.

Nancy Henry (761 Lonesome Dove Lane) suggested Council members visit the property and see the drainage issues and spoke against requiring streetlights in the development.

Larry Johnson (535 Jernigan Road) stated the Town's development process needs to be fixed and suggested the following:

- Processes need to be added to ensure Mayor and Council do not look like the bad guys
- Flooding issues need to be more carefully reviewed
- Council should be careful in reviewing what is presented for approval by Town staff
- Processes need to include better stops and assessments earlier in the process rather than later
- P&Z and Council members should visit the property
- Stricter development standards should be implemented especially since Town could be held liable in the future.

Tommy Tucker (553 Jernigan Road) expressed that he and his neighbors do not want lights in the development, asked that the street be moved 40-60' south toward the current

entrance and asked that the street not be named Dove Trail (since Dove Trail is a private road).

Town Administrator Meyer referenced two emails from Robin Douglas Davis that were placed at each Council Member's place. **Mayor Robertson** requested they be entered into the minutes verbatim. (Emails attached to these minutes.).

Julia Anderson (811 Lonesome Dove Lane) stated that there is a lot of dirt on Jernigan leading into the development.

Darren Andrews (McAdams) addressed and gave additional details relating to the residents' concerns expressed earlier.

Council Member Andrews expressed current and future drainage issues relating to Jernigan Estates and also questioned where the water will go along the retaining lot proposed for Lot 6.

Deputy Mayor Pro Tem Castillo clarified the steps included in the development process beginning with the Development Review Committee (DRC), followed by the Concept Plan, Development Plan, Preliminary Plat and Final Plat. He asked that larger documents be submitted for review. Based on his visit to the development site, he noticed large dirt piles and a damaged road. He encouraged all the Council Members to visit the property. He expressed concerns about water drainage and that the Town needed to review the proposed development drainage in detail.

Mayor Pro Tem Hill expressed concerns about the drainage issues and questioned how much construction is allowed before a permit is issued.

Town Engineer Hartke stated that the Town is working with the developer regarding a grading permit (to fill the pond) and mentioned that this pond is non jurisdictional.

Council Member Lybbert questioned the lot layout, pond maintenance responsibility north fence location and south fence replacement.

Town Engineer Hartke advised the Council that TNP will bring in a drainage expert when reviewing the Jernigan Estates submittals.

Michael Cannaday (Precision Builders) addressed many of the concerns mentioned earlier in the meeting.

Deputy Mayor Pro Tem Castillo made a motion to continue the public hearing until Monday, March 11, 2024, at 7 p.m.

Council Member Andrews seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews, and Lybbert (Council Member Johnson recused himself earlier)

Nays: None

Mayor Robertson announced that the motion passed unanimously.

VI. STAFF REPORT

Town Administrator

- Town Finances
- Town Audit
- Town Hall Addition
- Road / Bridge Projects
- Town Vehicles
- Special Projects Administrator
- Employee Policy Manual

Town Engineer

- MS-4
- Subdivision Construction
- Subdivision Developments
- Town Hall Building / Parking Expansion
- Building Permits

Fire Department

- ESD 1 and ESD 2 Board of Commissioners
- ESD Boards Training Class
- Firefighters Hired
- Awards Banquet

No comments were made.

VII. CONSENT

Items on the Consent Agenda are routine and administrative in nature. As such, these items are considered for approval by a single motion and vote generally without discussion. Council Members can remove an item or items from the agenda, so it can be considered separately and/or add action or discussion agenda posted as part of the Consent Agenda.

1. Approve January 22, 2024, Minutes of Council Meeting
2. Approve January 2024 Financials

Mayor Pro Tem Hill made a motion to approve Consent Item #1 and #2 as presented.

Council Member Andrews seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews, Johnson, and Lybbert
Nays: None

Mayor Robertson announced that the motion passed unanimously.

VIII. ACTION & DISCUSSION ITEMS

1. Discuss, consider, and take action regarding a recommendation from the Planning and Zoning Commission regarding the Jernigan Estates Conceptual / Development Plan, allowing for the development of approximately 12 acres, and to allow for the development of six (6) single family lots, located at 545 Jernigan Road, Copper Canyon, Texas 75077.

No action taken since related Public Hearing was continued to March 11, 2024, meeting.

2. Discuss, consider, and take action regarding Resolution 24-03 approving the terms and conditions of a Construction Manager At-Risk (CMAR) services agreement by and between Steve Koehler d/b/a The Koehler Company, a Sole Proprietorship, for the construction of Town Hall addition and parking lots, which is attached hereto and incorporated herein as Exhibit 'A'; establishing a guaranteed maximum price at \$960,427.00 and authorize Town Staff to make funding changes not to exceed \$25,000.00 on said project; authorizing the Mayor to execute the necessary documents.

Mayor Robertson briefed the meeting attendees regarding the need for the Town Hall addition and parking lots updates. He stated that the initial submittal was roughly 1.1 million dollars however, after additional considerations and meeting with **Deputy Mayor Pro Tem Castillo, Special Projects Administrator Tigue, Town Administrator Meyer** the cost was reduced to roughly \$900,000. **Mayor Robertson** noted that **Steve Koehler** will not be inspecting any part of the Town Hall Addition or Parking Lot but rather the Town will hire an outside inspector for this project.

Mayor Pro Tem Hill made a motion to approve Resolution 24-03 as stated.

Deputy Mayor Pro Tem Castillo seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews, Johnson, and Lybbert.

Nays: None

Mayor Robertson announced that the motion passed unanimously.

3. Discuss, consider, and take action regarding Resolution 24-04 approving the Employee Personnel Policy Manual dated on February 2024.

Deputy Mayor Pro Tem Castillo made a motion to approve Resolution 24-04 approving the Employee Personnel Policy Manual dated February 2024.

Council Member Lybbert seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews, Johnson, and Lybbert.

Nays: None

Mayor Robertson announced that the motion passed unanimously.

IX. DISCUSSION OF FUTURE AGENDA ITEMS (A Councilmember may request that an item be placed on a subsequent agenda for consideration. Any deliberation shall be limited to the proposal to place the subject on a subsequent agenda.)

Town Administrator asked Council Members for their feedback regarding the Financial Advisory Committee handout (at their seats). **Council Member Johnson** stated that the Town is in the process of creating a Finance Advisory Committee and that the Town is looking for residents who are interested in serving.

X. ADJOURN

Mayor Pro Tem Hill made a motion to adjourn.

Council Member Andrews seconded the motion.

Ayes: Mayor Pro Tem Hill, Deputy Mayor Pro Tem Castillo, and Council Members Andrews, Johnson, and Lybbert.

Nays: None

Meeting adjourned at 9:07 p.m.

APPROVED BY THE TOWN COUNCIL THIS 11th DAY OF March, 2024



Ron Robertson, Mayor
Town of Copper Canyon



Sheila B. Morales, TRMC – Town Secretary
Town of Copper Canyon

Troy Meyer

From: robinandkellytx@netscape.net
Sent: Thursday, February 8, 2024 10:11 AM
To: paulbatth.us@gmail.com; michael@michaelcannaday.com
Cc: Troy Meyer
Subject: Singh Development

Paul and Michael,

It was good talking with you yesterday. Thank you for your call.

To recap our discussion regarding the development on the Singh property south of us, we would like for the pond in Singh's northwest corner to have its capacity increased by increasing its surface area, deepening the pond, and removing the duck island. The pond capacity should be increased adequately to allow it to hold the current runoff from the south without overflowing the bank on the northeast and flooding the area under the fence and into our pasture which occurs approximately ten months of the year as well as holding the increased runoff resulting from the proposed development on the Singh property. The current pond does not have capacity to hold the current runoff which collects from as far south as Bradford's property and as far west as the ridge on the former Foster property and Johnson's property. One three inch rain, which is not uncommon in our area, can take that pond from drought level to full to overflowing. It simply does not have the capacity to hold the volume of rainfall that runs off that area. We would request that the pond be increased in surface area and depth to hold not only the current volume including the overflow volume, which flows out of the boundary of the pond on the northeast and under the fence flooding our pasture, as well as the increase in runoff from the Singh development. We would ask that the 6" pipe running through the embankment between the two ponds remain in place to allow water to communicate between the two ponds.

My understanding from speaking with Darren Andrews, the civil engineer from McAdams, is that the pond will be enlarged in surface area. We request that both the current pond be increased in depth in addition to the enlarged area be deep enough (more than three feet) to allow the pond to hold the current volume of water as well as the increased runoff from rooftops and concrete from the development without overflowing onto our property. I understand that we have a large variation in water levels due to our "feast and famine" with rainwater; mitigate the issue by allowing the depth of the pond to handle the variation in water levels.

Please confirm your agreement to the above referenced pond update in the design and development plan via a reply to this email with the above text included.

Thank you for your time and for making this development positive for all involved. We look forward to your response via email.

Robin Douglas-Davis and Kelly Davis
214-679-4237

Troy Meyer

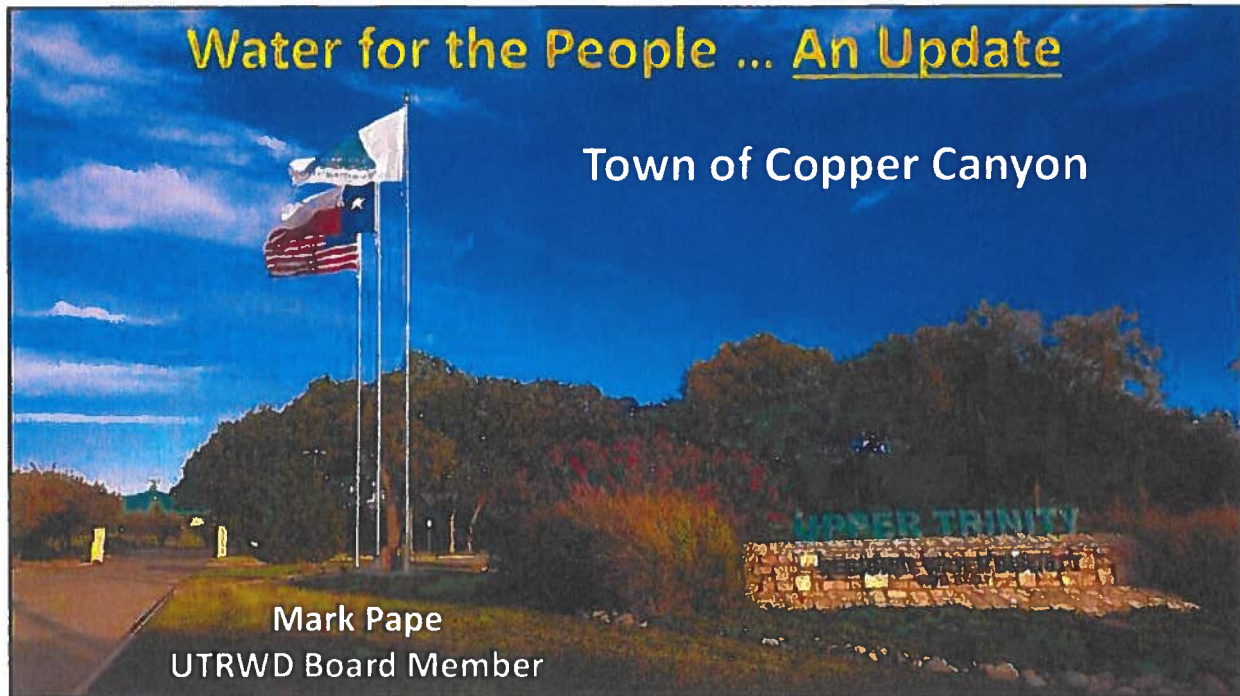
From: robinandkellytx@netscape.net
Sent: Friday, February 9, 2024 9:29 AM
To: Troy Meyer
Subject: Fw: Singh Street Lights

Troy,

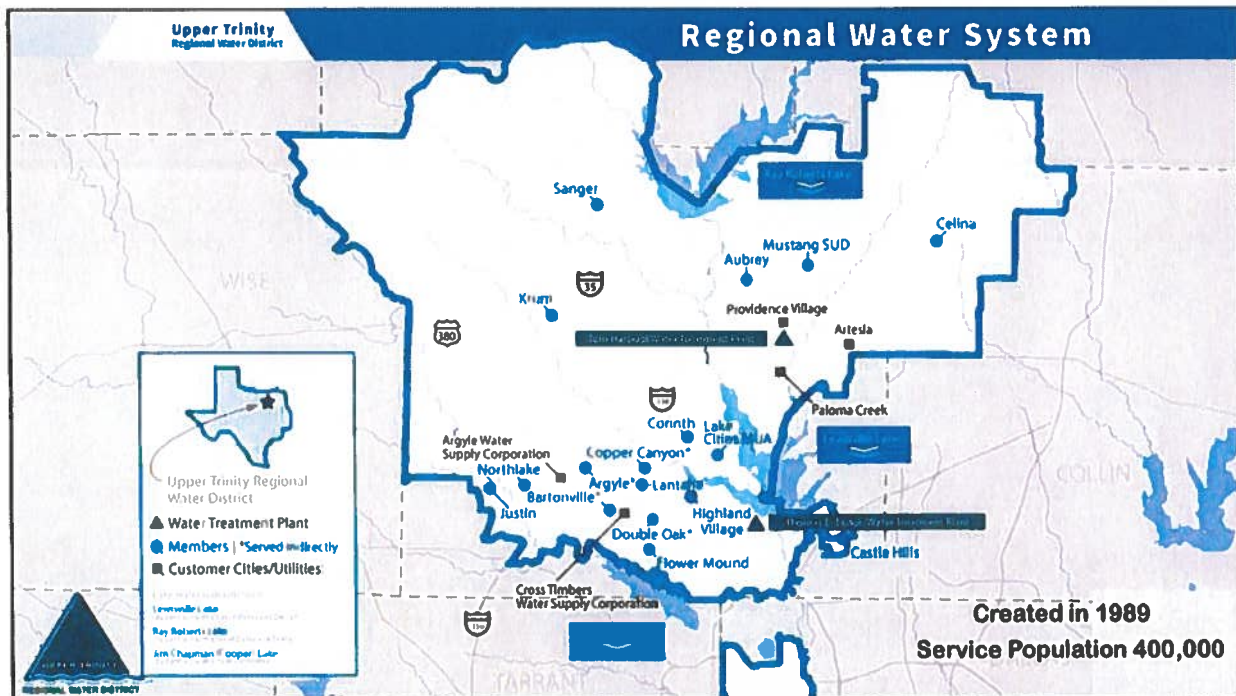
We, the landowners surrounding the Singh development on Jernigan Road, would like to request that the requirement for street lights be waived in this development due to the nearness of larger properties and the difference between agricultural properties and more residential properties which the new lots will be. The surrounding landowners across Jernigan and to the north and west, including the Singhs, would like an exception made to the subdivision ordinance to allow the elimination of street lights. Our hope would be that the new homesites would be able to be created without imposing on the current landowners or changing the nature of this more agricultural area. We and the other landowners recognize a streetlight exception would need to be approved by town council. Please let us know next steps for having an exception considered by council.

Thank you for your assistance,

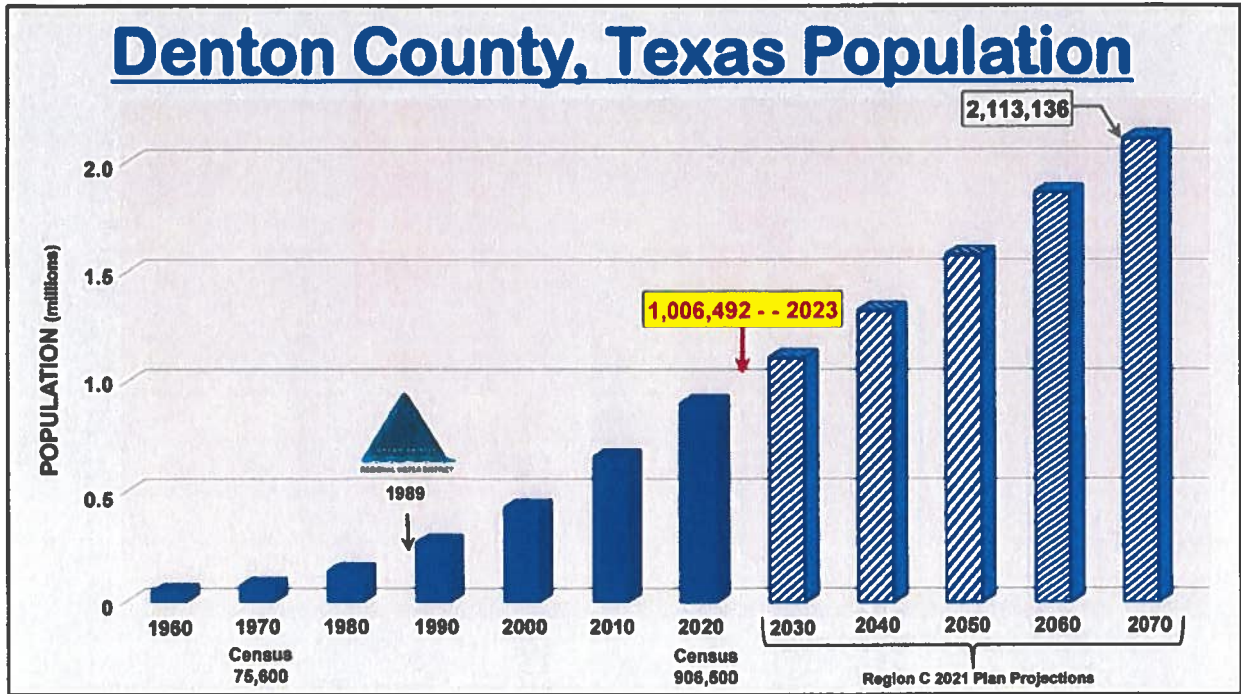
Philip Tripp (Dove Trail)
Tommy Tucker (Jernigan Rd)
Carrie and Carl Shea (Jernigan Rd)
Nancy and Bud Henry (Lonesome Dove)
Julia Anderson and Bob Lieseth (Lonesome Dove)
Larry Johnson (Jernigan Rd)
Dee and Paul Singh (Jernigan Rd)
Robin Douglas-Davis and Kelly Davis (Jernigan Rd)



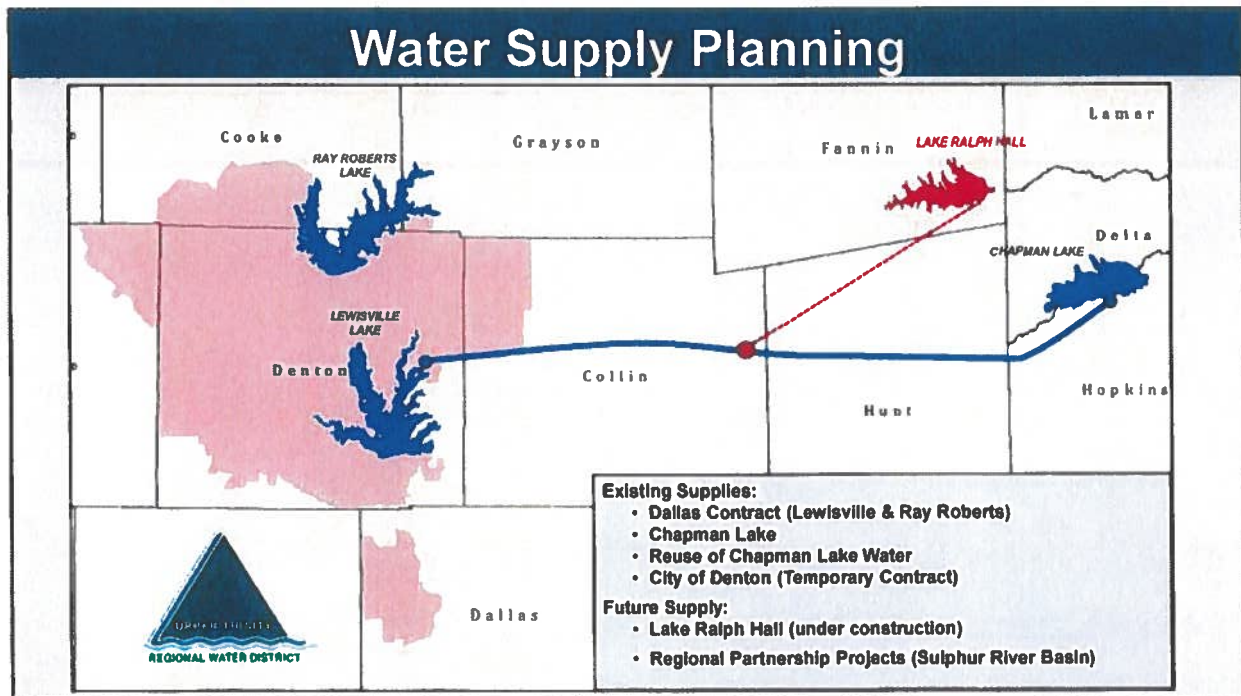
1



2

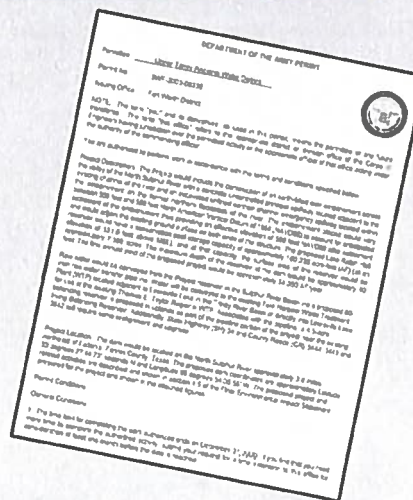


3



4

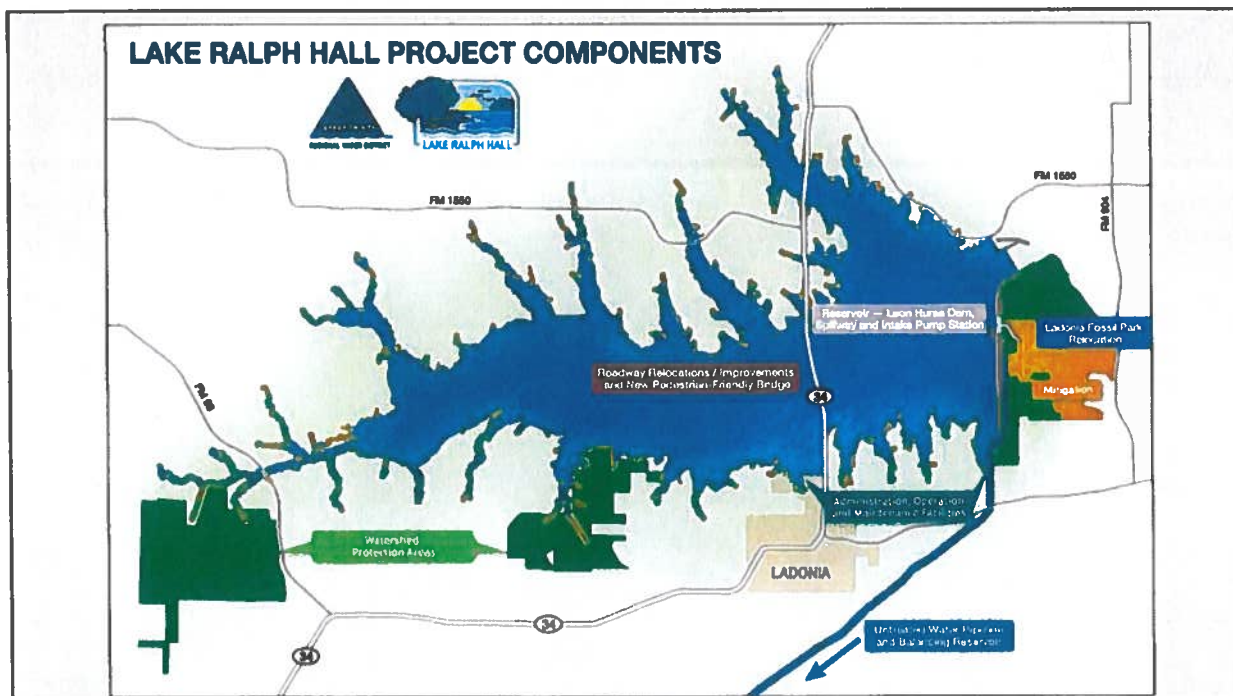
YES to -- Lake Ralph Hall Project



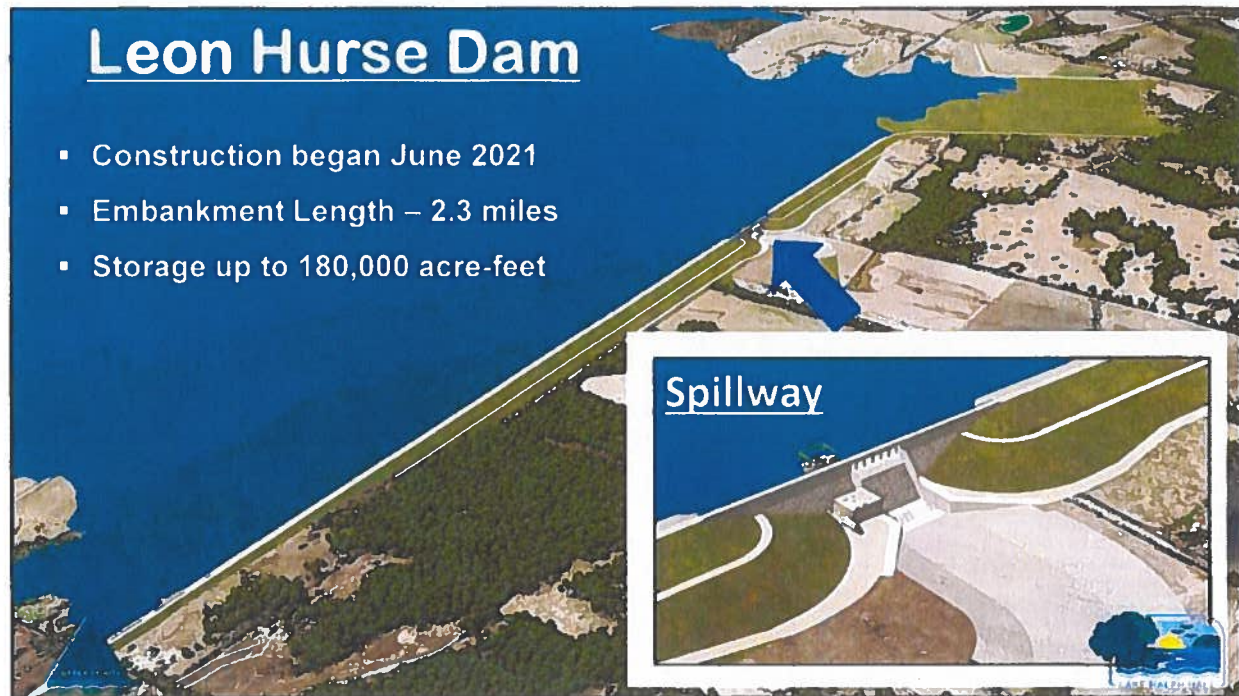
**Filed Sept. 2, 2003
Issued Dec. 11, 2013**

**Filed Oct. 30, 2006
Issued Jan. 30, 2020**

5



6



7



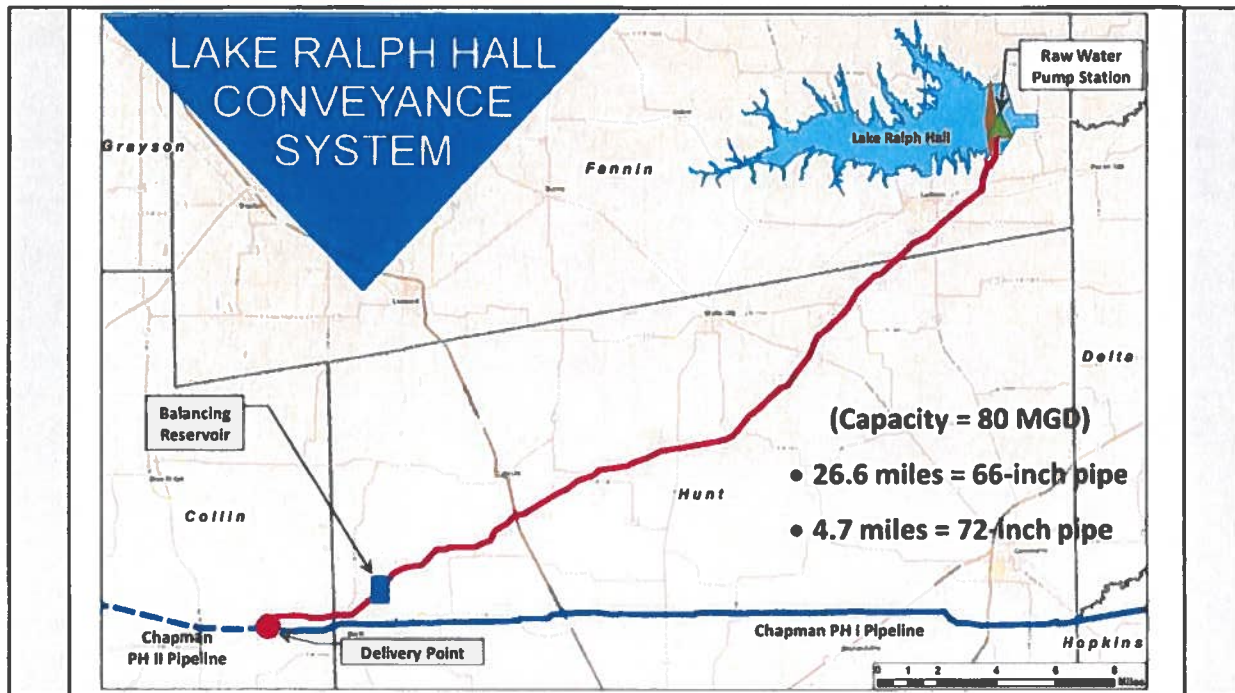
8



9



10



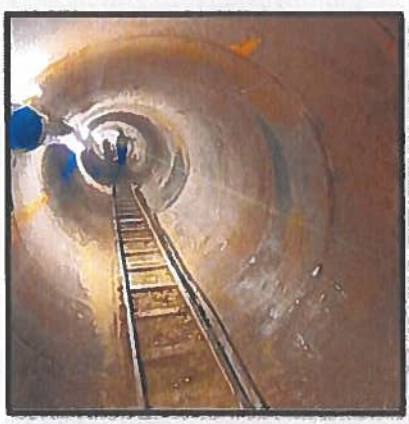
11



Tunnels

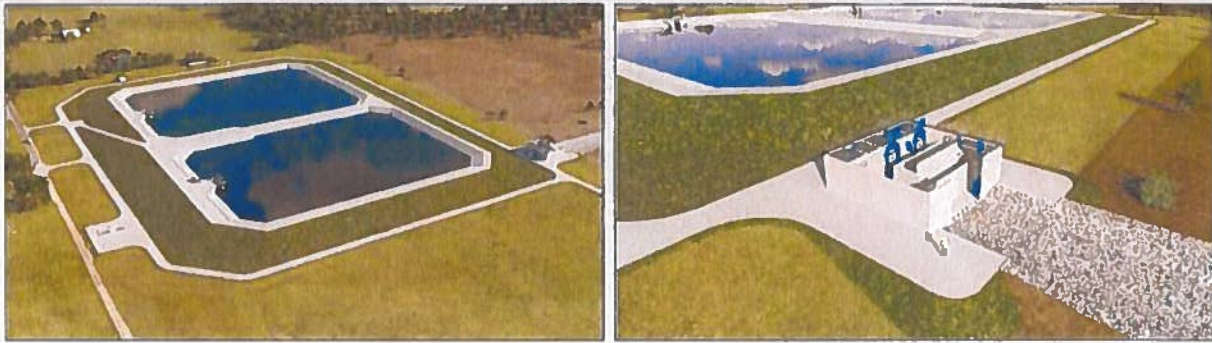


- Crews have completed 14 of 22 tunnels needed for the Conveyance System
- These tunnels allow the water pipeline to cross beneath major roads, waterways, and existing utilities




12

Balancing Reservoir



Holding Capacity - - 30 Million Gallons



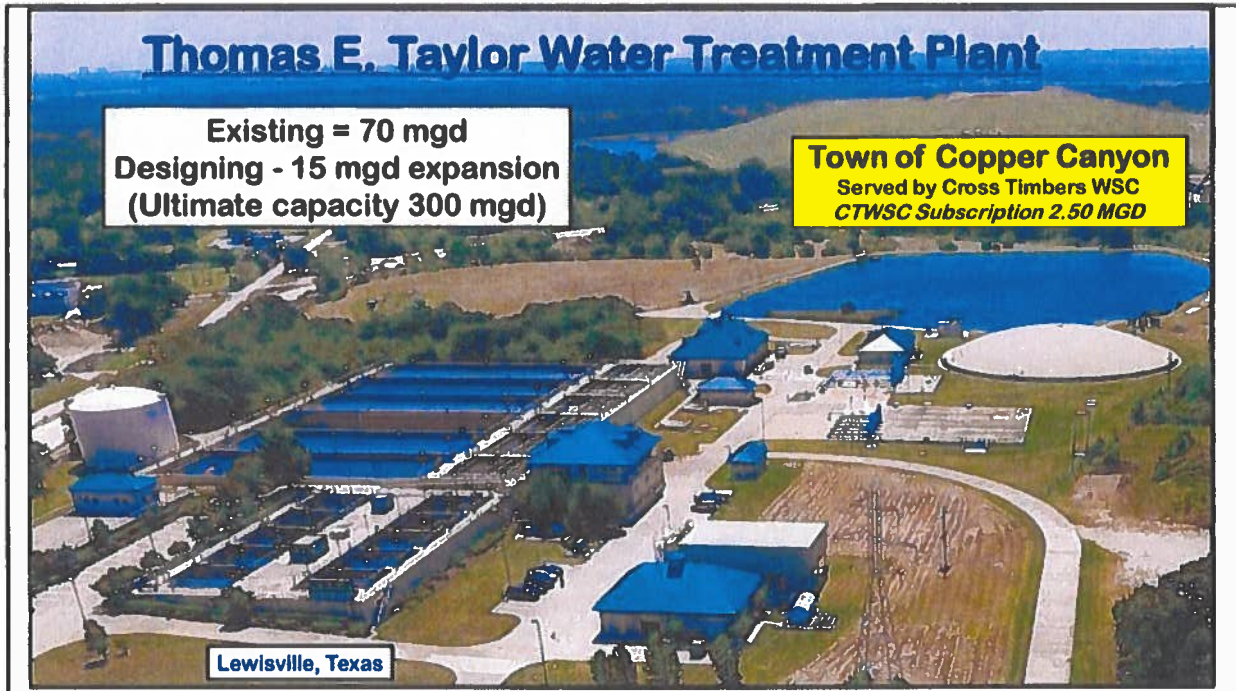
13

Next Steps for Lake Ralph Hall

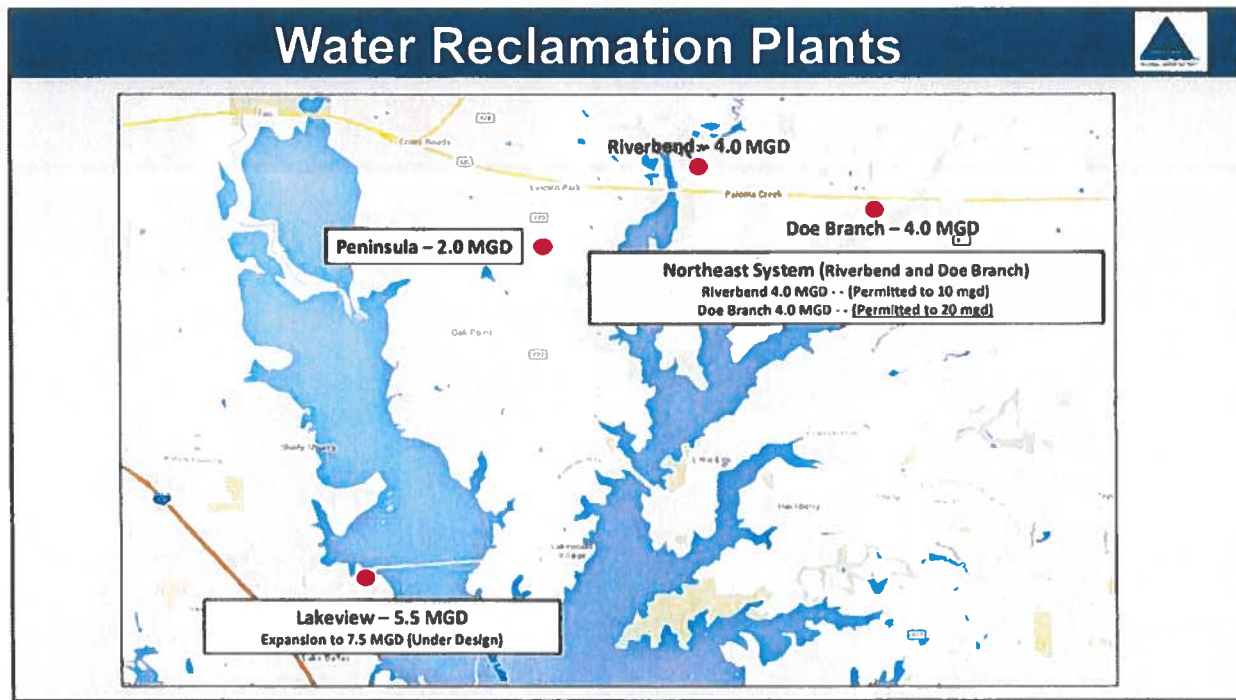
- Complete Dam Construction
- Construct Raw Water Conveyance System
- Prepare Shoreline Management Plan
- Complete Design - - Initiate Construction
 - Operational & Support Facilities
 - Recreation Features
- Programmed Water Delivery 2026



14

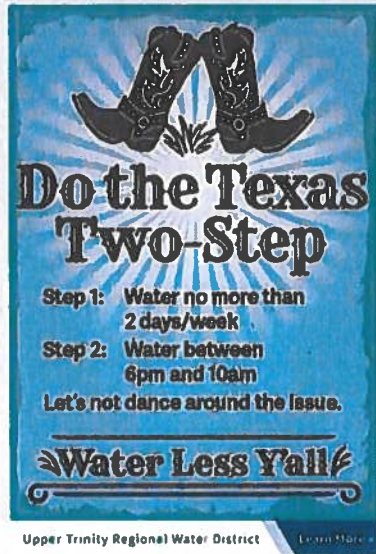


15



16

Water Conservation - - Focus during Drought



- Focused on twice weekly watering
- Check & repair sprinkler systems
- Sign up for WaterMyYard.org

