

**RED RIVER
GROUNDWATER
CONSERVATION
DISTRICT**

PERMIT HEARING AND BOARD MEETING

Greater Texoma Utility Authority Board Room
5100 Airport Drive
Denison, Texas 75020

**THURSDAY
DECEMBER 15, 2022
10:00 AM**

NOTICE OF PUBLIC MEETING
OF THE
BOARD OF DIRECTORS OF THE
RED RIVER GROUNDWATER CONSERVATION DISTRICT
Thursday, December 15, 2022, at 10:00 a.m.

MEETING LOCATION:
Greater Texoma Utility Authority Board Room
5100 Airport Drive
Denison, Texas 75020

Permit Hearing

The Permit Hearing will begin at 10:00 a.m.

Notice is hereby given that the Board of Directors of the Red River Groundwater Conservation District (“District”) will conduct a permit hearing on the following Production Permit Application:

Agenda:

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.
2. Review the Production Permit Application of:

New Production Permits

- a. **Applicant:** Fannin Tree Farm LTD, 15700 HWY 121, Frisco, TX 75035
Location of Well: 2255 Old Scoggins Rd, Howe, TX 75459; Latitude: 33.576880°N Longitude: 96.740530°W; Approx. two miles west of HWY 289 and approx. 980 feet south of Old Scoggins Rd.
Purpose of Use: Agriculture (Tree Farm Irrigation)
Requested Amount of Use: 45,000,000 gallons per year
Production Capacity of Well: 180 gallons per minute
Aquifer: Trinity (Antlers)
3. Public Comment on the Production Permit Application (verbal comments limited to three (3) minutes each).
4. Consider and act upon the Production Permit Application, including designation of parties and/or granting or denying the Production Permit Application in whole or in part, as applicable.
5. Adjourn or continue permit hearing

Board Meeting

The regular Board Meeting will begin at 10:00 a.m.

Notice is hereby given that the Board of Directors of the Red River Groundwater Conservation District (“District”) may discuss, consider, and take all necessary action, including expenditure of funds, regarding each of the agenda items below:

Agenda:

1. Pledge of Allegiance and Invocation.
2. Call to order, establish quorum; declare meeting open to the public.
3. Public Comment.
4. Consider and act upon approval of Minutes of October 20, 2022, Board Meeting.
5. Budget and Finance.
 - a. Review and approval of monthly invoices.
 - b. Receive monthly financial information.
6. Consider and act upon naming the General Manager as Assistant Secretary.
7. Discussion and possible action on late payments and late fees.
8. Discussion and possible action on a Declaration of Drought.
9. Update and possible action regarding the process for the development of Desired Future Conditions (DFC).
10. Consider and act upon compliance and enforcement activities for violations of District Rules.
11. Discussion and possible action related to 88th Texas Legislative Session and Issues.
12. General Manager’s report: The General Manager will update the Board on operational, educational and other activities of the District.
 - a. Well Registration Summary
 - b. Update on Injection/Disposal Well Monitoring Program
13. Open forum / discussion of new business for future meeting agendas.
14. Adjourn.

¹The Board may vote and/or act upon each of the items listed in this agenda.

²At any time during the meeting or work session and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon’s Texas Codes, Annotated, the Red River Groundwater

Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

³ *Persons with disabilities who plan to attend this meeting, and who may need assistance, are requested to contact Velma Starks at (800) 256-0935 two (2) working days prior to the meeting, so that appropriate arrangements can be made.*

⁴ *For questions regarding this notice, please contact Velma Starks at (800) 256-0935, at rrgcd@redrivergcd.org or at 5100 Airport Drive, Denison, TX 75020.*

ATTACHMENT 4

**MINUTES OF THE BOARD OF DIRECTORS' BOARD MEETING
RED RIVER GROUNDWATER CONSERVATION DISTRICT**

Thursday, October 20, 2022

**MEETING LOCATION:
GREATER TEXOMA UTILITY AUTHORITY
BOARD ROOM
5100 AIRPORT DRIVE
DENISON TX 75020**

Members Present: Chuck Dodd, David Gattis, Mark Gibson, Harold Latham, Mark Patterson, and Billy Stephens.

Members Absent: Mark Newhouse

Staff: Drew Satterwhite, Nichole Sims Murphy, Allen Burks, Paul Sigle, Debi Atkins, Wayne Parkman, Kenneth Elliott, and Velma Starks

Visitors: Kristen Fancher, Fancher Legal
Ladd Holton, landowner

Public Hearing to Adopt District Rules for Water Wells in Fannin and Grayson Counties, Texas

Agenda

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.

Board President Mark Patterson called the hearing to order at 10 a.m., established quorum, declared hearing open to the public and introduction of the Board.

2. Review of Rules for Water Wells applicable to the District.

Assistant General Manager Paul Sigle provided a presentation of the Rules. Discussion was held.

3. Public Comment on District's Rules for Water Wells (verbal comments limited to three (3) minutes each).

No public comment.

4. Consider and act upon adoption of the Rules for Water Wells applicable to the District.

Board Member Chuck Dodd made a motion to adopt the Rules for Water Wells applicable to the District. Board Member David Gattis seconded the motion. Motion passed unanimously. Meeting adjourned at 10:14 a.m.

Public Meeting to Adopt Desired Future Conditions

Agenda:

1. Call to Order; establish quorum; declare meeting open to the public; introduction of Board.

Board President Mark Patterson called the meeting to order at 10:14 a.m.

2. Review of Desired Future Conditions applicable to the District.

Assistant General Manager Paul Sigle provided a presentation on the DFCs. Discussion was held.

3. Public Comment on District Desired Future Conditions (verbal comments limited to three (3) minutes each).

Not public comment.

4. Consider and act upon adoption of the Desired Future Conditions applicable to the District.

Board Member David Gattis made the motion to adopt the Resolution adopting the Desired Future Conditions applicable to the District. Board Member Chuck Dodd seconded the motion. Motion passed unanimously. Meeting adjourned at 10:19 a.m.

Board Meeting

1. Pledge of Allegiance and Invocation.

Board President Mark Patterson led the group in the Pledge of Allegiance and Board Member Chuck Dodd offered the invocation for the group.

2. Call to order, establish quorum; declare meeting open to the public.

Board President Mark Patterson called the meeting to order at 10:19 a.m., established a quorum was present, and declared the meeting open to the public.

3. Public Comment.

No Public Comment

4. Consider and act upon approval of Minutes of September 15, 2022, Board Meeting.

Board Member David Gattis made a motion to approve the minutes of the September 15, 2022, meeting contingent upon correction to be made to minutes adding Board Members who attended by zoom, Mark Patterson and Billy Stephens. The motion was seconded by Board Member Chuck Dodd. The motion passed unanimously.

5. Budget and Finance.

a. Review and approval of monthly invoices.

Assistant General Manager Paul Sigle reviewed the invoices with the Board. Brief discussion was held. Board Member Chuck Dodd made the motion to approve the monthly invoices. Board Member Mark Gibson seconded the motion. Motion passed unanimously.

b. Receive monthly financial information.

Assistant General Manager Paul Sigle reviewed the District's monthly financial information with the Board. Brief discussion was held.

6. Receive Quarterly Investment Report.

Assistant General Manager Paul Sigle reviewed the Quarterly Investment Report with the Board.

7. Consider and act upon updating the Investment Policy.

Assistant General Manager Paul Sigle provided background information for the Board. Board Member Billy Stephens made the motion to approve the Investment Policy. Board Member David Gattis seconded the motion. Motion passed unanimously.

8. Consider and act upon Engagement Letter for Audit Services for Fiscal Year Ending December 31, 2022.

Assistant General Manager Paul Sigle provided background information for the Board. Board Member Mark Gibson made the motion to authorize the engagement letter with McClanahan and Holmes for audit services for year ending December 31, 2022. Board Member Harold Latham seconded the motion. Motion passed unanimously.

9. Consider and act upon Resolution of Appreciation for Drew Satterwhite.

Assistant General Manager Paul Sigle informed the Board that Drew Satterwhite was hired as the General manager in September of 2013. Mr. Satterwhite has accepted an opportunity to move closer to his family and his last day with the District is October 20th. Mr. Satterwhite has served honorably as the General Manager and his contributions to the District are much appreciated. Board Member Chuck Dodd made the motion to adopt the Resolution of Appreciation. Board Member Harold Latham seconded the motion. Board President Mark Patterson presented the plaque to Drew Satterwhite.

10. Discussion and possible action on the District's Flow Testing Procedure.

Assistant General Manager Paul Sigle provided background information for the Board regarding the changes in the Flow Testing Procedures. Discussion was held. Board Member David Gattis made the motion to adopt the amendments to the Flow Testing Procedure. Board Member Mark Gibson seconded the motion. Motion passed unanimously.

11. Consider and act upon Administrative Service Contract with the Greater Texoma Utility Authority

Assistant General Manager Paul Sigle provided background information for Board. Discussion was held. Board Member David Gattis made the motion to approve the contract. Board Member Harold Latham seconded the motion. Motion passed unanimously.

12. Receive Quarterly Report on Management Plan.

Assistant General Manager Paul Sigle reviewed the Quarterly Report on Management Plan with the Board.

13. Update and possible action regarding the process for the development of Desired Future Conditions (DFC).

Assistant General Manager Paul Sigle informed the Board that the Explanatory Report has been approved. RFQs have been sent out for GMA 8 hydrogeologist to update models, runs, etc. Discussion was held.

14. Consider and act upon compliance and enforcement activities for violations of District Rules.

No issues at this time.

15. General Manager's report: The General Manager will update the Board on operational, educational, and other activities of the District.

a. Well Registration Summary

Assistant General Manager Paul Sigle reviewed the well registration summary with the Board. Eight new wells were registered in September.

b. Update on Injection/Disposal Well Monitoring Program

No report

16. Open forum / discussion of new business for future meeting agendas.

November 17, 2022 is regularly scheduled meeting, it may be cancelled. December 15, 2022 meeting may be cancelled.

17. Adjourn.

Board President Mark Patterson declared the meeting adjourned at 10:41 a.m.

Recording Secretary

Secretary-Treasurer

ATTACHMENT 5 a.

RESOLUTION NO. 2022-12-01

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT AUTHORIZING PAYMENT OF ACCRUED LIABILITIES FOR THE MONTH OF OCTOBER AND NOVEMBER

The following liabilities are hereby presented for payment:

Administrative Services

GTUA - October	16,841.84
GTUA - November	18,685.10

Direct Costs

NexTraq - December	34.95
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Injection Monitoring

Statewide Plat Service - July & Aug monthly charges	100.00
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Refunds

GRAND TOTAL:	<u>\$ 35,661.89</u>
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NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT THAT the Secretary-Treasurer is hereby authorized to make payments in the amounts listed above.

On motion of _____ and seconded by:

_____, the foregoing Resolution was passed and approved on this, the 15th. day of December 2022

by the following vote:

AYE:

NAY:

At a meeting of the Board of Directors of the Red River Groundwater Conservation District.

President

ATTEST:

Secretary/Treasurer

ATTACHMENT 5 b.

RED RIVER GROUNDWATER
Balance Sheet
As of November 30, 2022

ASSETS

Current Assets

Checking/Savings

10001 CASH-First United	520,965.82
10010 CASH-LEGEND	277,000.00
10025 A/R CONSUMPTION	29,105.37
10026 A/R Texas Rain Holding Co	2,990.00
10230 A/R Violation Fees	500.00
10101 ALLOWANCE FOR UNCOLLECT	-1,530.00
10230 PP EXPENSES	2,275.00

TOTAL ASSETS **831,306.19**

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

23100 ACCOUNTS PAYABLE	20,265.10
23150 DRILLERS DEPOSIT LIAB	21,060.00

Total Other Current Liabilities **41,325.10**

Total Current Liabilities **41,325.10**

Total Liabilities **41,325.10**

Equity

35100 RETAINED EARNINGS 661,018.06

Net Income 128,963.03

Total Equity **789,981.09**

TOTAL LIABILITIES & EQUITY **831,306.19**

RED RIVER GROUNDWATER
Profit & Loss Budget vs. Actual
November 30, 2022

	<u>Current Actual</u>	<u>Current Budget</u>	<u>YTD Actual</u>	<u>Total Budget</u>	<u>% of Budget Remaining</u>
Income					
46002 GW PRODUCTION	0.00	0.00	329,426.21	312,615.00	-5.38%
46005 LATE FEES	0.00	0.00	3,355.86	0.00	0.00%
46006 VIOLATION FEES	0.00	0.00	0.00	0.00	0.00%
46015 REGISTRATION FEES	800.00	533.33	12,900.00	6,400.00	-101.56%
46020 PERMITTING FEES	0.00	200.00	11,600.00	2,400.00	0.00%
46100 INTEREST INCOME	0.00	50.00	208.50	600.00	65.25%
Total Income	<u>800.00</u>	<u>783.33</u>	<u>357,490.57</u>	<u>322,015.00</u>	<u>-11.02%</u>
Gross Profit	800.00	783.33	357,490.57	322,015.00	
Expense					
77010 ADMINISTRATIVE COST	7,808.07	8,750.00	79,865.12	105,000.00	23.94%
77020 ADVERTISING	0.00	58.33	1,546.85	700.00	-120.98%
77027 AUDITING	0.00	425.00	5,125.00	5,100.00	-0.49%
77031 BANKING FEES	34.61	83.33	474.80	1,000.00	52.52%
77032 CONTRACT SERVICES	0.00	1,250.00	13,570.00	15,000.00	9.53%
77035 FIELD TECH	5,380.83	7,916.67	57,101.83	95,000.00	39.89%
77040 DIRECT COST	65.00	383.33	3,136.20	4,600.00	31.82%
77045 FIELD PERMITTING SPECIAL	3,093.42	2,916.67	30,744.82	35,000.00	12.16%
77450 DUES & SUBSCRIPTIONS	1,580.00	332.33	1,996.00	3,988.00	49.95%
77480 EQUIPMENT	0.00	166.67	646.36	2,000.00	67.68%
77500 FEES-GMA8	0.00	41.67	1,876.51	500.00	-275.30%
77810 INSURANCE AND BONDING	325.00	366.67	4,129.96	4,400.00	6.14%
77850 GENERIC SOFTWARE SVC	1,105.33	458.33	1,105.33	5,500.00	79.90%
77970 LEGAL	0.00	2,916.67	11,364.00	35,000.00	67.53%
78010 MEETINGS AND CONFEREN	544.30	433.33	5,951.18	5,200.00	-14.45%
78310 RENT	200.00	200.00	2,200.00	2,400.00	8.33%
78600 SOFTWARE MAINTENANCE	0.00	1,250.00	1,160.14	15,000.00	92.27%
78750 TELEPHONE	488.15	225.00	2,668.53	2,700.00	1.17%
78770 - TRANSPORTATION	0.00	291.67	3,864.91	3,500.00	-10.43%
Total Expense	<u>20,624.71</u>	<u>28,465.67</u>	<u>228,527.54</u>	<u>341,588.00</u>	<u>33.10%</u>
Net Income	<u><u>-19,824.71</u></u>	<u><u>-27,682.33</u></u>	<u><u>128,963.03</u></u>	<u><u>-19,573.00</u></u>	

ATTACHMENT 7



RED RIVER GROUNDWATER CONSERVATION DISTRICT AGENDA COMMUNICATION



DATE: December 9, 2022

SUBJECT: AGENDA ITEM NO. 7

DISCUSSION AND POSSIBLE ACTION ON LATE PAYMENTS AND LATE FEES.

ISSUE

Discussion and possible action on changing the late fees for failure to submit meter readings.

BACKGROUND

The District charges \$50 per account for failure to submit meter readings by the reporting period deadline established under Rule 9.1. The District has a small number of accounts that do not submit meter readings each quarter but pays the late fee when the accounts are billed.

CONSIDERATIONS

The District Staff proposes an increasing late fee structure for failure to submit meter readings, as follows:

Failure to Submit Water Production Reports by the Deadline

- First quarter, \$50 per account.
- Second consecutive quarter, \$250 per account.
- Third consecutive quarter, \$500 per account.

ATTACHMENTS

Updated 2023 Fee Schedule

PREPARED AND SUBMITTED BY:

Paul M. Sigle, General Manager

RED RIVER

GROUNDWATER CONSERVATION DISTRICT

2023 Fee Schedule

Well Registration Fee (<17.36 GPM)	\$100
New Well Registration & Production Permit Application Fee (>17.36 GPM), <i>also applies to permit amendments</i>	\$600
Additional fee for Production Permit Applications which require a Hydrogeological Report (≥ 200 GPM)	\$1,100
Well Driller Log Deposit Fee (refundable if conditions in District Rules are met)	\$100
Additional fee for Registration of an existing unregistered Non-Exempt Well (additional penalties may apply if well was not self-reported)	\$500
Meter Seal Replacement Fee (For replacing seals for reasons other than well or meter failure)	\$100
Water Use Fees (Non-Exempt Wells)	
- Non-Agricultural Use	\$0.065/1000 gal
- Agricultural Use	\$0
Additional Water Use Fees (Non-Exempt Wells) for Production in Excess of Maximum Amount Authorized by Permit, <i>1st violation:</i>	
- Non-Agricultural Use	\$0.195/1000 gal
- Agricultural Use	\$3/acre-foot
Additional Water Use Fees (Non-Exempt Wells) for Production in Excess of Maximum Amount Authorized by Permit, subsequent violation, <i>within 3 calendar years of 1st violation:</i>	
- Non-Agricultural Use (1st violation)	\$0.65/1000 gal
- Agricultural Use	\$10/acre-foot
Failure to Submit Water Production Reports by the Deadline	<u>Per Account</u>
- <u>First Quarter</u>	<u>\$50</u>
- <u>Second Consecutive Quarter</u>	<u>\$250</u>
- <u>Third Consecutive Quarter</u>	<u>\$500</u>
- <u>Fourth Consecutive Quarter</u>	<u>Major Violation</u>
Failure to Pay Water Use Fee by Payment Deadline	15%
Failure to Pay Water Use Fee within 60-days of the Payment Deadline (See Appendix A of the Rules for schedule of Violations)	Major Violation

Notes: Information about the payment and water production report deadlines can be found at redrivergcd.org/billing.

ATTACHMENT 12 a

RED RIVER GROUNDWATER CONSERVATION DISTRICT
Well Registration Summary
 (as of 10/31/2022)

Well Type	Fannin	Grayson	Total RRGCD	New Registrations October 2022
Domestic	241	404	645	5
Public Water	59	194	253	0
Livestock	17	30	47	0
Agriculture	21	25	46	1
Commercial	10	17	27	0
Surface Impoundments	16	14	30	0
Oil / Gas	0	19	19	0
Golf Course	0	14	14	0
Irrigation	1	11	12	0
Monitoring	2	6	8	0
Industrial	0	4	4	0
*Other	1	1	2	0
TOTALS	368	739	1107	7

NOTE: Plugged wells have been excluded
***Construction Water**

RED RIVER GROUNDWATER CONSERVATION DISTRICT
Well Registration Summary
 (as of 11/30/2022)

Well Type	Fannin	Grayson	Total RRGCD	New Registrations November 2022
Domestic	242	406	648	5
Public Water	59	193	252	0
Livestock	17	31	48	1
Agriculture	21	27	48	1
Commercial	10	18	28	1
Surface Impoundments	16	15	31	1
Oil / Gas	0	19	19	0
Golf Course	0	14	14	0
Irrigation	1	11	12	0
Monitoring	2	7	9	0
Industrial	0	4	4	0
*Other	1	0	1	0
TOTALS	369	745	1114	9

NOTE: Plugged wells have been excluded
***Construction Water**

ADJOURN