

**MINUTES OF THE BOARD OF DIRECTORS' BOARD MEETING AND PUBLIC HEARING
NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

TUESDAY DECEMBER 11, 2018

**MUSTANG SUD ADMINISTRATIVE OFFICES
7985 FM 2931
AUBREY, TEXAS**

Members Present: Ronny Young, Allen Knight, Maurice Schwanke, Ron Sellman, Evan Groeschel, and Chris Boyd

Members Absent: Joe Helmberger, David Flusche, and Thomas Smith

Staff: Drew Satterwhite, Paul Sigle, Wayne Parkman, Carolyn Bennett, and Velma Starks

Visitors: Kristen Fancher, Fancher Legal
Peter M. Schulmeyer, Collier Consulting
Michelle Carte, UTRWD
Neal Welch, Public Works Director, City of Sanger
Michael Baur, Oak Hollow Golf Course
Les Westbrook, Axis Drilling
John Faulkner, Faulkner & Son

1. Pledge of Allegiance and Invocation

President Ronny Young led the group in the Pledge of Allegiance and provided the invocation.

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

President Young called the meeting to order 10:03 a.m., established a quorum was present, and declared the meeting open to the public.

3. Public Comment

Peter Schulmeyer, with Collier Consulting, comments were pertaining to the Hydrogeological Report Guidelines. Under Section III, any laboratory analysis should be mandatory. Under Section IV, the measuring tube should be on the inside of the casing along the column pipe.

4. Consider and act upon approval of the minutes from the November 13, 2018 board meeting

Motion was made by Chris Boyd to approve the minutes of the November 13, 2018 meeting. The motion was seconded by Allen Knight, and passed unanimously.

5. Consider and act upon approval of invoices and reimbursements

After review and brief discussion Evan Groeschel made the motion to approve Resolution No. 2018-12-11-01. Ron Sellman seconded the motion. Motion passed unanimously.

6. Receive reports from the following Committees*:

a. Budget and Finance Committee

1) Receive Monthly Financial Information

General Manager Drew Satterwhite reviewed the financial information with the Board.

7. Consider and act upon adoption of a District Flow Testing Procedure Manual.

General Manager Drew Satterwhite informed the Board during the public comment period for the Permanent Rules, the staff heard from several drillers and pump representatives that operate in the District. The conclusion from these conversations was that it would be very difficult to meet a desired flow rate on a new well without a margin for error. In an effort to address the concerns raised by the drillers and pump representatives and given the implications of a flow rate being larger than expected on a new well, the District staff thought it would be wise to have a standard protocol establishing the margin of error for the staff and drillers to follow when testing a new well.

Kristen Fancher, Legal Counsel, informed the Board that the procedure can be altered by the Board as the situation may arise. Chris Boyd made the motion to adopt the District Flow Testing Procedure Manual. Allen Knight seconded the motion. The motion passed unanimously.

8. Consider and act upon permanent rules adoption, including well spacing, exemptions, permitting and other regulatory requirements related to water wells within the District.

Ron Sellman made the motion to adopt the Permanent Rules Resolution 2018-12-11-01. Maurice Schwanke seconded the motion. The motion passed unanimously. Board President Ronny Young expressed gratitude that the Permanent Rules have finally been adopted after a lengthy process of developing the rules.

9. Consider and act upon adoption of District Hydrogeological Report requirements.

The Board discussed the requirements and the suggested changes made by Peter Schulmeyer, Collier Consulting. Ron Sellman recommended that the guidelines be replaced with requirements in the title of the document. Ronny Young expressed that the TCEQ required sampling should be a requirement for public water system wells to submit. He also recommended that staff review what constituents would be tested with non-public water system wells and require that those be submitted as well. The staff and legal counsel recommended adopting the document with all changes and that they would bring back a revised version with non-public water sampling requirements at a later date. Allen Knight made the motion to adopt the District Hydrogeological Report requirements with the changes discussed. Chris Boyd seconded the motion. The motion passed unanimously.

10. Consider and act upon 2019 legislative consulting efforts.

General Manager Drew Satterwhite reviewed a list of bills both returning and new. The proposed positions on these bills were also discussed. The Board discussed and recognized that the legislative session is a fluid process and that the bills can and will be modified throughout the process. The board agreed with the proposed positions and the general manager expressed that he follows relevant committees and associations. Chris Boyd recommended that a legislative committee be formed at the next meeting in the event that a quick legislative related decision needed to be made on an issue that could be considered controversial. The Board will receive updates during this legislative session.

11. Update and possible action regarding the process for the Development of Desired Future Conditions (DFCs)

General Manager Drew Satterwhite reported that GMA 8 met on November 30, 2018 and selected WSP teamed with Blanton & Associates, Inc. as the consultants to perform professional services related to the DFC process. James Beach is the Senior Supervising Hydrogeologist. The GMA 8 appointed Drew Satterwhite as part of a committee to negotiate a contract, scope of work and cost to be presented to the GMA 8 at a meeting sometime in the Spring of 2019.

12. Consider and act upon compliance and enforcement activities for violations of District's Rules.

General Manager Drew Satterwhite informed the Board that Debi Atkins, Finance Officer, has been contacting out of compliance well owners. Michael Baur, Oak Hollow Golf Course, DWW Golf Management Company requested to address the board. He asked that the board to waive the \$50 late fees. He questioned why he has to read the meter, and asked why the District does not read it for him. Kristen Fancher, Legal Counsel, responded that it is required under Water Code, Chapter 36 and that it also would not be financially feasible for the District to read the meters.

The Board adjourned into Executive Session at 11:07 a.m. The Board reconvened into regular session at 11:15 a.m. No action was taken on any items discussed during Executive Session.

Chris Boyd made the motion to not waive the late fees and requested that Kristen Fancher notify Mr. Baur of the decision. Ron Sellman seconded the motion. The motion passed unanimously.

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

General Manager Drew Satterwhite reported that 35 well have been registered during November. He reported that he gave a presentation to Kimley-Horn and some of their clients with interests in groundwater located in the District.

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

It was suggested that the possibility of adding funds for legal legislative be considered and also

creating a legislative committee.

The District Hydrogeological Report Requirements with changes are to be brought to the next meeting.

15. Adjourn public meeting

President Young declared the meeting adjourned at 11:17 a.m.

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Velma Starks
Recording Secretary

[Signature]
Secretary Treasurer