

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

Tuesday, February 15, 2022 at 10:00 a.m.

**Pilot Point ISD Administration Office
829 S. Harrison St.
Pilot Point, TX 76258**

Please note for in-person attendance that the Board meeting location can only accommodate a limited number of attendees in order to comply with state requirements related to in-person gatherings. In the event in-person attendance exceeds any state or local requirements, the District may provide an option for virtual participation for any overflow attendees as necessary and authorized by law.

Members Present: Lee K. Allison, Joe Helmberger, Allen Knight, David Flusche, Ron Sellman, Jimmy Arthur, Ronny Young, and Thomas Smith

Members Absent: Greg Peters

Staff: Drew Satterwhite, Paul Sigle, and Velma Starks

Visitors: Kristen Fancher, Legal Counsel
Jason Flynt, Barco Well Service
Dale Chepulis, Double D Drilling Inc.

Permit Hearing

Agenda:

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

Board President Joe Helmberger called the Permit Hearing to order at 10:00 a.m.
2. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).

No public comment.

3. Review the Production Permit Applications of:

New Production Permits

- a. **Applicant:** Mark Moseley, 15056 FM 407, Justin, TX 76247
Location of Well: 15056 FM 407, Justin, TX 76247; Latitude: 33.095996°N, Longitude: 97.382443°W; About 2,650 feet east of the FM 407 and South County Line Road intersection and about 1,400 feet north of FM 407.
Purpose of Use: Public Water System/RV Park
Requested Amount of Use: 821,250 gallons per year
Production Capacity of Well: 34 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Drew Satterwhite reviewed the permit with the Board. Discussion was held. Board Member Ronny Young made the motion to approve the permit. Board Member Allen Knight seconded the motion. Motion passed unanimously.

- b. **Applicant:** Windsong Ranch Community Assoc., 1001 Windsong Parkway South, Prosper, TX 75078
Location of Well: Field Road, Prosper, TX 75078 Latitude: 33.243121°N, Longitude: 96.862588°W; About 1,700 feet south of the Prosper Road and North Teel Parkway intersection and about 500 feet west of North Teel Parkway.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 15,900,000 gallons per year
Production Capacity of Well: 170 gallons/minute
Aquifer: Trinity (Antlers)

- c. **Applicant:** Windsong Ranch Community Assoc., 1001 Windsong Parkway South, Prosper, TX 75078
Location of Well: Latitude: 33.23467°N, Longitude: 96.86306°W; The intersection of Pepper Grass Lane and Ash Creek Drive.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 9,360,000 gallons per year
Production Capacity of Well: 101 gallons/minute
Aquifer: Woodbine

General Manager Drew Satterwhite reviewed both Windsong Ranch Community Assoc. permits with the Board. Discussion was held. Board Member Allen Knight made the motion to approve the permits. Board Member Ron Sellman seconded the motion. Motion passed unanimously.

- d. **Applicant:** Rooted In, LLC, 12750 Pelzel Rd., Pilot Point, TX 76258
Location of Well: 12750 Pelzel Rd., Pilot Point, TX 76258 Latitude: 33.397555°N, Longitude: 96.874623°W; about 0.75 miles north of the Pelzel Road and FM 455 intersection and about 350 feet east of Pelzel Road.
Purpose of Use: Landscape Irrigation
Requested Amount of Use: 1,000,000 gallons per year
Production Capacity of Well: 30 gallons/minute
Aquifer: Woodbine

General Manager Drew Satterwhite reviewed the permit with the Board. Board Member Ronny Young made the motion to approve the permit. Board Member Ron Sellman seconded the motion.

Motion passed unanimously.

- e. **Applicant:** MM Celina 3200 LLC, 1800 Valley View Ln, Ste 300, Farmers Branch, TX 75234
Location of Well: County Line Road, Celina, TX 75009, Latitude: 33.353247°N, Longitude: 96.833197°W; about one mile south of the County Line Road and FM 455 intersection and about 900 feet east of County Line Road.
Purpose of Use: Construction
Requested Amount of Use: 26,418,000 gallons thru 2023
Production Capacity of Well: 190 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Drew Satterwhite reviewed the permit with Board. The District staff noticed the permit for 26,418,000 gallons. The applicant actually needs 35,618,000. The Staff recommended that the Board approve the authorized amount, and then come back at next meeting to consider the amount that was left off in error. Discussion was held. Board Member Allen Knight made the motion to approve the 26,418,000 gallons. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

- f. **Applicant:** Denton ISD, 230 N. Mayhill Rd, Denton, TX 76208
Location of Well: 3690 Hunter St, Aubrey, TX 76227, Latitude: 33.260422°N, Longitude: 96.900745°W; about 400 feet south of the Biggs Ave and Bridle Path Parkway intersection and about 50 feet east of Biggs Ave.
Purpose of Use: Landscape Irrigation
Requested Amount of Use: 4,360,000 gallons per year
Production Capacity of Well: 120 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Drew Satterwhite reviewed the Permit with the Board. Discussion was held. Board Member Thomas Smith made the motion to approve the permit. Board Member Allen Knight seconded the motion. Motion passed unanimously.

4. Consider and act upon the Production Permit Applications, including designation of parties and/or granting or denying the Production Permit Applications in whole or in part, as applicable.

Each permit was voted on separately except the Windsong permits which were voted on together.

5. Adjourn or continue permit hearing.

Board President Joe Helmberger adjourned the permit hearing at 10:22 a.m.

Board Meeting

Agenda:

1. Pledge of Allegiance and Invocation

Board President Joe Helmberger led the Pledge of Allegiance and Board Member Ronny Young

provided the invocation.

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

Board President Joe Helmberger called the meeting to order at 10:23 a.m., established a quorum was present, and declared the meeting open to the public.

3. Public Comment

There were no public comments.

4. Consider and act upon approval of the minutes from the January 11, 2022, Board meeting.

Board President Joe Helmberger asked for approval of the minutes from the January 11, 2022, meeting. Board Member Ron Sellman made the motion to approve the minutes. Board Member Allen Knight seconded the motion. Motion passed. Board Members Ronny Young and Thomas Smith abstained.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2022-02-15-1.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Discussion was held. Board Member Allen Knight made the motion to approve Resolution No. 2021-02-15-1. Board Member Thomas Smith 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 Report with the Board.

7. Discussion and possible action regarding the District's declaration of Drought.

General Manager Drew Satterwhite reminded Board that the Board can declare "drought". Staff is not recommending to declare "drought" at this time. Rules state that "drought" could be declared which would allow permittees to use 15% more water. It was suggested that we wait until later before deciding to declare "drought".

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

General Manager Drew Satterwhite informed the Board that the Explanatory Report was submitted to TWDB in January. Juan Perez, TWDB, had follow-up questions which are currently being addressed.

9. Consider and act upon compliance and enforcement activities for violations of District rules.

None at this time.

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

a. District's Disposal/Injection Well Program

General Manager Drew Satterwhite sent out the report to Board. Three of the four wells met the RRC rules, one well was protested and the applicant removed the application.

b. Well Registration Summary

General Manager Drew Satterwhite reviewed the well registration summary with the Board. Fourteen new wells were registered.

c. Mountain Pure vs. Neches and Trinity Valley GCD case update.

General Manager Drew Satterwhite suggested that due to technical difficulties with Zoom, that the Mountain Pure vs Neches and Trinity Vallely GCD case update be moved to the next meeting when Kristen Fancher can attend in-person.

General Manager Drew Satterwhite informed the Board that as TAGD Vice President, he attended the Legislative and Business meeting last week.

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

Money investments

12. Adjourn public meeting

Board President Joe Helmberger declared the meeting adjourned at 10:47 a.m.

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Velma Starks
Recording Secretary

Ter Allum
Secretary-Treasurer