

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

THURSDAY, APRIL 16, 2020

Join by computer, tablet or smartphone at the following link:
<https://global.gotomeeting.com/join/835577365>

or

Join by phone 669-224-3412 with access code: 835-577-365

Thursday, April 16, 2020 – 10:00 a.m.

Notice is hereby given that, in accordance with Governor Abbott's March 16, 2020, action to temporarily suspend certain provisions of the Texas Open Meetings Act, a quorum of the Board of Directors of the Red River Groundwater Conservation District ("District") will hold a permit hearing and Board meeting via telephone and video conference call beginning at 10:00 a.m. on Thursday, April 16, 2020. Any member of the public who wishes to participate remotely may do so through the remote access options provided above.

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

Members Absent: Mark Gibson

Staff: Drew Satterwhite, Allen Burks, Paul Sigle, Theda Anderson, Carolyn Bennett, and Velma Starks

Visitors: Kristen Fancher, Fancher Legal
James Beach WSP
Ryan Hamilton, Garden Design Inc.
Michelle Carte, Upper Trinity Regional Water District

Permit Hearing

Agenda:

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

Board President Mark Patterson informed the Board that due to the meeting being held in this manner General Manager Drew Satterwhite would preside over the meeting rather than the Board President. The hearing was called to order at 10:03 a.m., established that a quorum was present; declared hearing open to the public; and introduction of Board.

2. Review the Production Permit Application of:

Applicant: Garden Design, Inc., 1925 Valley View Lane, Farmers Branch, Texas 75234

Location of Well: 544 Waldon Lane, Collinsville, Texas 76233; West Well: Latitude: 33.584167°N Longitude: 96.893727°W; about 1/3 mile east and ¼ mile north of the Old Town Road and Waldon Lane intersection; East Well: Latitude: 33.581883°N Longitude: 96.888907°W; about 0.6 mile east and 400 feet north of the Old Town Road and Waldon Lane intersection

Purpose of Use: Agriculture/Sod Production

Requested Amount of Use: 117,000,000 gallons per year

Production Capacity of Well: West Well: 500 gallons per minute; East Well: 350 gallons per minute

Aquifer: Woodbine Aquifer

General Manager Drew Satterwhite reviewed the Garden Design Inc. permit with the Board. General Manager Drew Satterwhite informed the Board that the District is looking for third party model for irrigation, agriculture, and landscape usage. Board discussed and added that use only what is needed and no run off as a condition of this permit.

3. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).

There were no public comments on the Production Permit Applications.

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.

Board Member David Gattis made the motion to approve the permit with the condition that they use only what is needed and there is no run off. Board Member Billy Stephens seconded. The Board was polled individually. The motion passed unanimously.

5. Adjourn or continue permit hearing.

General Manager Drew Satterwhite adjourned the permit hearing at 10:19 a.m.

Board Meeting

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

General Manager Drew Satterwhite called the meeting to order at 10:20 a.m., established that the quorum was the same as was present in the Public Hearing, and declared the meeting open to the public.

2. Public comment

No public comments.

3. Consider and act upon approval of Minutes of February 20, 2020 Board Meeting.

Board Member Chuck Dodd made a motion to approve the minutes of the February 20, 2020 meeting. The motion was seconded by Board Member David Gattis. The Board was individually polled. Motion passed unanimously.

4. Review and approval of monthly invoices.

General Manager Drew Satterwhite reviewed monthly invoices with the Board. Board Member Billy Stephens made the motion to approve the monthly invoices. Board Member Harold Latham seconded the motion. The Board was individually polled. Motion passed unanimously.

5. Receive monthly financial information.

General Manager Drew Satterwhite reviewed the monthly financial information with the Board. The Board had a brief discussion.

6. Receive Quarterly Report on Management Plan.

General Manager Drew Satterwhite reviewed the Quarterly Report on Management Plan with the Board.

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

General Manager Drew Satterwhite informed the Board that the GMA 8, May 15, meeting will be a web meeting at 10 a.m. One district needs to turn in their initial survey. GMA 8 is getting ready to send out a second inherit survey which are basically things district cannot control such as population growth, average depth of the wells, etc. James Beach, WSP, informed the Board that they are still receiving changes from districts. They plan on having a report in May

8. Presentation and discussion regarding Socioeconomic Impacts, Feasibility of Desired Future Conditions (DFCs), and Other Relevant Information factors as they relate to Desired Future Conditions (DFCs) adoption pursuant to Texas Water Code Section 36.108(d) – presentation by District hydrogeologist, James Beach.

James Beach, WSP, reminded Board of the factors discussed in previous meetings. Upper Trinity changes to pumping results will be discussed in May. James Beach discussed Socioeconomic Impacts. The results from pumping, DFCs, impacts on aquifers, models, and runs selected were covered in the presentation. Feasibility of Achieving the DFC was discussed in the presentation.

9. Discussion and Possible Action on requests for extensions on well applications.

General Manager Drew Satterwhite informed the Board that Luella SUD, a public water supplier, submitted an application before the new rules were in effect. Their first extension expired due to the fact that they had no permanent power and no meter on well. An extension for 365 days is requested. Board Member Chuck Dodd made the motion to approve an extension for 365 days. Board Member Mark Newhouse seconded. The Board was individually polled. Motion passed unanimously.

10. Consider and act upon resolution regarding temporary procedures for disbursements and related suspension of certain provisions of District Bylaws.

General Manager Drew Satterwhite expressed a need for bylaws revision in the future. Typically, 2 of 3 Officers of the Board would sign certain checks at the meeting following the Board's approval of the liabilities resolution. The COVID-19 situation has caused the District to move to remote Board

Meetings until such time that it is deemed safe to return to a physical location. Due to these circumstances, the Board may want to consider temporarily for a 90-day time frame allowing the staff to stamp signatures on checks, or for the General Manager and Finance Officer to sign, only after the Board has approved the liabilities related to such payments. The issue was discussed. A suggestion was made for the General Manager and Finance Officer to sign checks, only after the Board has approved the liabilities related to such payments and that the resolution is amended in such manner to allow the two to sign checks. Also that resolutions and documents be stamped after Board approval of such resolutions and/or documents for the 90-day time frame. If physical meetings are resumed prior to 90-day time frame previous procedures will be reinstated. However, if the situation requires an extension of these special changes, the issue will be brought to the Board to amend the resolution to extend time as needed. Board Member Mark Patterson made the motion to make changes as previously stated. Board Member Mark Newhouse seconded the motion. The Board was individually polled. Motion passed unanimously.

11. Discussion and Possible action regarding a temporary suspension of late fees levied by the District pursuant to District rules.

General Manager Drew Satterwhite informed the Board that The State of Texas has temporarily suspended Investor Owned Water Utilities from charging late fees and disconnecting water meters during the period of time where we are being asked to Shelter in Place. Many Public Water Suppliers, that are not mandated to do so, have followed suit and suspended these practices. The District has automatic penalties for failure to make fee payments (15% of the total amount of water use fees due and owing to the District) and failure to timely submit production reports (\$50.00 per billing account). The District is not required by law to suspend any late fees. Board Member David Gattis made the motion to suspend the 15% late fee (for failure to make fee payments) but not suspend the \$50 fee (for failure to timely submit production reports) for the 1st quarter. Board Member Harold Latham seconded the motion. (To be reevaluated before the next quarter.) The Board was individually polled. Motion passed unanimously.

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

General Manager Drew Satterwhite informed the Board that discussion of the Management Plan and Rules will not be put on the agenda until a later date. Discussion of the Rules in this setting did not seem to be feasible at this time compared to in person meetings.

a. Well Registration Summary

General Manager Drew Satterwhite explained that the new registration numbers are skewed when a well is deleted for not having been drilled or if there is a duplicate and it is removed from the system. Staff will keep manual track of new well registrations.

b. Update on Injection/Disposal Well Monitoring Program

Kristen Fancher, legal counsel, updated the Board that there had been protests on two injection wells that Jetta had filed with the Railroad Commission. Issues were that their injection pressure was too high, higher than the Railroad Commission allows and issues with completion information. The good news is that the issues have been resolved. The applicant amended their application to lower injection pressure and well completed information was consistent with Railroad Commission rules and protects water quality. We have withdrawn those protests.

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

General Manager Drew Satterwhite answered a question regarding the status of the new database. The next meeting, May 21, 2020 is tentatively scheduled; if there is no permit hearing the meeting may be cancelled.

14. Adjourn.

General Manager Drew Satterwhite declared the meeting adjourned at 11:34 a.m.

#####



Recording Secretary



Secretary-Treasurer