

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

Tuesday, October 12, 2021 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, Greg Peters, Allen Knight, Jimmy Arthur, and Ron Sellman

Members Absent: David Flusche, Thomas Smith, and Ronny Young

Staff: Drew Satterwhite, Paul Sigle, and Velma Starks

Visitors: Kristen Fancher, Legal Counsel

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 Permit Applications:

- a. **Applicant:** Elemental Management; 15443 Knoll Trail Dr., Suite 130, Dallas, TX 75248
Location of Well: State Highway 78 and FM 6 in Lavon, TX; Latitude: 33.037058°N, Longitude: 96.420217°W; About 1,500 feet east of the State Highway 78 and FM 6 intersection and about 2,300 feet south of FM 6.
Purpose of Use: Landscape Irrigation and Surface Impoundment
Requested Amount of Use: 15,950,000 gallons per year
Production Capacity of Well: 100 gallons/minute
Aquifer: Woodbine

General Manager Drew Satterwhite reviewed the application with the Board.
Discussion was held.

- b. **Applicant:** Tim Sutton, 3983 S. Bonnie Brae St., Argyle, TX 76226
Location of Well: Hovenkamp Ln and Eakin Cemetery Rd, Justin, TX 76247; Latitude: 33.138467°N, Longitude: 97.311138°W; About 800 feet north of the Hovenkamp Ln and Eakin Cemetery Rd intersection.
Purpose of Use: Agriculture (Irrigating Fruit Trees/Plants)
Requested Amount of Use: 1,500,000 gallons per year
Production Capacity of Well: 40 gallons/minute
Aquifer: Trinity (Paluxy)

General Manager Drew Satterwhite reviewed the application with the Board.
Discussion was held.

Request for Exception to Spacing Requirements:

Applicant: Lawrence & Lorene Autrey; 916 Cove Trail, Little Elm, TX 75068
Location of Well: 916 Cove Trail, Little Elm, TX 75068; Latitude: 33.174030°N, Longitude: 96.95394°W; About 400 feet southeast of the Cove Trail and Carter Road intersection and about 20 feet northeast of Cove Trail.
Purpose of Use: Domestic
Requested Amount of Use: Exempt Well
Production Capacity of Well: 17 gallons/minute
Aquifer: Woodbine

Request for Exception to Spacing Requirements: Applicant requests an exception to the property line spacing requirement. The proposed well location is approximately 20 feet from the property line and the spacing requirement is 50 feet from the property line.

General Manager Drew Satterwhite reviewed the request for exception to spacing requirements with the Board. Discussion was held.

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 Allen Knight made the motion to approve all three as discussed. Board Member Lee Allison seconded motion. Discussion was held. Allen Knight made an amendment to the motion that Elemental Management could decide to move well to the north. Board Member

Ron Sellman seconded the amendment to the motion. Motion with amendment passed unanimously.

5. Adjourn or continue permit hearing.

Board President Joe Helmberger adjourned the permit hearing at 10:23 a.m.

Board Meeting

Agenda:

1. Pledge of Allegiance and Invocation

Board President Joe Helmberger led the Pledge of Allegiance and Board Member Greg Peters 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 10:24 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 August 10, 2021, Board meeting.

Board President Joe Helmberger asked for approval of the minutes from the August 10, 2021, meeting. Board Member Allen Knight made the motion to approve the minutes. Board Member Greg Peters seconded the motion. Board Member Ron Sellman abstained. Motion passed.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2021-10-12-1.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Discussion was held. Board Member Greg Peters made the motion to approve Resolution No. 2021-10-12-1. Board Member Allen Knight 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. .

- b. Management Plan Committee

- 1) Receive Quarterly Report

General Manager Drew Satterwhite reviewed the Quarterly Report.

2) Discuss the District's Proposed Management plan

General Manager Drew Satterwhite reviewed the plan with the Board. The Board agreed that the Management Plan is ready to be sent to TWDB after Kristen Fancher, legal counsel, updates the plan as discussed.

c. Investment Committee

1) Receive Quarterly Investment Report

General Manager Drew Satterwhite reviewed the Quarterly Investment Report with the Board.

7. Review and act upon approval of the District's Investment Policy.

General Manager Drew Satterwhite reviewed the policy with the Board. Discussion was held. Board Member Allen Knight made the motion to approve the Investment Policy and Resolution as presented. Board Member Ron Sellman seconded the motion. Motion passed unanimously.

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

General Manager Drew Satterwhite informed the Board that we have the draft Explanatory Report. The DFC resolution was created by Kristen Fancher, legal counsel. The GMA 8 meeting will be held November 4 in Cleburne.

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

a. Lone Star Water Well Drilling & Service Company

General Manager Drew Satterwhite provided background information for the Board. The application that was submitted was for a 17 gpm well and the actual well was 30 gpm which required a production permit. The well was moved away from original coordinates by 80 feet. This well is a public water service well. The Board decided that two major violations; drilling without production permit and spacing violation occurred resulting in a fine in the amount of \$1000. Board Member Allen Knight made the motion to fine the driller in the amount of \$1000 for two major violations including the conditions that the well cannot be placed online until they obtain a production permit and all fees have been paid. Board Member Greg Peters seconded the motion. Board Member Lee Allison abstained. Motion passed.

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

No report at this time.

b. Well Registration Summary

General Manager Drew Satterwhite reviewed the well registration summary.

c. Monitoring Well Update

General Manager Drew Satterwhite informed the Board on recent activities.

d. No legislative update.

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

Nothing at this time.

12. Adjourn public meeting

Board President Joe Helmberger declared the meeting adjourned at 11:26 a.m.

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Velma Starks
Recording Secretary

[Signature]
Secretary-Treasurer