

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

Thursday, January 21, 2021

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

REMOTE ACCESS ALSO AVAILABLE AT:
Join by computer, tablet or smartphone at the following link:
<https://global.gotomeeting.com/join/552727909>

or

Join by phone 646-749-3122 with access code: 552-727-909

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 public hearings and a Board meeting in-person and via telephone and video conference call beginning at 10:00 a.m. on Thursday, January 21, 2021. Please note for in-person attendance that the Board meeting location can only accommodate a limited number of attendees in order to comply with the Governor's proclamation related to in-person gatherings, and that remote access may be required in the event the capacity limitations are reached. Public comment can be provided whether participating in-person or remotely

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

Members Absent:

Staff: Drew Satterwhite, Allen Burkes, Paul Sigle, Wayne Parkman, Debi Atkins, Theda Anderson, and Nichole Sims

Visitors: Kristen Fancher, Fancher Legal
James Beach, WSP

Permit Hearing

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 10:01 a.m., established that a quorum was present, and declared the meeting open to the public.

2. Review the Production Permit Applications of:

Applicant: Buena Vista Turf Farm; 330 Oaks Trail, Ste 100, Garland, TX 75043

Location of Well: 1664 CR 2225, Ivanhoe, TX 75447; Latitude: 33.715455°N Longitude: 96.119567°W; about 325 feet west on CR 2225 from the intersection of CR 2220 and CR 2225 and about 75 feet south of CR 2225

Purpose of Use: Agriculture (Sod production)

Requested Amount of Use: 35,214,000 gallons per year (Total: 70,000,000 gallon per year; Historic Use: 34,786,000)

Production Capacity of Well: 150 gallons per minute

Aquifer: River Alluvium

General Manager Drew Satterwhite reviewed the permit application with the Board. Discussion was held. Board Member Chuck Dodd made the motion to grant the application. Board Member Billy Stephens seconded the motion. Motion passed unanimously.

Applicant: David Walter; PO Box 84, Gordonville, TX 76245

Location of Well: 766 Deer Creek, Sadler, TX 76264; Latitude: 33.766106°N Longitude: 96.835811°W; about 350 feet northeast of the end of Deer Creek Drive

Purpose of Use: Pond(s)/Surface Impoundment(s), Livestock, and Wildlife Management

Requested Amount of Use: 5,710,000 gallons per year

Production Capacity of Well: 180 gallons per minute

Aquifer: Woodbine Aquifer

General Manager Drew Satterwhite reviewed the permit application with the Board. Discussion was held. Board Member Mark Newhouse made the motion to grant the application. Board Member David Gattis seconded the motion. Motion passed unanimously.

Applicant: Porter Green; 7000 Parkwood Blvd, Suite E200, Frisco, TX 75034

Location of Wells: 471 Hanna Drive, Denison, TX 75020; Well RR-4282: Latitude: 33.84762°N Longitude: 96.63435°W; about 750 feet north on Hanna Drive from the intersection of Hanna Drive and Alexander Drive and about 50 feet west of Hanna Drive; Well RR-4686: Latitude: 33.8465°N Longitude: 96.63605°W; about 325 feet north on Hanna Drive from the intersection of Hanna Drive and Alexander Drive and about 550 feet west of Hanna Drive

Purpose of Use: Pond(s)/Surface Impoundment(s)

Requested Amount of Use: 1,240,000 gallons per year

Production Capacity of Wells: Well RR-4282: 16 gallons per minute; Well RR-4686: 30 gallons per minute

Aquifer: Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the production permit application with the Board. Discussion was held. Board Member David Gattis made the motion to grant the application. Board Member Billy Stephens seconded the motion. Motion passed unanimously.

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

There were no public comments.

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.

Applications were granted individually.

5. Adjourn or continue permit hearing.

President Mark Patterson declared the permit hearing adjourned at 10:22 a.m.

Public Meeting on Proposed 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 hearing to order at 10:22 a.m., established that a quorum was present, and declared the meeting open to the public.

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

James Beach provided WSP presentation given at GMA 8 October 27, 2020 meeting. Reviewed what had been discussed at GMA 8 meeting. Discussion was held.

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

There were no public comments.

4. Consider and act upon moving forward with the proposed Desired Future Conditions applicable to the District, including preparing the summary report and coordinating with Groundwater Management Area 8 as required by the Chapter 36 of the Texas Water Code.

No action taken.

President Mark Patterson declared the public hearing adjourned at 11:08 a.m.

Board Meeting

1. Pledge of Allegiance and Invocation.

Board President Mark Patterson led the group in the Pledge of Allegiance. 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 11:08 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 Minutes of December 17, 2020, Board Meeting.

Board Member David Gattis made a motion to approve the minutes of the December 17, 2020 meeting. The motion was seconded by Board Member Billy Stephens. The motion passed unanimously.

5. Budget and Finance.

- a. Review and approval of monthly invoices.

General Manager Drew Satterwhite reviewed the monthly invoices with the Board. Board Member David Gattis made a motion to approve the monthly invoices. Board Member Chuck Dodd seconded the motion. The motion passed unanimously.

- b. Receive monthly financial information.

General Manager Drew Satterwhite reviewed the District's monthly financial information with the Board. Discussion was held.

- c. Receive Quarterly Investment Report.

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

- d. Receive Quarterly Report on Management Plan.

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

6. Discussion and possible action on District's Drought Contingency Plan.

General Manager Drew Satterwhite reviewed the District's Drought Contingency Plan. Discussion was held.

Board Member David Gattis made the motion to adopt the District's Drought Contingency Plan with change on section 2 to add "voluntary". Board Member Mark Newhouse seconded the motion. Motion passed unanimously.

7. Update and possible action on E-Merchant services for payment of invoices.

General Manager Drew Satterwhite provided background information. The staff ran into issues setting this E-Merchant service up as Quickbooks would not approve our tax-exemption status without an IRS letter stating our tax-exemption status. Subsequently, we looked at other options through QuickBooks and settled on using Chase Bank through webpay.com. Board Member Mark Newhouse made the motion to authorize the use of Chase Bank for E-Merchant services. Board Member Chuck Dodd seconded the motion. Motion passed unanimously.

8. Discussion and possible action on the District's Hydrogeology Firm.

a. Statement of Qualifications and Selection

Board President Mark Patterson reminded the Board to only consider qualifications. General Manager Drew Satterwhite provided background information. James Beach has started a new firm (Advanced Groundwater Solutions, LLC) with John Nelson. Discussion was held. Board Member Mark Newhouse made the motion to go with James Beach, Advanced Groundwater Solutions, LLC. Board Member Chuck Dodd seconded the motion. Motion passed unanimously.

b. Proposal and Contract

General Manger Drew Satterwhite provided the background information. Kristen Fancher, legal counsel, discussed contract information. Discussion was held. Board Member David Gattis made the motion that after final review by Board President Mark Patterson that he is authorized to sign contract. Board Member Mark Newhouse seconded the motion. Motion passed unanimously.

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

GMA 8 appointed Drew Satterwhite, Dirk Aaron, and Joe Cooper as a committee to meet regarding GMA 8's Hydrogeology Firm consultant. GMA 8 next meeting is currently set for June.

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

a. Porter Green

Drew Satterwhite informed Board Porter Green has done required work, permit was approved. No action at this time, they are in compliance. Discussion was held.

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

a. Well Registration Summary

General Manager Drew Satterwhite reviewed the well registration summary with the Board.

- b. Update on Injection/Disposal Well Monitoring Program
 - i. Protest of XTO application to amend permit

Kristen Fancher, legal counsel, reported that XTO performed tests as the District requested. Due to the satisfactory results from the test, it is recommended that the protest be dropped. Board Member David Gattis made the motion to drop the protest. Board Member Mark Newhouse seconded the motion. Motion passed unanimously.

- c. Water Level Monitoring Device

General Manager Drew Satterwhite informed the Board that North Texas GCD agreed to purchase the device.

- d. Update on TAGD Amicus Brief

General Manager Drew Satterwhite informed the Board that North Texas GCD agreed to same contribution as Red River GCD. Kristen Fancher, legal counsel, will keep Board updated on case.

- e. Update on Texas Water Development Board draft rules and District comments

Kristen Fancher, legal counsel, reported that TWDB addressed Board's comments and updated their rules.

- f. Database update

General Manager Drew Satterwhite informed the Board that we went live with database. We are nearing the close out of the construction contract and moving into the maintenance phase of the contract.

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

Next meeting Thursday, Feb. 18, 10 a.m.

- 13. Adjourn.

Board President Mark Patterson declared the meeting adjourned at 12:08 a.m.

Velma Starks
Recording Secretary

Mark Patterson
Secretary-Treasurer