

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

Tuesday, May 10, 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 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, Allen Knight, Jimmy Arthur, Ronny Young, Greg Peters, Joe Helmberger, and Thomas Smith

Members Absent: Ron Sellman and David Fiusche

Staff: Drew Satterwhite, Paul Sigle, Wayne Parkman, Kenneth Elliott, 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 at this time.
3. Review the Production Permit Applications of:

New Production Permits

- a. **Applicant:** Lilyanna Water Well, LLC; 3000 Turtle Creek Blvd, Dallas, TX 75219
Location of Well: 4211 Lilyanna Lane, Celina, TX 75009; Latitude: 33.269844°N, Longitude: 97.765500°W; About 2,700 feet north of the FM 1461 and County Road 83 intersection and about 600 feet east of County Road 83.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 14,240,000 gallons per year
Production Capacity of Well: 165 gallons/minute
Aquifer: Woodbine

General Manager Drew Satterwhite reviewed the permit for the Board. Lilyanna developer available to answer any questions.

- b. **Applicant:** FHQ Development Partners LP; 1900 N. Akard Street, Dallas, TX 75201
Location of Well: Latitude: 33.19292°N, Longitude: 96.84935°W; About 3,100 feet west of the Dallas North Tollway and Panther Creek Parkway intersection and about 1,200 feet north of Panther Creek Parkway.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 242,500,452 gallons per year
Production Capacity of Well: 1,500 gallons/minute
Aquifer: Trinity (Twin Mountains)

Due to ongoing discussions between staff and the permittee, it was decided to table for action next month. Roger McInnis provided presentation on the planned development. FHQ Development Partners LP will come back next month with an updated permit request. No action on this permit.

- c. **Applicant:** Peytonville Property, LLC; 5000 TW King Rd, Southlake, TX 76092
Location of Well: 5000 TW King Rd, Southlake, TX 76092; Latitude: 33.008333°N, Longitude: 97.168500°W
Purpose of Use: Irrigation, Livestock, Dust Control and Fire Suppression
Requested Amount of Use: 7,520,000 gallons per year for 2022; 5,247,000 gallons per year after 2023
Production Capacity of Well: 60 gallons/minute
Aquifer: Trinity (Paluxy)

General Manager Drew Satterwhite reviewed the permit with the Board. Applicant was available for any questions.

- d. **Applicant:** KSW Holding Hickory Creek; 1851 Turbeville Rd, Hickory Creek, TX 75065
Location of Well: 1851 Turbeville Road, Hickory Creek, TX 75065; Latitude: 33.122944°N, Longitude: 97.055917°W; About 200 feet east of the Saratoga Drive and Turbeville Road intersection and about 75 feet north of Turbeville Road.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 10,522,000 gallons per year
Production Capacity of Well: 100 gallons/minute
Aquifer: Trinity (Paluxy)

General Manager Drew Satterwhite reviewed the permit with the Board. Special requirements to plug old wells upon completion of new well. Discussion was held. It was decided to talk to the owner and see if there was an interest to use well as a monitoring well instead of plugging the well.

Board went into Executive Session at 10:21 a.m. to consult with legal counsel.

Board returned into Regular Session at 10:47 a.m.

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.

Upon returning into regular session the Board voted on the Lilyanna Water Well, LLC and Peytonville Property, LLC permits. Board Member Ronny Young made a motion to accept both permits as presented. Board Member Allen Knight seconded the motion. Motion passed unanimously.

The Board voted on the KSW Holding Hickory Creek permit. Board Member Ronny Young made a motion to accept the permit and reword the special requirements to use the old wells as monitoring wells if the owner agrees instead of plugging the wells. Board Member Allen Knight seconded the motion. Motion passed unanimously.

5. Adjourn or continue permit hearing.

Board President Joe Helmberger adjourned the permit hearing at 10:50 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 10:50 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 April 12, 2022, Board meeting.

Board President Joe Helmberger asked for approval of the minutes from the April 12, 2022, meeting. Board Member Allen Knight made the motion to approve the minutes. Board Member Greg Peters seconded the motion. Motion passed unanimously.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2022-05-10-1.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member

Thomas Smith made the motion to approve Resolution No. 2021-05-10-1. Board Member Ronny Young 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. Investment Committee
 - 1) Receive Quarterly Investment Report

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

General Manager Drew Satterwhite informed the Board that funds have been invested with Legend Bank at .89 percent interest and at 1.45 percent interest.

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

No update.

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

No issues at this time.

9. 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 informed that Board that there is no protest at this time.

- b. Well Registration Summary

General Manager Drew Satterwhite reviewed the well registration summary with the Board. There were 38 well registrations in April.

- c. Audit Update

Audit will be presented next month.

- d. Legislative Update

General Manager Drew Satterwhite is the Legislative Committee Chair for TAGD. He provided information regarding House and Senate interim charges. Various Committees

have been established at TAGD and TWCA to discuss the charges. Discussion was held. Board requested that RJ Muraski, NTMWD, be asked to provide ASR Presentation to the Board.

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

A request was made that a brief history of what other districts are doing to manage the aquifers as they approach limitations of DFCs and/or MAGs., to be discussed at a future meeting.

11. Adjourn public meeting

Board President Joe Helmberger declared the meeting adjourned at 11:13 a.m.

#####

Valma Starks

Recording Secretary

Joe Helmberger

Secretary-Treasurer