

MINUTES OF THE BOARD OF DIRECTORS' BOARD MEETING AND PERMIT HEARING
RED RIVER GROUNDWATER CONSERVATION DISTRICT

THURSDAY, FEBRUARY 21, 2019

GREATER TEXOMA UTILITY AUTHORITY
BOARD ROOM
5100 AIRPORT DRIVE
DENISON TX 75020

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

Members Absent: None

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

Visitors: Kristen Fancher, Fancher Legal (arrived 10:15 a.m.)
Angela Silmon, well owner
Kevin Crawford, well owner
Chris Browning, US Lime Company
Wes Spruiell, THI Water Well
Robin McCoy, Senator Pat Fallon

Permit Hearing

Agenda:

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

Board President Mark Patterson called the meeting to order at 10:01 a.m., established a quorum was present, declared hearing open to the public, and introduction of the board.

2. Review the Production Permit Application of:

Applicant: U.S. Lime Company, 5429 LBJ Freeway, Suite 230, Dallas, TX 75240

Location of Well: 14707 U.S. Hwy 75, Van Alstyne, TX 75495; Latitude: 33 26'49.2" N

Longitude: 96 36'21.1" W; on the west side of Highway 75 in Van Alstyne between Hodgins Road and Bear Road

Purpose of Use: Industrial; lime slurry production

Requested Amount of Use: 30 million gallons per year

Production Capacity of Well: 120 gallons per minute

Aquifer: Woodbine Aquifer

General Manager Drew Satterwhite reminded the Board that they had received documentation

pertaining to the U.S. Lime Company application. The permit hearing had been posted 10 days prior to today's meeting. No contests were submitted within 3 days prior to the meeting. The Board had a brief discussion with Chris Browning, U.S. Lime Company representative.

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

No public comments.

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

Board Member Chuck Dodd made the motion to grant the Production Permit Application. Board Member David Gattis seconded the motion. Motion passed unanimously.

5. Adjourn or continue permit hearing.

Board President Patterson adjourned the permit hearing at 10:09.

Board Meeting

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

Board President Mark Patterson called the meeting to order at 10:09 a.m., established a quorum was present, and declared the meeting open to the public.

2. Public comment

No public comments.

3. Consider and act upon approval of Minutes of January 16, 2019, Board Meeting.

Board Member David Gattis made a motion to approve the minutes of the January 16, 2019 meeting. The motion was seconded by Board Member Billy Stephens. The motion passed unanimously.

4. Review and approval of monthly invoices.

General Manager Satterwhite reviewed the monthly invoices with the Board of Directors. Board Member Billy Stephens made a motion to approve Resolution 2019-02-21-01. Board Member David Gattis seconded the motion. Motion passed unanimously.

5. Receive monthly financial information.

General Manager Drew Satterwhite reviewed the monthly financial information with the Board. The District's General Counsel needs to be asked when items can be removed from the books.

6. Discussion and action on applications submitted prior to adoption of Permanent Rules.

General Manager Drew Satterwhite provided background information for the Board. The District's

Permanent Rules became effective January 1, 2019, include changes to the amount of time, including extensions, which an applicant has to complete a well. Under old Temporary Rules an applicant had 365 days to drill and complete with option for an additional 365 day extension. Under new Permanent Rules an applicant of a non-Public Water System well has 240 days to commence, drill and complete a well with the option of an additional 240-day extension. A Public Water System applicant has 365 days to commence, drill and complete a well with the option of 2 additional 365 –day extensions.

Tom Bean has an application that expires in March, the Board decided to give them 365-day additional extension. The Board decided that each application should be considered case by case.

Board Member David Gattis made the motion to give Tom Bean the 365-day additional extension. Board Member Chuck Dodd seconded the motion. Motion passed unanimously.

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

General Manager Drew Satterwhite informed the Board that GMA 8 met on November 30, 2018 and selected WSP (James Beach) as the Administrative Consultant. GMA 8 appointed a committee consisting of Drew Satterwhite, Joe Cooper and Dirk Aaron to develop a contract and scope of services. The Committee has reviewed the scope of services and is waiting on cost from WSP. The information will be sent to the GMA 8.

NTGCD serves as the administrative district and requested that an interlocal agreement be created between the GMA 8 districts to share in the consultant costs.

8. Consider and act upon compliance and enforcement activities for violations of District Rules.
a. Kevin Crawford

General Manager Drew Satterwhite informed the Board that the District had received information that a well was drilled in Grayson County without an application. Kevin Crawford is the owner/driller and says he drilled the well himself. Mr. Crawford told the Board he had borrowed a rig from a friend who owed him a favor and drilled the well himself.

Pursuant to the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, §551.071, consultation with attorney, the Red River Groundwater Conservation District Board adjourned into Executive Session at 10:30 a.m.

The Board convened into Regular Session at 10:51 a.m. No action was taken on any items discussed during Executive Session.

Board Member David Gattis made the motion that Kevin Crawford, owner/driller be fined a major violation of \$500 for drilling without an application. Mark Newhouse seconded the motion. Motion passed unanimously.

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

a. Meter Calibration

General Manager informed the Board that NTGCD authorized the purchase of the flow meter

