

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

Tuesday, May 11, 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: Thomas Smith, Ronny Young, Lee K. Allison, Ron Sellman, David Flusche, Joe Helmberger, and Jimmy Arthur

Members Absent: Allen Knight

Staff: Drew Satterwhite, Paul Sigle , Theda Anderson, Allen Burks, Nichole Sims, and Velma Starks

Visitors: Kristen Fancher, Legal Counsel
Michelle Carte
Jason Flynt, Barco Well Service
Amanda Andrea Rodz Rosado, Barco Well Service
Tim Long, Billingsley Company

Board Member Qualification for Office

Board Member qualification for office will begin at 10:00 a.m.

1. Administer Oath of Office to new and reappointed Board Members.

The Oath of Office was administered to the following: David Flusche, Ronny Young, and Jimmy Arthur.

2. Receive signatures on Oath of Office and Statement of Appointed Officer forms.

Permit Hearing

The Permit Hearing will begin immediately upon completion of the Board Member qualification for office.

Agenda:

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

Board President Thomas Smith called the permit hearing to order at 10:04 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 Permits

Applicant: Denton County Municipal Utility District No. 5; 1980 Post Oak Blvd, Suite 1380, Houston, TX 77056

Location of Well: 1235 Longhorn Drive, Aubrey, TX 76227; Latitude: 33.196972°N, Longitude: 96.983583°W; About 140 feet east of the Bonanza Street and Longhorn Drive intersection.

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

Requested Amount of Use: 500,000 gallons per year

Production Capacity of Well: 55 gallons per minute

Aquifer: Woodbine Aquifer

General Manager Drew Satterwhite reviewed the permit application with the Board. Board Member Ronny Young made the motion to approve the permit application. Board Member Joe Helmberger seconded the motion. Motion approved unanimously

Applicant: Prestonwood Baptist Church, Inc.; 6801 W. Park Blvd, Plano, TX 75093

Location of Well: 6801 W. Park Blvd, Plano, TX 75093; Latitude: 33.0301709°N, Longitude: 96.8518608°W; About 170 feet east of the Marsh Lane and Cedar Elm Drive intersection.

Purpose of Use: Landscaping Irrigation and Pond(s)/Surface Impoundment(s)

Requested Amount of Use: 26,380,000 gallons per year

Production Capacity of Well: 195 gallons per minute

Aquifer: Trinity (Paluxy) Aquifer

General Manager Drew Satterwhite reviewed the permit application with the Board. Special conditions were reviewed and discussed. Board Member Joe Helmberger made the motion to approve the permit application. Board Member Lee Allison seconded the motion. Motion was approved with six ayes and one nay by Board Member Ronny Young.

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 voted on individually.

5. Adjourn or continue permit hearing.

President Thomas Smith adjourned the permit hearing at 10:36 a.m.

Board Meeting

Agenda:

1. Pledge of Allegiance and Invocation

Board Member Ronny Young led the Pledge of Allegiance and provided the invocation.

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

Board President Thomas Smith called the meeting to order at 10:37 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 13, 2021, Board meeting.

Board President Thomas Smith asked for approval of the minutes from the April 13, 2021 meeting. Board Member Joe Helmberger made the motion to approve the minutes. Board Member Ronny Young seconded the motion. Motion passed. David Flusche abstained.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2021-05-11-01.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member Ron Sellman made the motion to approve Resolution No. 2021-05-11-01. Board Member David Flusche 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.

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

General Manager Drew Satterwhite informed the Board that the GMA 8 meeting will be

scheduled for the last week of July or the beginning of August. WSP and James Beach reached agreement to work together for GMA 8.

8. Consider and act upon compliance and enforcement activities for violations of District rules.
a. Lawsuit against Hydrous Wake Parks for continued violations of District rules.

Kristen Fancher, legal counsel,. Reported that due to a lack of response from Hydrous Wake Parks, the District is going forward with a lawsuit.

9. Consider and act upon authorizing purchase of Acoustic Water Level Measuring Devices.

General Manager Drew Satterwhite requested permission to purchase up to 10 devices, currently at a cost of \$2,301 per unit. If a well does not have a readily accessible 110volt power source, we would also need to purchase a solar power kit for \$349 as well as a battery for \$50. There are other appurtenances that sometimes have to be purchased to fit the devices such as pipe fittings, caps, etc. Letters will be sent to current monitoring program participants informing them of the monitoring program. Discussion was held. Board Member Ronny Young made a motion to purchase 10 devices also 3 cellular, one for each county. Board Member Ron Sellman seconded the motion. Motion passed unanimously.

After a brief discussion the Board suggested that the devices could be used by The Colony (Denton County), Gainesville (Cooke County) and David Flusche (Cooke County), if those locations are determined to be good candidates. Board Members Ron Sellman (Gainesville representative), Jimmy Arthur (The Colony representative), and David Flusche (western Cooke County representative) abstained from voting. Board Member Ronny Young made the motion that the devices can be used by The Colony and Gainesville. Board Member David Flusche seconded the motion. Motion passed with five ayes. Board Members Ron Sellman and Jimmy Arthur abstained from voting. Board Member Joe Helmberger made the motion that the device can be used at David Flusche's well in western Cooke County. Board Member Ronny Young seconded the motion. Motion passed with six ayes. Board Member David Flusche abstained from voting.

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 update.

- b. District's database

General Manager Drew Satterwhite reported to the Board that there are technical problems with online payment software. The District is looking into switching software as long as fee structure remains the same.

- c. Well Registration Summary

General Manager Drew Satterwhite reviewed the well registration summary.

d. Legislative Update

Kristen Fancher, legal counsel, reported updates, cyber security changes and bill allowing virtual meetings to continue.

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

General Manager Drew Satterwhite reminded the Board that a Nomination Committee (Ronny Young, Joe Helmberger and Lee Allison) was formed at the last meeting and officers will be elected at the next meeting.

12. Adjourn public meeting

Board President Thomas Smith declared the meeting adjourned at 11:22 a.m.



Recording Secretary



Secretary-Treasurer