

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

**Tuesday, October 11, 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.

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| Members Present: | Lee K. Allison, Ronny Young, David Flusche, Jimmy Arthur, Joe Helmberger, and Greg Peters                  |
| Members Absent:  | Thomas Smith, Allen Knight, and Ron Sellman  |
| Staff:           | Drew Satterwhite, Paul Sigle, Allen Burks, Wayne Parkman, and Velma Starks                                 |
| Visitors:        | Kristen Fancher, Law Offices of Kristen Fancher, PLLC<br>Chad Wolf, Cross Timbers Water Supply Corporation |

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**Permit Hearing**

**Agenda:**

1. Call to Order; establish quorum; declare hearing open to the public; introduction of 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).  
  
Chad Wolf, Cross Timbers Water supply Corporation, stated that he was not aware of the application in time for an official protest.
3. Review the Production Permit Applications of:

**New Production Permit and Request for Exception to Spacing Requirements**

- a. **Applicant:** Texas Water Utilities, L.P.; 1620 Grand Avenue St. 140, Pflugerville, TX 78660  
**Location of Well:** 800 CR 131, Gainesville, TX 76240; Latitude: 33.660278°N, Longitude: 97.103750°W; About 1.1 miles north of the HWY 82 and County Road 131 intersection and about 700 feet northeast of the County Road 131 and County Road 193 intersection.  
**Purpose of Use:** Municipal/Public Water Systems  
**Requested Amount of Use:** 6,930,000 gallons per year  
**Production Capacity of Well:** 100 gallons/minute  
**Aquifer:** Trinity (Antlers)  
**Request for Exception to Spacing Requirements:** Texas Water Utilities, L.P. is requesting an exception to the spacing requirements for a well located about 316 feet to the east. The spacing requirement for a 100 gallon per minute well is 1,295 feet from existing wells.

Assistant General Manager Paul Sigle reviewed this application with the Board. Discussion was held.

**New Production Permits**

- b. **Applicant:** Chambliss Land LLC; 5376 FM 545, Melissa, TX 75454  
**Location of Wells:** 5376 FM 545, Melissa, TX 75454; Well #1 Latitude: 33.289982 °N, Longitude: 96.506868°W; Well #2 Latitude: 33.286656°N, Longitude: 96.987083°W; About 1 mile west of the FM 545 and FM 1827 intersection.  
**Purpose of Use:** Agriculture (Animal Feeding Operation)  
**Requested Amount of Use:** 50,000,000 gallons per year  
**Production Capacity of Well 1:** 260 gallons/minute  
**Production Capacity of Well 2:** 260 gallons/minute  
**Aquifer:** Woodbine

Assistant General Manager Paul Sigle reviewed this application with the Board.

- c. **Applicant:** Chase Lybbert; 488 Copper Canyon Rd, Argyle, TX 76266  
**Location of Well:** 488 Copper Canyon Rd, Argyle, TX 76266; Latitude: 33.085354°N, Longitude: 97.104047°W; About 0.9 miles north of the Justin Rd and Copper Canyon intersection and about 1,770 feet east of Copper Canyon Rd.  
**Purpose of Use:** Agriculture (Hay Production), Surface Impoundments, and Livestock  
**Requested Amount of Use:** 27,127,527 gallons per year  
**Production Capacity of Well:** 100 gallons/minute  
**Aquifer:** Trinity (Twin Mountains)

Assistant General Manager Paul Sigle reviewed this application with the Board. Discussion was held. Board Member David Flusche made the motion to approve applications a., application b., and application c. Board Member Jimmy Arthur seconded the motion. Motion passed unanimously.

**Permit Amendment**

- d. **Applicant:** Painted Tree Residential Community Association, Inc.; 7800 N. Dallas Pkwy., Ste 450, Plano, TX 75024

**Location of Well:** 3998 Taft Ln., McKinney, TX 75069; Latitude: 33.223494°N, Longitude: 96.667403°W; About 1,900 feet west of the West University Drive and North Hardin Boulevard intersection and about 2,100 feet north of West University Drive.

**Purpose of Use:** Landscape Irrigation and Surface Impoundment(s)

**Requested Amount of Use:** 73,715,500 gallons for 2023 and 58,110,000 gallons per year after 2023.

**Production Capacity of Well:** 195 gallons/minute

**Aquifer:** Trinity (Paluxy)

**Amendment:** Increasing the requested amount from 58,455,500 gallons for 2023 and 42,830,000 gallons per year after 2023 to 73,715,500 gallons for 2023 and 58,110,000 gallons per year after 2023

Assistant General Manager Paul Sigle reviewed the application amendment with the Board. Board Member Ronny Young made the motion to approve the permit amendment. Board Member Jimmy Arthur seconded the motion. Motion passed unanimously.

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 a, b and c were voted on together and the permit amendment was voted on separately.

5. Adjourn or continue permit hearing.

President Joe Helmberger adjourned the permit hearing at 10:16 a.m.

**Board Meeting****Agenda:**

1. Pledge of Allegiance and Invocation

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.

President Joe Helmberger called the meeting to order at 10:16 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 September 13, 2022, Board meeting.

President Joe Helmberger asked for approval of the minutes from the September 13, 2022, meeting. Board Member Ronny Young made the motion to approve the minutes. Board Member David Flusche seconded the motion. Motion passed unanimously.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2022-10-11-1.

Assistant General Manager Paul Sigle reviewed the liabilities with the Board. Board Member Greg Peters made the motion to approve Resolution No. 2022-10-11-1. 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

Assistant General Manager Paul Sigle reviewed the Financial Report with the Board.

- b. Management Plan Committee
  - 1) Receive Quarterly Report

Assistant General Manager Paul Sigle reviewed the Quarterly Report with the Board.

- c. Investment Committee
  - 1) Receive Quarterly Investment Report

Assistant General Manager Paul Sigle reviewed the Quarterly Investment Report with the Board. Discussion was held.

7. Discuss potential amendments to the District's Rules and Flow Testing Procedure.

Assistant General Manager Paul Sigle provided presentation showing potential changes to rules. Mr. Sigle reviewed the changes to the Flow Testing Procedure. Discussion was held. Rules Public Hearing will be held at November meeting.

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

Assistant General Manager Paul Sigle provided background information for the Board. The Policy is required to be reviewed annually and the Board of Directors will approve broker/dealers and PFIA training sources on an annual basis. The District's Investment Officers are designated by the Investment Policy Resolution to be the Secretary of the Board of Directors, the General Manager, Paul Sigle, and the Finance Officer, Debi Atkins. Board Member Greg Peters made the motion to approve the Investment Policy. Board Member David Flusche seconded the motion. Motion passed unanimously.

9. Consider and act upon confirming execution of Engagement Letter for Audit Services for Fiscal Year ending December 31, 2022.

Assistant General Manager Paul Sigle provided background information for the Board. District staff is of the opinion that McClanahan and Holmes, LLP of Bonham, Texas has provided thorough and quality audits during their tenure with the District. The fees for the 2022 audit services will not exceed \$6,025 which is within the 3% increase limit imposed by their original proposal. Board Member David Flusche made the motion to authorize the Engagement Letter for Audit Services for the 2022 audit. Board Member Greg Peters seconded the motion. Motion passed unanimously.

10. Consider and act upon Resolution of Appreciation for Drew Satterwhite.

Assistant General Manager Paul Sigle informed the Board that Drew Satterwhite was hired as the General Manager in September of 2013. Mr. Satterwhite has accepted an opportunity to move closer to family and his last day with the District is October 20<sup>th</sup>. Mr. Satterwhite has served honorably as the General Manager and his contributions to the District are much appreciated. Board President Joe Helmberger read the resolution. Mr. Satterwhite was presented a plaque. Board Member Ronny Young made the motion to approve the Resolution. Board Member David Flusche seconded the motion. Motion approved unanimously.

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

Assistant General Manager Paul Sigle informed the Board that a committee was formed to recommend an update of the model to GMA 8. We have received the Explanatory Report and are looking at approving the DFCs.

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

There are no violations to be considered at this time.

13. 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
- b. Well Registration Summary

Assistant General Manager Paul Sigle reviewed the well registration summary with the Board. Twenty-two wells were registered in September.

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

Discussion notifying district water suppliers if well application in their CCN

15. Adjourn public meeting

President Joe Helmberger declared the meeting adjourned at 10:53 a.m.

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Velma Starks  
Recording Secretary

R. Sullivan  
Secretary-Treasurer