

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

Tuesday, July 13, 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: Lee K. Allison, David Flusche, Joe Helmberger, Greg Peters , and Ronny Young
Members Absent: Allen Knight, Thomas Smith, Ron Sellman, and Jimmy Arthur
Staff: Drew Satterwhite, Paul Sigle, and Velma Starks
Visitors: Kristen Fancher, Legal Counsel

Board Member Qualification for Office

Board Member qualification for office began at 10:03 a.m.

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

The Oath of Office was administered to: Greg Peters.

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 Joe Helmberger 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

- A. **Applicant:** Day Star Landscapes Inc; 2144 West Prosper Trail, Prosper, TX 75078
Location of Well: 2144 West Prosper Trail, Prosper, TX 75078; Latitude: 33.249167°N, Longitude: 96.833806°W; About 0.25 miles east of the W. Prosper Trail and N. Legacy Drive intersection and about 330 feet north of W. Prosper Trail.
Purpose of Use: Irrigation for Nursery
Requested Amount of Use: 8,990,000 gallons per year
Production Capacity of Well: 90 gallons per minute
Aquifer: Trinity (Paluxy)

General Manager Drew Satterwhite reviewed the application with the Board. Brief discussion was held.
- B. **Applicant:** City of Anna; 111 N. Powell Parkway, Anna, TX 75409
Location of Well: Collin P.S. 104 E. CR 421, Anna, Texas 75409; Latitude: 33.316908°N, Longitude: 96.557303°W; About 450 feet east of the Outer Loop Road and Hwy 5 intersection and about 420 feet north of Outer Loop Road.
Purpose of Use: Municipal/Public Water System
Requested Amount of Use: Total: 361,185,127 gallons per year; Production Permit: 116,801,981 gallons per year; and Historic Use Permit: 244,383,146 gallon per year.
Production Capacity of Well: 450 gallons/minute (System Total: 1,355 gallons/minute)
Aquifer: Trinity (Twin Mountains)

Due to conflicts of interest resulting in a lack of quorum, this Permit Application will be moved to the next meeting agenda.
- C. **Applicant:** City of Anna; 111 N. Powell Parkway, Anna, TX 75409
Location of Well: Collin P.S. 104 E. CR 421, Anna, Texas 75409; Latitude: 33.356236°N, Longitude: 96.551224°W; About 480 feet east of the Outer Loop Road and Hwy 5 intersection and about 480 feet north of Outer Loop Road.

Purpose of Use: Municipal/Public Water System

Requested Amount of Use: Total: 201,541,578 gallons per year; Production Permit: 56,308,008 gallons per year; and Historic Use Permit: 145,233,570 gallon per year.

Production Capacity of Well: 200 gallons/minute (System Total: 676 gallons/minute)

Aquifer: Woodbine

Due to conflicts of interest resulting in a lack of quorum, this Permit Application will be moved to the next meeting agenda.

- D. **Applicant:** City of Anna; 111 N. Powell Parkway, Anna, TX 75409

Location of Well: 817 N Powell Parkway, Anna, Texas 75409;

Latitude: 33.316908°N, Longitude: 96.557303°W; About 0.25 miles north of the Hackberry Lane and Hwy 5 intersection and about 200 feet west of Hwy 5.

Purpose of Use: Municipal/Public Water System

Requested Amount of Use: Total: 55,000,000 gallons per year; Production Permit: 9,429,000 gallons per year; and Historic Use Permit: 45,571,000 gallon per year.

Production Capacity of Well: 150 gallons per minute

Aquifer: Trinity (Paluxy)

Due to conflicts of interest resulting in a lack of quorum, this Permit Application will be moved to the next meeting agenda.

- E. **Applicant:** Olex (United States), Inc; 6125 Luther Lane, Ste 401, Dallas, TX 75225

Location of Well: Well 1) Hwy 156 and US Hwy 380, Krum, TX 76249; Latitude: 33.229676°N, Longitude: 97.254253°W; About 0.5 miles south of the US Hwy 380 and Hwy 156 intersection and about 330 feet west of Hwy 156. Well 2) Hwy 156 and US Hwy 380, Krum, TX 76249; Latitude: 33.229649°N, Longitude: 97.254197°W; About 0.5 miles south of the US Hwy 380 and Hwy 156 intersection and about 330 feet west of Hwy 156. Well 3) US Hwy 380, Krum, TX 76249; Latitude: 33.231799°N, Longitude: 97.265034°W; About 0.9 miles west of the US Hwy 380 and Hwy 156 intersection and about 0.25 miles south of US Hwy 380.

Purpose of Use: Municipal/Public Water System and Landscape Irrigation

Requested Amount of Use: 73,673,977 gallons per year (Full system total after fully developed by 2030: 247,024,509 gallons per year)

Production Capacity of Wells: Well 1) 300 gallons per minute, Well 2) 80 gallons per minute, and Well 3) 300 gallons per minute.

Aquifer: Trinity (Antlers)

Due to conflicts of interest resulting in a lack of quorum, this Permit Application will be moved to the next meeting agenda.

- F. **Applicant:** The Cole Ranch Company LP; PO Drawer S, Denton, TX 76202

Location of Well: 6922 FM 2449, Denton, TX 76201; Latitude: 33.186181°N, Longitude: 97.205747°W; About 0.8 miles west of the FM 2449 and Underwood Road intersection and about 0.65 miles north of FM 2449.

Purpose of Use: Irrigation for Tree Production and Filling a Pond(s)/Surface Impoundment(s)
Requested Amount of Use: 22,212,000 gallons per year
Production Capacity of Well: 190 gallons per minute
Aquifer: Trinity (Antlers)

General Manager Drew Satterwhite reviewed this permit with the Board. Brief discussion was held.

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.

Board Member Ronny Young made the motion to approve both Permit Applications (Day Star Landscape and The Cole Ranch Company) that were reviewed. Board Member David Flusche seconded the motion. Discussion was held. Motion passed unanimously.

5. Adjourn or continue permit hearing.

Board President Joe Helmberger adjourned the permit hearing at 10:17 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 10:17 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 June 8, 2021, Board meeting.

Board President Joe Helmberger asked for approval of the minutes from the June 8, 2021 meeting. Board Member Lee Allison made the motion to approve the minutes. Board Member David Flusche seconded the motion. Board Member Ronny Young abstained resulting in a lack of quorum. The June 8, 2021 minutes will need to be brought back next meeting for vote.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2021-07-13-01.

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

David Flusche made the motion to approve Resolution No. 2021-7-13-01. 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. Brief discussion was held. Budget Committee will meet August 5th.

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

General Manager Drew Satterwhite reviewed the Quarterly Report.

7. Consider and act upon authorizing Texas A&M Agrilife to proceed with Phase II Irrigation Model.

General Manager Drew Satterwhite provided background information for the Board. In May of 2020, the Board authorized a not to exceed amount of \$2,200 for phase 1 of the District's irrigation model. The Board wanted a third party expert opinion to evaluate the methodology being used by the District and provide a few refinements. The cost was split evenly between Red River District and North Texas District. The final bill for Phase I was \$800 less than the not-to-exceed amount of \$2,200. The initial phase only considered evaporation from ponds and irrigation of established grass landscapes. Phase II would incorporate the addition of new grass irrigation, cool season grasses, flower beds, golf courses, sporting fields, sod farms, tree and shrub farms, greenhouse/nurseries, hay production, etc. In addition, this model would take into account the different types of irrigation systems such as center pivot, standard sprinkler systems and drip irrigation. The cost for Phase II is not to exceed the amount of \$2,500, costing each district \$1,250. Board Member Ronny Young made the motion to proceed with Phase II. Board Member Greg Peters seconded the motion. Motion passed unanimously.

8. 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 is scheduled for July 20, however; it may have to be delayed.

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

- a. Texoma Drilling

General Manager Drew Satterwhite provided background information for the Board. Texoma Drilling has nine wells, needing flow testing that are beyond the dates set forth in the rules. This is a major violation (\$500) for failure to make a well available within 60 days of completion for a required flow test. Board Member David Flusche made the motion to fine Texoma Drilling \$500 for the major violation. Board Member Ronny Young seconded the motion. Motion passed unanimously.

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

General Manager Drew Satterwhite informed the Board that two well applications had been received with no reason to protest.

b. Well Registration Summary

General Manager Drew Satterwhite reviewed the well registration summary.

c. Monitoring Well Update

General Manager Drew Satterwhite reminded the Board that at the May meeting the Board had approved the purchase of up to 10 measuring devices. Letters were sent to current monitoring program participants to see if anyone would be interested in the devices. Nine responses were received, four in Denton County, two in Collin County and three in Cooke County.

d. Legislative Update; Special Session

Kristen Fancher, legal counsel, informed Board that legislation passed that no virtual meetings can be held after September 1, 2021. Discussion was held. It was suggested that livestream for listening and not participating in the meeting can be an option with a link posted on the website.

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

12. Adjourn public meeting

Board President Joe Helmberger declared the meeting adjourned at 10:52 a.m.

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Recording Secretary



Secretary-Treasurer