

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

Tuesday, May 9, 2023, 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: David Flusche, Lee K. Allison, Ronny Young, Allen Knight, Greg Peters, Joe Helmberger, Jimmy Arthur, and Thomas Smith

Members Absent: Ron Sellman

Staff: Paul Sigle, Debi Atkins, Allen Burks, and Velma Starks

Visitors: Kristen Fancher, Law Offices of Kristen Fancher, PLLC
Amber Hatfield, McClanahan & Holmes, LLP

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 comments.
3. Review the Production Permit Applications of:

New Production Permits

- a. **Applicant:** Union Park Little Elm LP; 4835 LBJ Freeway Suite 700, Dallas, TX 75224
Location of Well: Indian Paintbrush Lane, Little Elm, TX; Latitude: 33.240832°N, Longitude: 96.922093°W; About 3,725 feet north of Fishtrap Rd and about 730 feet NW of Union Park Blvd.
Purpose of Use: Irrigation and Surface Impoundment(s)
Requested Amount of Use: 18,560,000 gallons per year for 2023; 10,330,000 gallons per year after 2023
Production Capacity of Well(s): 195 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board. Jason Flynt, Barco Resource Management, provided information regarding permit applicant. Discussion was held. Board Member Thomas Smith made the motion to approve the permit. Board Member Ronny Young seconded the motion. Motion passed unanimously.

- b. **Applicant:** HWC Justin 407, LLC; 3000 Turtle Creek Blvd, Dallas, TX 75219
Location of Well: Justin, TX 76247; Latitude: 33.075125°N, Longitude: 97.337825°W; About 3,960 feet south of FM 407 and 4,070 feet east of Sam Reynolds Rd.
Purpose of Use: Construction; Irrigation and Surface Impoundment(s)
Requested Amount of Use: 9,014,169 gallons through 2024 (Construction); 81,020,000 gallons for 2024/2025; 42,920,000 gallons per year after 2025.
Production Capacity of Well(s): 195 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board. This applicant is a client of Barco Resource Management. Board Member Thomas Smith made the motion to approve the permit. Board Member Ronny Young seconded the motion. Motion passed unanimously.

- c. **Applicant:** Argyle ISD; 6701 Canyon Falls Dr, Flower Mound, TX 76266
Location of Well (Existing): Argyle Middle School: 191 S HWY 377, Argyle, Texas 76226; Latitude: 33.1062°N, Longitude: 97.184518°W; About 1,740 feet east of HWY 377 and about 1,800 feet north of FM 407 E.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 10,318,000 gallons per year, with an additional 5,332,000 gallons per year available from Historic Use Permit.
Production Capacity of Well(s): 145 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board. Board Member Ronny Young made the motion to approve the permit with special conditions added. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

- d. **Applicant:** Argyle ISD; 6701 Canyon Falls Dr, Flower Mound, TX 76266
Location of Well (Existing): Argyle High School: 6601 Canyon Falls Dr, Flower Mound, TX 76266; Latitude: 33.071413°N, Longitude: 97.209814°W; About 2,350 feet west of HWY 377 and about 4,750 feet north of FM 1171.
Purpose of Use: Landscape Irrigation
Requested Amount of Use: 20,415,000 gallons per year, with an additional 7,175,000 gallons per year available from Historic Use Permit.
Production Capacity of Well(s): 200 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board. This applicant is a client of Barco Resource Management. Board Member Ronny Young made the motion to approve the permit with special conditions added. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

- e. **Applicant:** Trinity Turf Nursery, Inc; 10815 Foutch Road, Pilot Point, TX 76258
Location of Well: Stiles Rd, Pilot Point, TX 76258; Latitude: 33.365031°N, Longitude: 96.948850°W; About 4,965 feet east of HWY 377 and about 2,120 feet south of Foutch Rd.
Purpose of Use: Agriculture (Turf Grass Irrigation)
Requested Amount of Use: 323,679,800 gallons per year.
Production Capacity of Well(s): 195 gallons/minute
Aquifer: Woodbine

General Manager Paul Sigle reviewed this permit with the Board. Discussion was held. The Board suggested that special conditions are to be added to this permit. The Board requested that information be submitted as to what technology and data is available. Board Member Thomas Smith made the motion to approve this permit with a special condition added that irrigation efficiency and weather monitoring data and information be provided upon request of District staff, which may be reviewed by District staff to determine whether the production of groundwater under the permit adheres to best industry practices and standards related to agricultural water conservation. Board Member Allen Knight 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.

The permits were considered and acted upon individually.

5. Adjourn or continue permit hearing.

Board President Joe Helmberger adjourned the permit hearing at 10:20 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 10:22 a.m., established a quorum was present, and declared the meeting open to the public.

3. Public Comment

There were no public comments at this time.

4. Consider and act upon approval of the minutes from the February 14, 2023, Board meeting.

Board President Joe Helmberger asked for approval of the minutes from the April 11, 2023, meeting. Board Member Thomas Smith made the motion to approve the minutes. Board Member Allen Knight seconded the motion. Motion passed unanimously.

5. Consider and act upon the 2022 Audit.

Amber Fairchild, McClanahan & Holmes, reviewed the Audit with the Board. Discussion was held. Ronny Board Member Ronny Young made the motion to accept the Audit as presented. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

6. Appointment of a Nominating Committee for Election of Officers.

The Board representatives will select the following nominees: Cooke County will nominate

President; Collin County will nominate secretary and Denton County will nominate the vice president. The officers will be elected at the next meeting.

7. Consider and act upon approval of invoices and reimbursements, Resolution No. 2023-05-09-01.

General Manager Paul Sigle reviewed the liabilities with the Board. Discussion was held. Board Member Allen Knight made the motion to approve Resolution No. 2023-05-09-01. Board Member Greg Peters seconded the motion. Motion passed unanimously.

8. Receive reports from the following Committees*:

- a. Budget and Finance Committee
 - i. Receive Monthly Financial Information

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

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

General Manager Paul Sigle informed the Board that the Intra contract and the interlocal agreement have been signed by the District. GMA 8 will be meeting in the future.

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

No enforcement activities.

11. Discussion and possible action related to 88th Texas Legislative Session and Issues.

The Bills will not affect us.

12. 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. Well Registration Summary

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

13. Consider and act upon Resolution of Appreciation for Ron Sellman.

Board Member Ronny Young made the motion to approve the resolution. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

14. Consider and act upon Resolution of Appreciation for Lee K. Allison, P.E.

Board President Joe Helmberger expressed appreciation to Lee Allison for his service on the Board and presented him with a plaque. Board Member Ronny Young made the motion to approve the resolution. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

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

The Board asked for future discussions on Terra Seco water management software, irrigation controls in agriculture, cost of a fraud audit, and assisting municipalities with smart irrigation controls.

16. Adjourn public meeting

Board Member Thomas Smith made the motion to adjourn the meeting. Board Member Greg Peters seconded the motion. Motion passed unanimously. Board President Joe Helmberger declared the meeting adjourned at 10:53 a.m.

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Velma Starks
Recording Secretary


Secretary-Treasurer