

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

Join by computer, tablet or smartphone at the following link:
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or

Join by phone 872-240-3312 with access code: 563-692-941

Tuesday, June 9, 2020 – 10:00 a.m.

Notice is hereby given that, in accordance with Governor Abbott's March 16, 2020, action to temporarily suspend certain provisions of the Texas Open Meetings Act, a quorum of the Board of Directors of the North Texas Groundwater Conservation District ("District") will hold a permit hearing and Board meeting via telephone and video conference call beginning at 10:00 a.m. on Tuesday, June 9, 2020. Any member of the public who wishes to participate remotely may do so through the remote access options provided above.

Members Present: Thomas Smith, Ronny Young, Allen Knight, Ryan Henderson, and David Flusche,

Members Absent: Joe Helmberger, Lee K. Allison, and Ron Sellman

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

Visitors: Kristen Fancher, Fancher Legal
Peter Schulmeyer, Collier Consulting
James Beach, WSP
Dana Lumpkin
Kristen Fancher, Fancher Legal
April Hatfield, McClanahan and Holmes, LLP
Zach
Michelle Carte, Upper Trinity Regional Water District

Permit Hearing

Agenda:

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

President Thomas Smith called the permit hearing to order at 10:06 a.m.

2. Review the Production Permit Applications of:

Applicant: BT Cooke Solar LLC; 300 Spectrum Drive, Irvine, CA 92618

Location of Well: 965 W Spring Creek Road, Gainesville, TX 76240; Latitude: 33.549635°N, Longitude:

97.18270°W; About one mile west of the I-35 and West Spring Creek Road intersection and 150 feet north of West Spring Creek Road.

Purpose of Use: Construction/Dust Control

Requested Amount of Use: 4,000,000 gallons per year

Production Capacity of Well: 30 gallons per minute

Aquifer: Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the permit with the Board.

Applicant: Denton Independent School District; 230 N. Mayhill Road, Denton, TX 76208

Location of Well: 3001 Bronco Way, Denton, TX 76207; Latitude: 33.2453617°N, Longitude:

97.164846°W; About 2/5 of mile north of the West Windsor Drive and North Bonnie Brae Street and 1/4 of a mile west of North Bonnie Brae Street

Purpose of Use: Irrigation

Requested Amount of Use: 34,380,000 gallons per year

Production Capacity of Well: 175 gallons per minute

Aquifer: Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the permit with the Board.

Applicant: Jack Bell; 116 Industrial Street, Denton, TX 76201

Location of Well: 3544 Tyson Lane, Valley View, TX 76272; Latitude: 33.416992°N, Longitude:

97.076080°W; About 600 feet east of the Sullivan Lane and Tyson Lane and 100 feet south of Tyson Lane

Purpose of Use: Pond(s)/Other Impoundment

Requested Amount of Use: 4,000,000 gallons per year

Production Capacity of Well: 30 gallons per minute

Aquifer: Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the permit with the Board.

A request to list applications as 2A, 2B, 2C, etc., on the agenda so that no application would be overlooked was made.

3. Public Comment on the Production Permit Applications.

There were no public comments.

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 accept all three permits as presented. Board Member Allen Knight seconded the motion. The Board was polled individually. The motion passed unanimously.

5. Adjourn or continue permit hearing.

President Thomas Smith adjourned the permit hearing at 10:22 a.m.

Board Meeting

1. Pledge of Allegiance and Invocation

Board President Thomas Smith asked Board Member Ronny Young to lead the Pledge of Allegiance and provide the invocation.

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

Board President Thomas Smith called the meeting to order 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.

4. Consider appointment of a Budget Committee.

General Manager Drew Satterwhite informed the Board in the past the Board President would appoint a budget committee, with a member from each county. This process could also be done by asking for volunteers. Committee members appointed are Board Members Allen Knight, Ronny Young, Lee Allison, and Board President Thomas Smith, Ex Officio. Board President Thomas Smith requested to be Ex Officio member on all committees.

5. Consider and act upon approval of the minutes from the May 12, 2020, Board meeting.

Board President Thomas Smith asked for approval of the minutes from the May 12, 2020 meeting. Board Member Allen Knight made the motion to approve the minutes. Board Member David Flusche seconded the motion. The Board was polled individually. Motion passed unanimously.

6. Consider and act upon approval of invoices and reimbursements, Resolution No. 2020-06-09-01.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member Ronny Young made the motion to approve Resolution No. 2020-06-09-01. Board Member Allen Knight seconded the motion. The Board was polled individually. Motion passed unanimously.

7. Consider and act upon 2019 Audit.

General Manager Drew Satterwhite introduced April Hatfield of McClanahan and Holmes, LLP. April Hatfield provided the review of 2019 Audit. Board Member Allen Knight made the motion to approve the District's 2019 Audit. Board Member Ryan Henderson seconded motion. The Board was polled individually. Motion passed unanimously.

8. Receive reports from the following Committees*:

- a. Budget and Finance Committee
 - 1) Receive Monthly Financial Information

General Manager Drew Satterwhite reviewed the monthly financial information with the Board.

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

- a. Consider and act upon authorizing the District's GMA 8 representative to approve participation in Groundwater Availability Model Run 11.

General Manager Drew Satterwhite informed the Board that the GMA 8 meeting will be August 7, 2020 at 10 a.m. The Cleburne Conference Center was reserved for the meeting, although at this time it is unknown whether the meeting will be in-person or online video meeting.

General Manager Drew Satterwhite introduced James Beach, WSP. James Beach reminded the Board that all 9 factors required to be considered for the District's DFCs were discussed and reviewed in previous meetings. Run 11 is finished and we will go back to GMA 8 and officially be proposed as the GMA 8 DFC.

Results from Run 11 will be the Proposed DFCs for GMA 8 for the Northern Trinity and Woodbine Aquifers. The motion was made to authorize the NTGCD GMA 8 representative be able to make decisions regarding minor changes to the proposed DFCs or provide a statement. If the District's GMA 8 Representative would like to consult with other members, that the Board President be authorized to create a DFC Committee consisting of one member from each county that the District. Board President Thomas Smith moved and Board Member Ryan Henderson seconded the motion. The Board was polled individually. Motion passed unanimously.

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

There are no action items today.

11. 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 reported that there have not been any issues at this time.

- b. Well Registration Summary

General Manager Drew Satterwhite reported that there were 24 new well registrations in May.

The Management Plan was approved by TWDB.

- c. Update on 5th Circuit Court of Appeals decision in Stratta v. Brazos Valley GCD case

Kristen Fancher summarized the case.

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

Discussion of options regarding in person and video or video meetings was held.

- 13. Adjourn public meeting

Board President Thomas Smith declared the meeting adjourned at 11:12 p.m.

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Velma Starks
Recording Secretary

RK Smith
Secretary-Treasurer