

**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:  
<https://global.gotomeeting.com/join/331857229>

or

Join by phone 872-240-3212 with access code: 331-857-229

**Tuesday, September 8, 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, September 8, 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, Lee K. Allison, Ron Sellman, Joe Helmlinger, and David Flusche

**Members Absent:**

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

**Visitors:** Kristen Fancher, Fancher Legal  
James Beach, WSP  
Michelle Carte  
Peter Schulmeyer  
James Parkman  
Dale, DD Drilling

---

**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 10:00 a.m.

2. Review the Production Permit Applications of:

**Applicant:** North Texas Municipal Water District (Garney Construction); 361 County Road 4965, Leonard, TX 75452

**Location of Well:** 5571 Bomar Lane, McKinney, TX 75071; Latitude: 33.232982°N, Longitude: 96.556154°W; About one mile west of the intersection of County Road 988 and County Road 1827.

**Purpose of Use:** Construction, dust control, leak and pipe testing

**Requested Amount of Use:** 62,300,000 gallons for the duration of the construction project

**Production Capacity of Well:** 199 gallons per minute

**Aquifer:** Woodbine Aquifer

General Manager Drew Satterwhite reviewed the Permit Application with the Board.

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 Joe Helmberger made the motion to grant the Production Permit as presented. Board Member Lee Allison seconded the motion. The Board was polled individually. Motion passed unanimously. Discussion was held.

5. Adjourn or continue permit hearing.

President Thomas Smith adjourned the permit hearing at 10:19 a.m.

### **Board Meeting**

1. Pledge of Allegiance and Invocation

Board President Thomas Smith 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 10:19 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 August 11, 2020, Board meeting.

Board President Thomas Smith asked for approval of the minutes from the August 11, 2020 meeting. Board Member Ron Sellman made the motion to approve the minutes. Board Member Lee Allison seconded the motion. Board Member Allen Knight made a correction to the minutes, Item 8, in the third sentence, remove the comma and put a space between the words "to" and "adopt". The Board was polled individually. Motion passed with one abstention. David Flusche abstained.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2020-09-08-01.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member Allen Knight made the motion to approve Resolution No. 2020-09-08-01. Board Member Joe Helmberger seconded the motion. Discussion was held. The Board was polled individually. Motion passed unanimously.

6. Receive reports from the following Committees\*:

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

General Manager Drew Satterwhite provided a review of the Financial Report for the Board.

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

No update on DFCs. GMA 8 plan to meet in October.

James Beach provided a presentation on Brackish Groundwater zones. Kristen Fancher, legal counsel provided additional information. TWDB is looking to Districts for comments regarding the rules TWDB is considering implementing. Motion will give District Staff, James Beach and Kristen Fancher authority to develop comments to TWDB rules and present them to Board President Thomas Smith before sending comments to TWDB by September 21, 2020. Board Member Joe Helmberger made the motion. Board Member Ron Sellman seconded the motion. The Board was polled individually. Motion passed unanimously.

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

- a. CTMGT Montalcino, LLC

Drew Satterwhite provided information for the Board. CTMGT Montalcino showed one the same meter reading since 2015. Staff went out for well inspection and noticed meter had registered a significant amount of production since 2015. Staff recommends two major violations totaling \$1000.00 for (1) failure to accurately report meter readings and (2) failure to pay usage for five years. Board Member Allen Knight made the motion. Board Member Joe Helmberger seconded the motion. The Board was polled individually. Motion passed unanimously.

9. 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

Drew Satterwhite updated the Board on the Disposal/Well Injection program. One application complied and we did not protest.

- b. Well Registration Summary

General Manager Drew Satterwhite reviewed the August Well Registration Summary. There were 28 registrations


Texas A&M Agrilife completed review of model of irrigation estimates. Plans are to go into Phase 2 in November. Model will be presented to the Board at a future in-person meeting.

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

A discussion was held as to whether to continue with the virtual format or meet in person. The Board decided to move forward with in-person meetings while offering the virtual meeting as an alternative to folks who do not wish to attend.

11. Adjourn public meeting

Board President Thomas Smith declared the meeting adjourned at 11:21 a.m.

  
\_\_\_\_\_  
Recording Secretary

  
\_\_\_\_\_  
Secretary-Treasurer