

**NORTH TEXAS
GROUNDWATER
CONSERVATION
DISTRICT**

BOARD MEETING

**COLLIN COUNTY ADMINISTRATIVE BUILDING
4TH FLOOR COMMISSIONERS COURT ROOM
2300 BLOOMDALE RD
MCKINNEY, TX 75071**

**TUESDAY
MAY 12, 2015
9:30 AM**

NOTICE OF PUBLIC MEETING

OF THE
BOARD OF DIRECTORS of the

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT
at the

**Collin County Administrative Building
4th Floor Commissioners Court Room
2300 Bloomdale Rd
McKinney, TX 75071
Tuesday, May 12, 2015 at 9:30 a.m.**

Board Meeting

The regular Board Meeting will begin at 9:30 a.m.

Notice is hereby given that the Board of Directors of the North Texas Groundwater Conservation District ("District") may discuss, consider, and take all necessary action, including expenditure of funds, regarding each of the agenda items below:

Agenda:

1. Pledge of Allegiance and Invocation.
2. Oath of Office.
3. Call to order, establish quorum; declare meeting open to the public.
4. Public comment.
5. Approval of minutes from the March 10, 2015, board meeting.
6. Consider and act upon approval of invoices and reimbursements.
7. Receive reports from the following Committees*:
 - a. Budget and Finance Committee
 - 1) Receive Monthly Financial Information
 - b. Investment Committee
 - c. Rules and Bylaws Committee
 - d. Groundwater Monitoring and Database Committee
 - e. Policy and Personnel Committee
 - f. Conservation and Public Awareness Committee
 - g. Management Plan Committee
 - 1) Receive Quarterly Report
 - h. Desired Future Condition Committee
8. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs).

9. Consider and act upon compliance and enforcement activities for violations of District
10. Consider and act upon entering into a contract with LBG Guyton for technical assistance for development of DFCs
11. Consider and act upon entering into a contract with Intera, on behalf of GMA-8, for the GAM runs 5 and 6
12. Consideration and possible action regarding the District's legal counsel
13. General Manager's Report: The General Manager will update the board on operational, educational and other activities of the District.
14. Open forum / discussion of new business for future meeting agendas.
15. Adjourn public meeting.

* Reports from District standing committees will include a briefing by each committee for the Board on the activities of the committee, if any, since the last regular Board meeting.

The above agenda schedules represent an estimate of the order for the indicated items and is subject to change at any time.

These public meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting, please call (855) 426-4433 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements.

For questions regarding this notice, please contact Carmen Catterson at (855) 426-4433, at ntgcd@northtexasgcd.org, or at 5100 Airport Drive, Denison, TX 75020.

At any time during the meeting or work session and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the North Texas Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

ATTACHMENT 5

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

TUESDAY, MARCH 10, 2015

**CITY OF KRUM
CITY COUNCIL CHAMBERS
146 W. MCCART ST
KRUM, TX 76249**

Members Present:	Thomas Smith, Philip Sanders, Ronny Young, Chris Boyd, Eddy Daniel, and Kenny Klement
Members Absent:	Dan Collins, Evan Groeschel and Ron Sellman
Staff:	Drew Satterwhite, Debi Atkins, Carolyn Bennett, and Carmen Catterson
Legal Counsel:	Kristen Fancher, Sledge Fancher, PLLC (by conference call)
Visitors:	Neal Welch, City of Sanger

1. Pledge of Allegiance and Invocation

President Smith led the Pledge of Allegiance and Secretary/Treasurer Young provided the invocation. Secretary/Treasurer Young also reported that Keith King with the Cooke County Daily News passed away several weeks before.

2. Call to order, declare meeting open to the public, and take roll

President Smith called the public meeting to order at 9:45 AM. All Board members were present except Board Members Collins Groeschel, Sanders and Sellman.

3. Public Comment

No public comment received.

4. Approval of Minutes from the November 18, 2014, board meeting

Board Member Boyd motioned to approve the Minutes from the November 18, 2014 board meeting. The motion was seconded by Board Member Daniel and passed unanimously, with Board Members Collins, Groeschel, Sanders and Sellman absent. Secretary/Treasurer Young motioned to approve the Minutes from the November 18, 2014 public hearing. The motion was seconded by Board Member Boyd and passed unanimously with Board Members Collins, Groeschel, Sanders and Sellman absent.

5. Consider and act upon approval of invoices and reimbursements.

Mr. Satterwhite reviewed the invoices. Board Member Boyd asked if Sledge Fancher, PLLC was going to have a separate line item for legislative tracking. Mr. Satterwhite responded that the Board

budgeted \$10,000 for legislative tracking and an email was received on Sunday from Mr. Sledge for review. The Board requested that email updates be provided to keep them up to date on the applicable potential legislation.

Board Member Daniel motioned to approve the invoices as presented in Resolution No. 2015-03-10-1 for a total cost of 105,592.61. The motion was seconded by Secretary/Treasurer Young and passed unanimously with Board Members Collins, Sanders, Groeschel and Sellman absent.

6. a. Budget and Finance Committee

1) Receive Monthly Financial Information

Mr. Satterwhite reviewed the District's current financial position, including revenues and expenditures. The financial information provided was through January 31st and included the end of year budget. The revenue was above the budgeted amount by nearly 11% and expenditures were within 1% of the budgeted amounts. The aging report includes several organizations that have not paid, but will not be subject to late fees until the end of March.

2) Consider and act upon authorizing repayment to Collin, Cooke and Denton Counties

The District received a \$900,000 loan from Collin, Cooke and Denton Counties. The District has repaid all but \$525,000. The budget for 2015 includes repayment of \$225,000. President Smith confirmed that the District had enough in the bank to repay the entire loan, but may not want to repay all of the loan. Secretary/Treasurer Young stated that the loan has an interest rate of 0% and the District has two years to repay the loan, so he saw no benefit to repaying the entire amount at this time. Board Member Daniel expressed that he agreed. President Smith requested that a letter be sent to each County with the check along with an offer to attend a meeting if there are any questions.

Board Member Daniel motioned to authorize repayment in the amount of \$75,000 to each of Collin, Cooke and Denton Counties. The motion was seconded by Board Member Boyd and passed unanimously with Board Members Collins, Groeschel, Sanders and Sellman absent.

b. Investment Committee

No report received

c. Rules and Bylaws Committee

No report received

d. Groundwater Monitoring and Database Committee

Mr. Satterwhite explained that the staff has experienced several situations where the database used to register wells needs improvement. The staff would like to request that the Committee meet with the staff to discuss the system and what improvements could be made. President Smith recommended a work session be scheduled to provide lunch to the members of the Committee. The Committee was previously composed of Collins, Klement and Daniel. President Smith replaced Board Member Collins with Secretary/Treasurer Young, who will

also serve as Chair of the Committee. President Smith requested the Committee to meet and provide recommendations.

Vice President Sanders arrived at 10:05 AM.

e. Policy and Personnel Committee

No report received

f. Conservation and Public Awareness Committee

No report received

g. Management Plan Committee

1) Receive Annual Report

Mrs. Bennett reviewed the Annual Report with the Board. Board Member Klement recommended contacting the Cooke County Extension Agent to request help with registering wells.

Board Member Boyd motioned to accept the Annual Report. The motion was seconded by Vice President Sanders and passed unanimously with Board Members Collins, Groeschel and Sellman absent.

2) Receive Quarterly Report

Mr. Satterwhite provided the Quarterly Report. Secretary/Treasurer Young questioned how the District would participate in the annual water level monitoring. Mr. Satterwhite explained that the Field Technician had health problems at the end of the year and the Texas Water Development Board (TWDB) completed the testing for the District.

7. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs) including the consideration and possible approval of consulting services

The revised Groundwater Availability Model (GAM) has been approved by the TWDB and accepted as the new official model. A Groundwater Management Area 8 (GMA 8) meeting is scheduled for March 25, 2015. A proposal was provided by INTERA for GAM runs. The cost was higher than expected and Board Member Daniel expected to just reduce the number of runs. However, several districts wanted to solicit for other firms to submit qualifications for the same runs. Four firms submitted qualifications, including INTERA. The rules require that the most qualified firm will be selected and negotiations for cost will begin. If successful negotiation cannot be achieved, the next most qualified firm will be selected and negotiations will begin. This can occur up to three times.

8. Consider and act upon injection well monitoring services

In 2014, legal counsel was transferred from Lloyd Gosselink to Sledge Fancher, PLLC. The District had an agreement with Lloyd Gosselink for injection well monitoring services. This agreement did not transfer to Sledge Fancher, PLLC. This agreement is similar. Approximately 1 out of 3 injection well applications need comments. The Board agreed that injection well applications need to be reviewed because all it would take to contaminate the water quality is one poorly constructed injection well.

Secretary/Treasurer Young motioned to approve an injection well monitoring service contract. The motion was seconded by Board Member Daniel. Board Member Klement commented that if the brackish water bills are approved, monitoring injection well applications will become even more important. Board Member Klement also commented that a well appeared to be being treated with some type of acid because the grass was turning orange. The Board asked him to provide location information to the staff for review. The motion passed unanimously with Board Members Collins, Groeschel and Sellman absent.

9. Consider and act upon authorizing the review and possible comment regarding an injection well application with the Corporate Commission of Oklahoma

Mr. Satterwhite explained that he was recently approached by the Corporate Commission of Oklahoma with a request for the District to provide a letter of support in opposing an injection well within 2 miles of the Red River. Mr. Satterwhite recommended that the information be provided to the District's legal counsel and to the firm to review the injection well application for comment. The consensus of the Board was to treat it like an injection well within the District. Board Member Daniel explained that previous reports from the consultant included review of technical specifications to prevent contamination and recommendations to reduce pressure or add extra cementing, etc.

Secretary/Treasurer Young motioned to hire the technical consultant to provide a review of the information on the injection well application and to authorize the President to sign a letter as recommended by the consultant. The motion was seconded by Board Member Boyd. Board Member Klement commented that he felt this applied to the District. The motion passed unanimously with Board Members Collins, Groeschel and Sellman absent.

Pursuant to Government Code 551.071, the Board of Directors adjourned into closed Executive Session at 10:45 AM to discuss the following:

Consultation with Attorney

The Board reconvened into Regular Session at 11:27 AM. President Smith stated no action was taken on items discussed during the Executive Session.

10. Consider and act upon consultant review of Inform Environmental deliverables

Board Member Daniel motioned to approve a review of the final report by LBG Guyton, to make sure the report includes EPA and TCEQ standards, to note for the record that the District participated for water sampling information only and should not be construed as a partnership; and to authorize staff to take the review from LBG Guyton and discuss the results with Inform Environmental and to involve legal counsel if necessary. The motion was seconded by Board Member Boyd and passed unanimously with Board Members Collins Groeschel and Sellman absent.

11. Consider and act upon compliance and enforcement activities for violations of District Rules

Board Member Daniel motioned to issue two major violations for Evergreen Golf: 1) \$250 for failure to provide production reports, and 2) \$500 for failure to pay production fees for a total fee of \$750 and to provide 11 calendar days to come fully into compliance or request a show cause hearing. The motion was seconded by Board Member Klement and passed unanimously with Board Members Collins, Groeschel and Sellman absent.

Board Member Daniel motioned to issue two major violations for Shenandoah Estates: 1) \$250 for failure to provide production reports, and 2) \$500 for failure to pay production fees for a total fee of \$750 and to provide 11 calendar days to come fully into compliance or request a show cause hearing. The motion was seconded by Secretary/Treasurer Young and passed unanimously with Board Members Collins, Groeschel and Sellman absent.

Board Member Daniel motioned to issue one major violation for Craig Ranch Community Association: 1) \$250 failure to pay production fees and to provide 11 calendar days to come fully into compliance or request show cause hearing. The motion was seconded by Board Member Klement and passed unanimously with Board Members Collins, Groeschel and Sellman absent.

Board Member Daniel motioned to issue one major violation for Barco Well Service: 1) \$250 failure to obtain approval to drill a water well and to provide 11 calendar days to pay the penalty or request a show cause hearing. The motion was seconded by Board Member Klement and passed with Vice President Sanders objecting and with Board Members Collins, Groeschel and Sellman absent. No further discussion was held on this matter.

Board Member Daniel acknowledged the response and substantial compliance provided by Sherwood MHP and motioned to allow 11 calendar days for them to come fully into compliance or two major violations would apply for \$250 for failure to provide production reports and \$500 for failure to pay production fees. The motion was seconded by Vice President Sanders. Secretary/Treasurer Young clarified that all fees must be paid and all production reports submitted no later than the 11th calendar day. The Board agreed unanimously. The motion passed unanimously with Board Members Collins, Groeschel and Sellman absent.

12. General Manager's Report

Mr. Satterwhite explained that he will send legislative tracking to the Board and will contact the geodatabase committee to schedule a meeting. The past four months of well summaries was provided.

13. Open Forum / discussion of new business for future meeting agendas

The regularly scheduled meeting for April will be on April 14, 2015 in Denton County.

14. Adjourn public meeting

The public meeting adjourned at 11:41 AM.

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Recording Secretary

Secretary-Treasurer

ATTACHMENT 7 G-1



COLLIN COUNTY - COOKE COUNTY - DENTON COUNTY

**General Manager's Quarterly Report
March 2015
North Texas GCD Management Plan**

This quarterly briefing is being provided pursuant to the adopted Management Plan for the quarter ending March 2015.

Well Registration Program:

Current number of wells registered in the District: 1,378

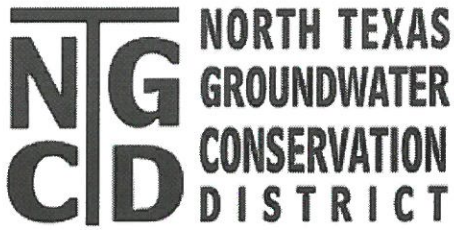
Aquifers in which the wells have been completed: Trinity and Woodbine

Well Inspection/Audit Program:

**2015
Well Inspections**

Month	Collin	Denton	Cooke	Total
January	0	0	0	0
February	0	0	0	0
March	3	4	11	18
April	0	0	0	0
May	0	0	0	0
June	0	0	0	0
July	0	0	0	0
August	0	0	0	0
September	0	0	0	0
October	0	0	0	0
November	0	0	0	0
December	0	0	0	0
Total	3	4	11	18

ATTACHMENT 10



AGENDA COMMUNICATION

DATE: May 6, 2015

SUBJECT: AGENDA ITEM NO. 10

**CONSIDER AND ACT UPON ENTERING INTO A CONTRACT WITH LBG GUYTON FOR
TECHNICAL ASSISTANCE FOR DEVELOPMENT OF DFCs**

ISSUE

Consider and act upon authorizing services of LBG Guyton Associates to assist the North Texas Groundwater Conservation District ("District") with establishing the development of Defined Future Conditions (DFCs).

BACKGROUND

Each groundwater district in the State of Texas is expected to develop and adopt their DFCs by May 2016 in order to comply with mandates from the State of Texas. The DFCs for the District will be done in conjunction with other groundwater conservation districts in Groundwater Management Area 8 (GMA 8), which extends over the Trinity Aquifer from the Red River south to Burnet County. There are eleven groundwater districts in that geographic area.

CONSIDERATIONS

The District will have many decisions to make regarding model runs, rule development, and general GMA-8 topics over the course of the next few years. District staff believes LBG Guyton has provided valuable guidance thus far in the DFC process. The staff also believes that continued guidance from a hydrogeology firm will be important to the District going forward. The LBG Guyton Associates firm has an excellent reputation and has a wealth of knowledge in the North Central Texas area.

LBG Guyton Associates has represented the District beginning in 2014. The District realized an economy of scale in 2014 due to LBG Guyton Associates representing other GMA-8 districts. The proposed 2015 contract reflects that same benefit.

STAFF RECOMMENDATIONS

Staff is of the opinion that LBG Guyton Associates will continue to provide a valuable service to the District for the DFC development process. Therefore, the staff recommends accepting LBG Guyton Associates' proposal and authorizing the president to sign an engagement letter for their services.

STAFF RECOMMENDATIONS

Proposal

PREPARED AND SUBMITTED BY:

Drew Satterwhite, P.E., General Manager



**2015 Scope of Work and Budget Estimate
for North Texas Groundwater Conservation District (NTGCD)
LBG-Guyton Associates**

Task 1 – Support for DFC Process (Joint Groundwater Planning Process)

LBG-Guyton will attend up to five GMA-8 meetings in 2015. Time and expenses required to attend GMA-8 meetings will be split with Prairielands GCD, Clearwater UWCD, Middle Trinity GCD, North Texas GCD and Red River GCD in 2015. The budget reflects that division of costs for all districts for meeting attendance. The cost estimate assumes for James Beach and another Senior Hydrogeologist will attend each GMA-8 meeting and the time/expenses will be split between districts.

Task 2 – Technical Assistance Related to DFCs

LBG-Guyton will provide technical support to the North Texas GCD for the current round of joint groundwater planning and provide technical input for the explanatory report. Subtasks for this effort will include:

- assessing technical aspects of potential and/or proposed DFCs
- evaluating modeling assumptions, production estimates and other input for the modeling runs completed by GMA-8
- serve as a technical interface between GMA-8, TWDB, and other GMA-8 districts/consultants and the North Texas GCD
- Analyzing GAM runs to support DFC planning in the North Texas GCD
- As needed, perform technical analysis to help assess management of the Trinity Aquifer
- As needed, help North Texas GCD to facilitate stakeholder discussion in the DFC process
- As directed, assess production from aquifers based on reported or assumed well screen intervals
- Other tasks as requested by NTGCD

Please note that developing GAM pumping scenarios may require more time than is budgeted here. The budget will be on a time-and-materials basis not to exceed the budget estimate unless LBG-Guyton identifies and gets authorization to complete additional GMA-8 tasks such as time intensive GAM runs prior to undertaking that work.

Task 3 – Attend Two North Texas GCD Meetings

LBG-Guyton will attend up to two NTGCD meetings in 2015 to address the board on the joint planning process, DFCs, MAGs and related issues.



North Texas GCD 2015 Budget Estimate

LBG-Guyton - March 2015

	Project Manager	Senior QC	Senior Hydrogeologist	Staff Hydrogeologist	Clerical and Technician	Total Hours by Task	Direct Expense (travel/meals, etc.)	Totals by Task
Task 1- Attend DFC Meetings	10		10			20	\$1,000	\$4,350
Task 2 - Technical Assistance related to DFCs	18		24	36		78		\$10,110
Task 3 - Attend Two NTGCD Meetings	16					16	\$700	\$3,820
						-		\$0
						-		\$0
						-		\$0
						-		\$0
						-		\$0
						-		\$0
Total Hours by Category	44	-	34	36	-	114	\$1,700	
Billing Rate	\$195	\$190	\$140	\$90	\$55			
Total Fees	\$8,580	\$0	\$4,760	\$3,240	\$0		\$1,700	\$18,280

ATTACHMENT 11



AGENDA COMMUNICATION

DATE: May 6, 2015

SUBJECT: AGENDA ITEM NO. 11

CONSIDER AND ACT UPON ENTERING INTO A CONTRACT WITH INTERA, ON BEHALF OF GMA-8, FOR THE GAM RUNS 5 AND 6

ISSUE

Consider and act upon entering into contract with Intera, on behalf of Groundwater Management Area 8 (“GMA-8”), for the groundwater availability model (“GAM”) runs 5 and 6.

BACKGROUND

On February 18th, the District accepted Statements of Qualifications from four (4) firms to perform the next round of modeling on behalf of GMA-8. These qualifications were forwarded to all GMA-8 districts with the request that they arrive at the March 25th GMA meeting prepared to rank and take action on selecting a consultant. At the March 25th GMA-8 meeting, the representatives voted unanimously to select Intera to perform the future GAM runs. After selection, Intera provided a proposal to the GMA which included costs for runs 5,6,7 and 8. Ultimately, the GMA representatives voted to authorize Intera to perform runs 5 and 6 as they felt these were the runs that the entire group would back. Some districts have since expressed interest in also performing runs 7 and 8 outside of the GMA-8 group. As the administrative district of GMA-8, North Texas Groundwater Conservation District may enter into contract on behalf of GMA-8 for these services.

CONSIDERATIONS

The District has entered into an agreement on behalf of GMA-8 before. The District is currently under a similar contract with Mullican and Associates on behalf of the GMA-8. To date, no issues have arisen out of this arrangement.

The District has received funding commitments from most of the GMA-8 districts and expects to know the level of commitment from all districts for the Board to consider at the meeting.

The DFC Committee is also meeting prior to the Board meeting and may have additional information to discuss with the Board.

The proposed contract will be provided at the meeting.

STAFF RECOMMENDATIONS

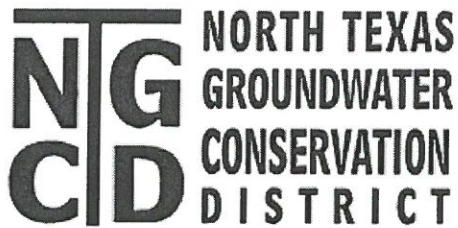
The District staff recommends the board authorize the president to enter into contract with Intera ,on behalf of GMA-8, for GAM runs 5 and 6. The total cost of the contract is \$55,862.

PREPARED AND SUBMITTED BY:

A handwritten signature in blue ink, consisting of a stylized 'D' followed by a horizontal line and a flourish.

Drew Satterwhite, P.E., General Manager

ATTACHMENT 12



AGENDA COMMUNICATION

DATE: May 8, 2015

SUBJECT: AGENDA ITEM NO. 12

CONSIDERATION AND POSSIBLE ACTION REGARDING THE DISTRICT'S LEGAL COUNSEL

ISSUE

Consideration and possible action regarding the District's legal counsel.

BACKGROUND

Last month, the partners of the District's law firm, Sledge Fancher PLLC, amicably decided to part ways. Since the split, Sledge Fancher PLLC has changed the business name to Sledge Law and Public Strategies PLLC. Kristen Fancher has now moved to Smith, Robertson, Elliot, and Douglas LLP.

The District staff has been in communication with both of the partners, Brian Sledge and Kristen Fancher, since the split to discuss our options going forward.

OPTIONS/ALTERNATIVES

The District has the authority to choose whatever legal representation it deems is in its best interest.

CONSIDERATIONS

The District staff has discussed with Ms. Fancher and Mr. Sledge the possibility of continuing to utilize both of their services. Both Ms. Fancher and Mr. Sledge were agreeable to continuing doing business as usual, in regards to who staff utilizes for different matters, until a time when/if the Board felt it was necessary to proceed in a different direction. If the Board would like to continue utilizing both Ms. Fancher and Mr. Sledge, the District could choose to engage with both firms or continue routing all bills through Sledge Law and Public Strategies, PLLC.

STAFF RECOMMENDATIONS

The staff requests the Board provide direction on the legal representation they feel is in the best interest of the District.

PREPARED AND SUBMITTED BY:

Drew Satterwhite, P.E., General Manager

ATTACHMENT 13

North Texas Groundwater Conservation District

Well Registration Summary As of April 30, 2015

County	Exempt Wells	Non-Exempt Wells	Total Registered Wells
Collin County	97	93	190
Cooke County	257	117	374
Denton County	460	367	827
Total	814	577	1391

Monthly Summary April 2015

County	New Exempt Well Registrations	New Non-Exempt Well Registrations	Existing Exempt Well Registrations	Existing Non-Exempt Well Registrations	Exempt Wells Completed	Non-Exempt Wells Completed	Wells Plugged
Collin County	2	0	1	1	0	0	0
Cooke County	2	0	0	0	2	0	0
Denton County	7	0	0	0	6	0	0
Total	11	0	1	1	8	0	0

North Texas Groundwater Conservation District

**Well Registration Summary
As of March 31, 2015**

County	Exempt Wells	Non-Exempt Wells	Total Registered Wells
Collin County	94	92	186
Cooke County	255	117	372
Denton County	453	367	820
Total	802	576	1378

**Monthly Summary
March 2015**

County	New Exempt Well Registrations	New Non-Exempt Well Registrations	Existing Exempt Well Registrations	Existing Non-Exempt Well Registrations	Exempt Wells Completed	Non-Exempt Wells Completed	Wells Plugged
Collin County	5	1	0	0	4	1	0
Cooke County	7	0	0	0	6	0	0
Denton County	7	1	0	4	11	2	0
Total	19	2	0	4	21	3	0