

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

**IN-PERSON MEETING LOCATION:**

Pilot Point ISD Administration Office  
829 S. Harrison St.  
Pilot Point, TX 76258

**REMOTE ACCESS ALSO AVAILABLE AT:**

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, October 13, 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 public hearings and a Board meeting in-person and via telephone and video conference call beginning at 10:00 a.m. on Tuesday, October 13, 2020. Please note for in-person attendance that the Board meeting location can only accommodate a limited number of attendees in order to comply with the Governor's proclamation related to in-person gatherings, and that remote access may be required in the event the capacity limitations are reached. Public comment can be provided whether participating in-person or remotely.

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Members Present: Thomas Smith, Ronny Young, Allen Knight, Lee K. Allison, and Ron Sellman

Members Absent: Joe Helmberger, Ryan Henderson, and David Flusche

Staff: Drew Satterwhite, Paul Sigle, Allen Burks, Nichole Sims, Carolyn Bennett, and Velma Starks

Visitors: Jason Flynt, Barco  
Kristen Fancher, Legal Counsel  
Michelle Carte  
James Parkman

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**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 10:02 a.m.

2. Review the Production Permit Applications of:

**New Production Permits**

**1. Applicant:** NP-OV Fort Worth Project CY, LLC; 4825 NW 41<sup>st</sup> Street, Suite 500, Riverside, MO 64150  
**Location of Well:** 19584 FM 156, Justin, TX 76247; Latitude: 33.0128364°N, Longitude: 97.3475988°W;  
About 2.6 miles south on FM 156 from the intersection of FM 156 and Hwy 114 and about one half mile northwest of FM 156.

**Purpose of Use:** Fire Suppression System

**Requested Amount of Use:** 100,000 gallons per year

**Production Capacity of Well:** 170 gallons per minute

**Aquifer:** Trinity (Antlers) Aquifer

**2. Applicant:** Trailwood Investments, LP; 218 W. Wall St., Grapevine, TX 76051

**Location of Well:** A1605A Bruce Wheeler, Tr 6; Latitude: 33.05572222°N, Longitude: 97.213472222°W;  
About 0.6 miles west on FM 1171 from the intersection of FM 1171 and Hwy 377 and about one quarter of mile south of FM 1171 in Flower Mound

**Purpose of Use:** Landscape Irrigation

**Requested Amount of Use:** 10,443,900 gallons per year for 2021 and 5,633,900 gallons per year after 2021 (This permit has an additional 5,176,100 gallons per year in Historic Use)

**Production Capacity of Well:** 195 gallons per minute

**Aquifer:** Trinity (Antlers) Aquifer

**Production Permit Amendments**

**3. Applicant:** Hollyhock Residential Association, Inc.; 12700 Hillcrest Road, Suite 234, Dallas, TX 75230

**Location of Well:** Latitude: 33.2112677°N, Longitude: 96.8675176°W; Northeast corner of Rockhill Parkway and Teel Parkway in Frisco

**Purpose of Use:** Landscape Irrigation

**Requested Amount of Use:** 9,900,000 gallons per year

**Production Capacity of Well:** 210 gallons per minute

**Aquifer:** Woodbine Aquifer

**Amendment:** Increasing the production capacity of the well from 150 gallons per minute to 210 gallons per minute. This well replaced an existing well with a production capacity for 150 gallons per minute.

General Manager Drew Satterwhite reviewed the Permit Applications with the Board. A brief discussion was held.

3. Public Comment on the Production Permit Applications.

Jason Flynt, Barco Well Drilling, commented on the Hollyhock well.

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 grant the Production Permit as presented.

Board Member Allen Knight seconded the motion. Motion passed unanimously.

5. Adjourn or continue permit hearing.

President Thomas Smith adjourned the permit hearing at 10:15 a.m.

### **Show Cause Hearing**

The Show Cause Hearing will begin upon adjournment of the above noticed Permit Hearing.

#### **Agenda:**

1. Call to Order, declare hearing open to the public, and take roll.

President Thomas Smith called the show cause hearing to order at 10:15 a.m.

2. Conduct Show Cause hearing under Rule 11.6 on the following for alleged violations of District Rules. Discuss, consider, receive testimony, and take appropriate action, including without limitation, authorizing the District to initiate a civil lawsuit to enforce compliance with the District Rules, including recovery of civil penalties, costs, and attorney's fees, and all other appropriate legal and equitable relief. Consider assessment of additional civil penalties based on continued non-compliance.

#### A. Shenandoah Estates Water System

Drew Satterwhite reported that a check was received from Shenandoah Estates and the show cause hearing was unnecessary at this time.

3. Adjourn or continue show cause hearing.

President Thomas Smith adjourned the show cause hearing at 10:16 a.m.

### **Board Meeting**

1. Pledge of Allegiance and Invocation

Board President Thomas Smith led the Pledge of Allegiance and Ronny Young provided the invocation.

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

Board President Thomas Smith called the meeting to order 10:17 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 September 8, 2020, Board meeting.

Board President Thomas Smith asked for approval of the minutes from the September 8, 2020 meeting. Board Member Ron Sellman made the motion to approve the minutes. Board Member Allen Knight seconded the motion. Motion passed unanimously.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2020-10-13-01.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member Allen Knight made the motion to approve Resolution No. 2020-10-13-01. 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 provided a review of the Financial Report for the Board.

b. Management Plan Committee

1) Receive Quarterly Report

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

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

GMA 8 meeting will be Oct. 27 at 10 a.m. (virtual meeting). James Beach WSP is working on draft DFC resolution.

8. Consider and act upon amendments to the District's Hydrogeological Report Requirements.

General Manager Drew Satterwhite reviewed the document with the Board for clarification. A discussion was held. Board Member Ronny Young made the motion to adopt the amended Hydrogeological Report Requirements. Board Member Ron Sellman seconded the motion. Motion passed unanimously.

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

a. Axis Drilling

General Manager Drew Satterwhite reported that Axis Drilling failed to send in the application before drilling. Axis Drilling acknowledged that the well was drilled without a notice to proceed. The Board assessed a Major Violation (\$500 fine). Board Member Ronny Young made the motion to assess the Major Violation in the amount of \$500. .

Board Member Allen Knight 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 there is no activity at this time.

b. Well Registration Summary

General Manager Drew Satterwhite reviewed the September Well Registration Summary. There were 31 wells registered.

General Manager Drew Satterwhite informed the Board that the Texas A&M Agrilife model of irrigation estimates is ready for us to move into Phase 2.

General Manager Drew Satterwhite informed the Board that in the near future there will be a refresher discussion with the Board on the permitting process.

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

Next meeting will be in person and virtual.

12. Adjourn public meeting

Board President Thomas Smith declared the meeting adjourned at 10:45 a.m.

  
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Recording Secretary

  
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Secretary-Treasurer