

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

TUESDAY, MAY 13, 2014

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

Members Present: Thomas Smith, Ronny Young, Philip Sanders, Chris Boyd, Dan Collins, Eddy Daniel, Evan Groeschel, and Kenny Klement

Members Absent: Ron Sellman

Staff: Drew Satterwhite, Carolyn Bennett, Wayne Parkman and Carmen Catterson

Visitors: Keith King, The Weekly News of Cooke County
Doug O'Connor, Trinity Turf
Peter Schulmeyer, Collier Consulting
Neal Welch, City of Sanger

NOTE: The audio recording of the hearing is the official record of the hearing. These minutes are provided only for convenience.

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

President Smith called the public hearing to order at 9:35 AM. All Board members were present except Board Members Daniel and Sellman.

2. Summary presentation and review of proposed changes to the Temporary Rules

At President Smith's request, Mr. Satterwhite provided a summary of the recommended modifications to the Board. The Rules Committee reviewed the recommendations and agreed for them to be provided for consideration.

Board Member Daniel arrived at 9:36 AM.

The recommendations include additional definitions. The definition of a well system was expanded to include reference to swimming pools, ponds and storage tanks.

Well capping guidelines were included to require capping of wells that do not have pumping equipment installed. Board Member Klement commented that the guidelines do not include language to seal the pipe. Board Member Collins suggested that including guidelines for

sanitary seals could be added. Board Member Daniel responded that the guidelines do specify a cap that cannot easily be removed by hand, which should provide a proper capping of the well to seal the pipe.

In the reporting section, language was added to allow public water systems to provide water loss information annually. This is a requirement for the Texas Water Development Board and will make the process less cumbersome for water providers.

Replacement well standards were added to require that the new well must be on the same tract of land, be the same size of the well being replaced and the old well must be plugged upon the completion of the new well. Board Member Boyd expressed that he did not agree with the requirement to have the new well to be the same size as the old well. Board Member Daniel stated that in the event a larger well is going to be drilled, the new well would be registered as such and then the old well would need to be plugged and registered as a well to be plugged. This would not require the old well to be plugged. Secretary/Treasurer Young recommended a definition for replacement well be added to the Rules. The staff explained that the need for guidelines for replacement well is due to property owners wanting to keep old wells for fire purposes. This would be fine, but the new well would need to be registered as an additional well not a replacement well.

The quarterly billing cycles have been clarified and expanded slightly. The late fees have been modified from two tiers to a 15% late fee after 30 days late. The accounting system will not allow multiple late fees. Aggregate withdrawal has been removed due to accounting purposes. Tracking water use for multiple wells through one meter is very complicated. Allowing multiple meters on one well has also been removed.

Secretary/Treasurer Young commented on Rule 3.3 on annual reporting. He recommended that the language be reworded to "a form approved by the District." Board Member Groeschel recommended that the language also be reworked to include methods of approved submission of meter readings including mail, fax, email or delivery.

3. Public Comment

President Smith requested the visitors provide any comments within 3 minutes.

Pete Schulmeyer, Collier Consulting provided comment on Section 3.7(d) on well capping. They are concerned that the guidelines do not allow for transducers to be installed in the well for monitoring purposes. He also expressed concern as to whether the capping and plugging guidelines would allow for closing off deteriorated sections of the well. 4.3(c) on replacement wells requires that the new well be on the same tract of land. In cases where public water suppliers have multiple tracts of land and want to drill on a neighboring tract of land, the rules would prohibit this. The Board stated that this was addressed previously in the public hearing.

Board Member Collins addressed Mr. Schulmeyer's comment on installing a transducer and asked if it would be appropriate to allow Collier Consulting to provide recommended language. Board Member Daniel responded that there are well caps on the market that allow for access to monitoring equipment. The Board also discussed the requirement to plug wells with

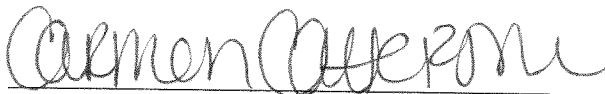
deteriorated casings. The Board agreed to add language to specify that wells with deteriorated casing must be “plugged or repaired.”

Board Member Klement discussed converting oil wells into drinking water wells. Board Member Daniel explained that they must be registered with the District and cannot be used for a public water system.

4. Adjourn or continue public hearing on the Temporary Rules.

The public hearing adjourned at 10:05 AM.

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Recording Secretary



Secretary-Treasurer