

**NORTH TEXAS
GROUNDWATER
CONSERVATION
DISTRICT**

PERMIT HEARING AND BOARD MEETING

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

**TUESDAY
JUNE 13, 2023
10:00 AM**

NOTICE OF PUBLIC MEETING

OF THE
BOARD OF DIRECTORS
of the

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT
Tuesday, June 13, 2023, at 10:00 a.m.

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

Board Member Qualification for Office

Board Member qualification for office will begin at 10:00 a.m.

1. Administer Oath of Office to new and reappointed Board Members.
2. Receive signatures on Oath of Office and Statement of Appointed Officer forms.

Permit Hearing

The Permit Hearing will begin upon completion of the Board Member qualification for office.

Notice is hereby given that the Board of Directors of the North Texas Groundwater Conservation District (“District”) will conduct a permit hearing on the following Production Permit Applications:

Agenda:

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.
2. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).
3. Review the Production Permit Applications of:

New Production Permit

- a. **Applicant:** Mustang Special Utility District; 7985 FM 2931, Aubrey, TX 76227
Location of Well: 1334 S Hwy 377, Pilot Point, TX; Latitude: 33.371009°N, Longitude: 96.964691°W; West side of Hwy 377, about 1,075 feet north of FM 455, at the Hwy 377/Foutch Rd intersection.
Purpose of Use: Public Water
Requested Amount of Use: 290,239,100 gallons per year
Production Capacity of Well(s): 500 gallons/minute (replacement well)
Aquifer: Trinity (Antlers)
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.
5. Adjourn or continue permit hearing.

Board Meeting

The regular Board Meeting will begin upon adjournment of the above noticed Permit Hearing.

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. Call to order, establish quorum, declare the meeting open to the public.
3. Receive recommendation from Officer Committee and act upon Election of Officers.
4. Public comment.
5. Consider and act upon approval of the minutes from the May 9, 2023, Board meeting.
6. Consider appointment of a Budget Committee.
7. Consider and act upon approval of invoices and reimbursements, Resolution No. 2023-06-13-01.
8. Receive reports from the following Committees*:
 - a. Budget and Finance Committee
 - i. Receive Monthly Financial Information
9. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs).
10. Consider and act upon compliance and enforcement activities for violations of District rules.
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
 - b. Well Registration Summary
 - c. Update on Approved Permits
 - d. Legislative
12. Open forum / discussion of new business for future meeting agendas.
13. 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 schedule represents 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 Velma Starks 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); deliberation regarding personnel matters (§551.074); deliberation regarding security devices (§551.076); and deliberation regarding cybersecurity (§551.089). Any subject discussed in executive session may be subject to action.

ATTACHMENT 5

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

Tuesday, May 9, 2023, at 10:00 a.m.

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

Please note for in-person attendance that the Board meeting location can only accommodate a limited number of attendees to comply with state requirements related to in-person gatherings. In the event in-person attendance exceeds any state or local requirements, the District may provide an option for virtual participation for any overflow attendees as necessary and authorized by law.

Members Present: David Flusche, Lee K. Allison, Ronny Young, Allen Knight, Greg Peters, Joe Helmberger, Jimmy Arthur, and Thomas Smith

Members Absent: Ron Sellman

Staff: Paul Sigle, Debi Atkins, Allen Burks, and Velma Starks

Visitors: Kristen Fancher, Law Offices of Kristen Fancher, PLLC
Amber Hatfield, McClanahan & Holmes, LLP

Permit Hearing

Agenda:

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

Board President Joe Helmberger called the Permit Hearing to order at 10:00 a.m.

2. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).

No public comments.

3. Review the Production Permit Applications of:

New Production Permits

- a. **Applicant:** Union Park Little Elm LP; 4835 LBJ Freeway Suite 700, Dallas, TX 75224
Location of Well: Indian Paintbrush Lane, Little Elm, TX; Latitude: 33.240832°N, Longitude: 96.922093°W; About 3,725 feet north of Fishtrap Rd and about 730 feet NW of Union Park Blvd.
Purpose of Use: Irrigation and Surface Impoundment(s)
Requested Amount of Use: 18,560,000 gallons per year for 2023; 10,330,000 gallons per year after 2023
Production Capacity of Well(s): 195 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board. Jason Flynt, Barco Resource Management, provided information regarding permit applicant. Discussion was held. Board Member Thomas Smith made the motion to approve the permit. Board Member Ronny Young seconded the motion. Motion passed unanimously.

- b. **Applicant:** HWC Justin 407, LLC; 3000 Turtle Creek Blvd, Dallas, TX 75219
Location of Well: Justin, TX 76247; Latitude: 33.075125°N, Longitude: 97.337825°W; About 3,960 feet south of FM 407 and 4,070 feet east of Sam Reynolds Rd.
Purpose of Use: Construction; Irrigation and Surface Impoundment(s)
Requested Amount of Use: 9,014,169 gallons through 2024 (Construction); 81,020,000 gallons for 2024/2025; 42,920,000 gallons per year after 2025.
Production Capacity of Well(s): 195 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board. This applicant is a client of Barco Resource Management. Board Member Thomas Smith made the motion to approve the permit. Board Member Ronny Young seconded the motion. Motion passed unanimously.

- c. **Applicant:** Argyle ISD; 6701 Canyon Falls Dr, Flower Mound, TX 76266
Location of Well (Existing): Argyle Middle School: 191 S HWY 377, Argyle, Texas 76226; Latitude: 33.1062°N, Longitude: 97.184518°W; About 1,740 feet east of HWY 377 and about 1,800 feet north of FM 407 E.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 10,318,000 gallons per year, with an additional 5,332,000 gallons per year available from Historic Use Permit.
Production Capacity of Well(s): 145 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board. Board Member Ronny Young made the motion to approve the permit with special conditions added. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

- d. **Applicant:** Argyle ISD; 6701 Canyon Falls Dr, Flower Mound, TX 76266
Location of Well (Existing): Argyle High School: 6601 Canyon Falls Dr, Flower Mound, TX 76266; Latitude: 33.071413°N, Longitude: 97.209814°W; About 2,350 feet west of HWY 377 and about 4,750 feet north of FM 1171.
Purpose of Use: Landscape Irrigation
Requested Amount of Use: 20,415,000 gallons per year, with an additional 7,175,000 gallons per year available from Historic Use Permit.
Production Capacity of Well(s): 200 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board. This applicant is a client of Barco Resource Management. Board Member Ronny Young made the motion to approve the permit with special conditions added. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

- e. **Applicant:** Trinity Turf Nursery, Inc; 10815 Foutch Road, Pilot Point, TX 76258
Location of Well: Stiles Rd, Pilot Point, TX 76258; Latitude: 33.365031°N, Longitude: 96.948850°W; About 4,965 feet east of HWY 377 and about 2,120 feet south of Foutch Rd.
Purpose of Use: Agriculture (Turf Grass Irrigation)
Requested Amount of Use: 323,679,800 gallons per year.
Production Capacity of Well(s): 195 gallons/minute
Aquifer: Woodbine

General Manager Paul Sigle reviewed this permit with the Board. Discussion was held. The Board suggested that special conditions are to be added to this permit. The Board requested that information be submitted as to what technology and data is available. Board Member Thomas Smith made the motion to approve this permit with a special condition added that irrigation efficiency and weather monitoring data and information be provided upon request of District staff, which may be reviewed by District staff to determine whether the production of groundwater under the permit adheres to best industry practices and standards related to agricultural water conservation. Board Member Allen Knight seconded the motion. Motion passed unanimously.

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.

The permits were considered and acted upon individually.

5. Adjourn or continue permit hearing.

Board President Joe Helmberger adjourned the permit hearing at 10:20 a.m.

Board Meeting

Agenda:

1. Pledge of Allegiance and Invocation

Board President Joe Helmberger led the Pledge of Allegiance and Board Member Ronny Young provided the invocation.

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

Board President Joe Helmberger called the meeting to order at 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 at this time.

4. Consider and act upon approval of the minutes from the February 14, 2023, Board meeting.

Board President Joe Helmberger asked for approval of the minutes from the April 11, 2023, meeting. Board Member Thomas Smith made the motion to approve the minutes. Board Member Allen Knight seconded the motion. Motion passed unanimously.

5. Consider and act upon the 2022 Audit.

Amber Fairchild, McClanahan & Holmes, reviewed the Audit with the Board. Discussion was held. Ronny Board Member Ronny Young made the motion to accept the Audit as presented. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

6. Appointment of a Nominating Committee for Election of Officers.

The Board representatives will select the following nominees: Cooke County will nominate

President; Collin County will nominate secretary and Denton County will nominate the vice president. The officers will be elected at the next meeting.

7. Consider and act upon approval of invoices and reimbursements, Resolution No. 2023-05-09-01.

General Manager Paul Sigle reviewed the liabilities with the Board. Discussion was held. Board Member Allen Knight made the motion to approve Resolution No. 2023-05-09-01. Board Member Greg Peters seconded the motion. Motion passed unanimously.

8. Receive reports from the following Committees*:

- a. Budget and Finance Committee
 - i. Receive Monthly Financial Information

General Manager Paul Sigle reviewed the Financial Report with the Board.

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

General Manager Paul Sigle informed the Board that the Intra contract and the interlocal agreement have been signed by the District. GMA 8 will be meeting in the future.

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

No enforcement activities.

11. Discussion and possible action related to 88th Texas Legislative Session and Issues.

The Bills will not affect us.

12. 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

No update.

- b. Well Registration Summary

General Manager Paul Sigle reviewed the well registration summary with the Board. Twenty-two wells were registered in April.

13. Consider and act upon Resolution of Appreciation for Ron Sellman.

Board Member Ronny Young made the motion to approve the resolution. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

14. Consider and act upon Resolution of Appreciation for Lee K. Allison, P.E.

Board President Joe Helmberger expressed appreciation to Lee Allison for his service on the Board and presented him with a plaque. Board Member Ronny Young made the motion to approve the resolution. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

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

The Board asked for future discussions on Terra Seco water management software, irrigation controls in agriculture, cost of a fraud audit, and assisting municipalities with smart irrigation controls.

16. Adjourn public meeting

Board Member Thomas Smith made the motion to adjourn the meeting. Board Member Greg Peters seconded the motion. Motion passed unanimously. Board President Joe Helmberger declared the meeting adjourned at 10:53 a.m.

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Recording Secretary

Secretary-Treasurer

ATTACHMENT 7

RESOLUTION NO. 2023-06-13-1

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT AUTHORIZING PAYMENT OF ACCRUED LIABILITIES FOR THE MONTH OF MAY

The following liabilities are hereby presented for payment:

	<u>Amount</u>
<u>Administrative Services</u>	
GTUA - May 2023 monthly expenses	20,998.31
<u>Auditing</u>	
McClanahan & Holmes LLP - Audit work performed for the year ended 12/31/22	6,025.00
<u>Consultants</u>	
Advanced Groundwater Solutions - General hydrogeo services through 5/31/23	1,935.00
<u>Direct Costs</u>	
NexTraq - June 2023 GPS tracking	34.95
<u>Legal</u>	
Kristen Fancher PLLC - Legal services through May 2023	1,300.00
Sledge Law - Legal Services with RR Commission for April 2023	1,238.50
<u>Legal- Injection</u>	
Sledge Law - Legal Injection services for April 2023	3,000.00
<u>Meetings & Conferences</u>	
Pilot Point ISD - Meeting Room May 2023	75.00
<u>Well Injection Monitoring</u>	
Statewide Plat Service - March 2023	56.40
Statewide Plat Service - April 2023	62.80
GRAND TOTAL:	\$ <u><u>34,725.96</u></u>

On motion of _____ and seconded by _____ the foregoing Resolution was passed and approved on this, the 13th day of June, 2023 by the following vote:

AYE:

NAY:

President

Secretary/Treasurer

ATTACHMENT 8 a. 1)

NORTH TEXAS GROUNDWATER

Balance Sheet

As of May 31, 2023

ASSETS

Current Assets

Checking/Savings

10001 Checking Account	364,508.61
10005 Cash-Index Account	20,176.94
10006 Cash - CDARS Legend	1,150,000.00
10008 Cash - Tex Star	1,324,104.48
10010 Investment	613,000.00
10025 Accounts Receivable	26,126.34
10033 A/R Penalties	3,787.37
10035 A/R GMA8 Members	18.25
10070 A/R Liens	14,000.00
10026 Allowance for Uncollectib	-21,300.00
12001 Prepaid Expenses	517.05

TOTAL ASSETS 3,494,939.04

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

23100 Accounts Payable	3,235.00
23150 Well Drillers Deposits	24,700.14

Total Liabilities 27,935.14

Equity

35100 Retained Earnings	3,466,248.97
Net Income	754.93

Total Equity 3,467,003.90

TOTAL LIABILITIES & EQUITY 3,494,939.04

**NORTH TEXAS GROUNDWATER
Profit Loss Budget vs. Actual
May 31, 2023**

	TOTAL				
	May 2023	1 mo. Budget	YTD Actual	Total Budget	% of Budget remaining
Ordinary Income/Expense					
Income					
46003 - Registration Fees	2,200.00	2,166.67	9,700.00	26,000.00	62.69%
46004 - Well Driller Fees	0.00	0.00	0.00	0.00	0.0%
46005 - PRODUCTION FEES	-29.39	0.00	132,044.75	710,000.00	81.4%
46006 Income GMA8	0.00	366.67	0.00	4,400.00	100.0%
46007 - Penalties	0.00	0.00	0.00	0.00	0.0%
46008 - Online Pay Fees	73.73	416.67	330.18	5,000.00	93.4%
46015 Late Fees	0.00	0.00	8,105.98	0.00	0.0%
Total Income	<u>2,244.34</u>	<u>2,950.00</u>	<u>150,180.91</u>	<u>745,400.00</u>	<u>79.85%</u>
Gross Profit	2,244.34	2,950.00	150,180.91	745,400.00	79.85%
Expense					
77010 ADMINISTRATIVE					
77013 Admin-Secretarial	874.50	1,833.33	3,640.00	22,000.00	83.45%
77014 Admin-Project Coordinator	27.00	1,333.33	742.50	16,000.00	95.36%
77015 Admin-GM	2,838.00	5,500.00	15,376.00	66,000.00	76.7%
77016 Admin-Clerical	2,892.50	3,554.17	15,984.44	42,650.00	62.52%
77040 ADMIN-MILEAGE	81.26	225.00	433.31	2,700.00	83.95%
77025 ACCOUNTING	3,213.00	2,916.67	13,367.50	35,000.00	61.81%
77027 AUDITING	6,025.00	485.00	6,025.00	5,820.00	-3.52%
77030 ADVERTISING	0.00	166.67	5,331.80	2,000.00	-166.59%
77050 BANKING FEES	180.36	425.00	467.37	5,100.00	90.84%
77150 CONSULTING-HYDROGEO SVC	1,935.00	2,833.33	10,465.00	34,000.00	69.22%
77325 DIRECT COSTS-REIMB	410.25	458.33	2,539.82	5,500.00	53.82%
77450 DUES & SUBSCRIPTION	0.00	615.67	0.00	7,388.00	100.0%
77480 EQUIPMENT	0.00	3,791.67	756.92	45,500.00	98.34%
77485 Equipment Database	0.00	1,250.00	0.00	15,000.00	100.0%
77500 FEES-GMA8	2.40	400.00	70.40	4,800.00	98.53%
77550 FIELD TECH	3,818.00	15,166.67	35,039.00	182,000.00	80.75%
77560 Field Permitting/Geologis	5,052.50	6,083.33	21,514.00	73,000.00	70.53%
77650 FUEL/MAINTENANCE	112.22	416.67	1,192.74	5,000.00	76.15%
77800 INJECTION WELL MONITORING	119.20	58.33	246.20	700.00	64.83%
77810 INSURANCE & BONDING	517.09	386.33	2,804.45	4,636.00	39.51%
77970 LEGAL					
77975 Legal-Injection	3,000.00	833.33	12,000.00	10,000.00	-20.0%
77970 LEGAL - Other	2,538.50	3,333.33	12,136.95	40,000.00	69.66%
78010 MEETINGS & CONFERENCES	1,009.02	666.67	2,773.50	8,000.00	65.33%
78310 Rent	200.00	200.00	1,000.00	2,400.00	58.33%
78600-SOFTWARE MAINT	334.80	333.33	637.84	4,000.00	84.05%
78610 TELEPHONE	277.76	316.67	1,591.34	3,800.00	58.12%
78780 Well Monitoring/Testing	0.00	450.00	0.00	5,400.00	100.0%
Total Expense	<u>35,458.36</u>	<u>54,032.83</u>	<u>166,136.08</u>	<u>648,394.00</u>	<u>74.38%</u>
Other Income/Expense					
Other Income					
46100 INTEREST INC	16,910.28	958.33	16,710.10	11,500.00	-45.31%
Total Other Income	<u>16,910.28</u>	<u>958.33</u>	<u>16,710.10</u>	<u>11,500.00</u>	
Net Other Income	16,910.28	958.33	16,710.10	11,500.00	
Net Income	<u><u>-16,303.74</u></u>	<u><u>-50,124.50</u></u>	<u><u>754.93</u></u>	<u><u>108,506.00</u></u>	

ATTACHMENT 11 b.

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

Well Registration Summary

(as of 5/31/2023)

Well Type	Collin	Cooke	Denton	Total NTGCD	New Registrations May 2023
Domestic	94	680	1063	1837	21
Public Water System	32	76	223	331	1
Irrigation	107	6	213	326	1
Surface Impoundment	63	18	130	211	4
Livestock	7	91	68	166	0
Oil / Gas	1	6	64	71	0
Agriculture	11	13	42	66	0
Commercial	6	9	48	63	0
Golf Course Irrigation	15	2	21	38	0
Industrial / Manufacturing	11	11	9	31	0
*Other	6	5	12	23	0
Monitoring	0	0	6	6	0
TOTALS	353	917	1899	3169	27

NOTE: Plugged wells have been excluded

***Examples of "Other" uses: Closed Loop Geothermal, Construction, and Fire Suppression**

ADJOURN