

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

Tuesday, April 13, 2021 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 in order 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: Thomas Smith, Ronny Young, Allen Knight, Lee K. Allison, Ron Sellman, and Joe Helmberger

Members Absent: David Flusche

Staff: Drew Satterwhite, Paul Sigle , Theda Anderson, Allen Burks, Debi Atkins, and Nichole Siims

Visitors: Kristen Fancher, Legal Counsel
Peter Schulmeyer, Collier Consulting, Inc.

Permit Hearing

Agenda:

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

Board President Thomas Smith 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 comment.

3. Review the Production Permit Applications of:

New Production Permits

1. Applicant: Nor Tex Properties, LLC; 322 N. Mill St., Lewisville, TX 75057
Location of Well: 3100 E. FM 922, Valley View, TX 76272; Latitude: 33.489850° N, Longitude: -97.107294° W; About 550 feet east on FM 922 from the intersection of FM 922 and FM 2071 and about 120 feet south of FM 922
Purpose of Use: Public Water Supply
Requested Amount of Use: 1,825,000 gallons per year
Production Capacity of Well: 80 gallons per minute
Aquifer: Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the permit application with the board. Board Member Joe Helmberger made the motion to approve the permit application. Board Member Ronny Young seconded the motion. Motion passed unanimously.

2. Applicant: Alma Robertson Graham Irrevocable Trust; 1278 Munden Dr., Denton, TX 76207
Location of Well: 1509 Alma Ave, Anna, TX 75409; Latitude: 33.35485° N, Longitude: 96.45445° W; About 1,400 feet north on E. Houston Street from the intersection of E. Houston Street and Sam Rayburn Hwy and about 130 feet west of E. Houston Street
Purpose of Use: Industrial; Construction water for TXDOT State Highway 121 project
Requested Amount of Use: 31,666,666 gallons per year (95,000,000 gallons over 3 years)
Production Capacity of Well: 175 gallons per minute
Aquifer: Woodbine Aquifer

General Manager Drew Satterwhite reviewed the permit application with the board. Board Member Ronny Young made the motion to approve the permit application. Board Member Allen Knight seconded the motion. Motion passed unanimously.

3. Applicant: Tex Mix Land Db a Sunrise Redi Mix LLC; PO Box 1299, Springtown, TX 76082
Location of Well: 8922 Blair Road, Justin, TX 76247; Latitude: 33.148541° N, Longitude: 97.289173° W; About 750 feet south on FM 156 from the intersection of FM 156 and Blair Road and about 175 feet east of FM 156
Purpose of Use: Industrial; Construction Plant
Requested Amount of Use: 13,000,000 gallons per year
Production Capacity of Well: 40 gallons per minute
Aquifer: Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the permit application with the board. Board Member Allen Knight made the motion to approve the permit application. Board Member Joe Helmberger seconded the motion. Motion passed unanimously.

Permit Amendments

4. Applicant: City of Gainesville; 200 S Rusk, Gainesville, TX 76240
Location of Well: 1601 FM 1201. Gainesville, TX 76240; Latitude: 33.641705° N, Longitude: 97.181163° W; Northwest of the intersection of State Highway 82 and FM 1201
Purpose of Use: Public Water Supply

Historic Use Permit Amount: 672,191,000 gallons per year
Production Capacity of Well: 820 gallons per minute (Increased from 620 gallons per minute)
Aquifer: Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the permit application with the board. Board Member Ron Sellman abstained . Board Member Joe Helmberger made the motion to approve the permit application. Board Member Allen Knight seconded the motion. Motion passed.

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.

Applications were voted on individually.

5. Adjourn or continue permit hearing.

President Thomas Smith adjourned the permit hearing at 10:18 a.m.

Board Meeting

Agenda:

1. Pledge of Allegiance and Invocation

Board Member Joe Helmberger 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 at 10:20 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 February 9, 2021, Board meeting.

Board President Thomas Smith asked for approval of the minutes from the February 9, 2021 meeting. Board Member Joe Helmberger made the motion to approve the minutes. Board Member Ronny Young seconded the motion. Motion passed unanimously.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2021-04-13-01.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member Allen Knight made the motion to approve Resolution No. 2021-04-13-01. Board Member Lee Allison 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 reviewed the Financial Report.

- b. Investment Committee
 - 1) Receive Quarterly Investment Report

General Manager Drew Satterwhite reviewed the Quarterly Investment Report.

- c. Management Plan Committee
 - 1) Receive Quarterly Report

General Manager Drew Satterwhite reviewed the quarterly report.

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

- a. Consider and act upon Resolution No. 2021-4-13-02 approving and submitting the District's Desired Future Conditions Summary Report for GMA8.

General Manager Drew Satterwhite provided background information for the Board. The GMA 8 proposed to adopt the DFCs at their October 27, 2020 meeting. The District held a public hearing on February 9, 2021. The District is required to have a Summary Report approved by the Board for submission to GMA 8 prior to the next GMA 8 meeting. With the Board's approval the Summary Report and Resolution would be sent to the GMA8 members as a guideline. Board Member Ronny Young made the motion to approve and submit to GMA 8 and use for GMA 8 members' guidance. Board Member Ron Sellman seconded the motion. Motion passed unanimously.

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

- a. Discussion and possible action on the process for processing non-registered non-exempt wells.

General Manager Drew Satterwhite informed the Board that prior to establishment of the current rules wells didn't need to be registered. However, after the rules were established there is renewed desire is to get wells registered. Some people come in and tell us they wish to get their wells into compliance with the rules, while others are not coming forward but are discovered. The Board's guidance is requested on how fees should be distinguished between the two. Discussion was held. Those that come in would be charged \$500 through the registration fee schedule. Those that are found would be charged the additional \$500 through the fee structure in addition to an automatic \$500 fine. If the wells are not brought into compliance within 90-days, the the Board would consider a \$500 per year escalator for out of compliance years since rules established and capped at \$10,000. Board Member Ronny Young made the motion for the fines. Board Member Joe Helmberger seconded the motion. Motion passed unanimously.

General Manager Drew Satterwhite informed the Board that Hydrous Wake Parks is not in compliance with the rules. Krisen Fancher, legal counsel, suggested \$1000 additional non compliance with attorney fee. Violation of meter and production rules as preexisting violator resulting in a total of \$2000 fine. Board Member Joe Helmberger made the motion that the additional \$1000 be accessed bringing the total to \$2000. Board Member Ronny Young seconded the motion. 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

No outstanding actions at this time.

b. Well Registration Summary

General Manager Drew Satterwhite reviewed the well registration summary.

c. Legislative Update

No legislative updates reported by Kristen Fancher. Watch is being kept on laws relating to cyber security training.

d. Board Appointment Updates

General Manager Drew Satterwhite informed that Allen Knight, David Flusche and Ronny Young have been reappointed. An officer committee was appointed that consists of Ronny Young, Lee Allison and Joe Helmberger.

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

No comment.

11. Adjourn public meeting

Board President Thomas Smith declared the meeting adjourned at 11:20 p.m.



Recording Secretary



Secretary-Treasurer