

**NORTH TEXAS
GROUNDWATER
CONSERVATION
DISTRICT**

PERMIT HEARING AND BOARD MEETING

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

**TUESDAY
MAY 9, 2023
10:00 AM**

NOTICE OF PUBLIC MEETING

OF THE
BOARD OF DIRECTORS
of the

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT
Tuesday, May 9, 2023, at 10:00 a.m.

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

Permit Hearing

The Permit Hearing will begin at 10 a.m.

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 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)
- 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)

- 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)
- 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)
- 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
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. Public comment.
4. Consider and act upon approval of the minutes from the April 11, 2023, Board meeting.
5. Consider and act upon the 2022 Audit.
6. Appointment of a Nominating Committee for Election of Officers.
7. Consider and act upon approval of invoices and reimbursements, Resolution No. 2023-05-09-01.
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. Discussion and possible action related to 88th Texas Legislative Session and Issues.
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
 - b. Well Registration Summary
13. Consider and act upon Resolution of Appreciation for Ron Sellman.
14. Consider and act upon Resolution of Appreciation for Lee K. Allison, P.E.
15. Open forum / discussion of new business for future meeting agendas.
16. 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 4

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

Tuesday, April 11, 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, Ron Sellman, and Greg Peters

Members Absent: Joe Helmberger, Jimmy Arthur and Thomas Smith

Staff: Paul Sigle, Kenneth Elliott, and Velma Starks

Visitors: Kristen Fancher, Law Offices of Kristen Fancher, PLLC

Board Meeting

Agenda:

1. Pledge of Allegiance and Invocation

Board Vice President Ron Sellman 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 Vice President Ron Sellman called the meeting to order at 10:00 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 14, 2023, Board meeting.

Board Vice President Ron Sellman asked for approval of the minutes from the February 14, 2023, meeting. Board Member Allen Knight 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. 2023-04-11-1.

General Manager Paul Sigle reviewed the liabilities with the Board. Board Member Greg Peters made the motion to approve Resolution No. 2023-04-11-1. Board Member Allen Knight seconded the motion. Motion passed unanimously.

6. 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.

- b/ Investment Committee
i. Receive Quarterly Investment Report

General Manager Paul Sigle reviewed the Quarterly Investment Report with the Board. Brief discussion was held.

- c. Management Plan Committee
i. Receive Quarterly Report

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

7. Consider and possibly act upon all matters incident and related to a contract and scope of services with Intera Incorporated for Northern Trinity and Woodbine Aquifers Groundwater Availability Model Update.

General Manager Paul Sigle provided information for the Board. NTGCD is the Administrative District for GMA 8, as such Intera required a contract with NTGCD. Eight districts have agreed to equally share the cost, two have committed to specific amounts, one is uncertain at this time. Discussion was held. Board Member Ronny Young made a motion for the Board to approve the Master services Agreement Technical Agreement and Scope of Work for North Texas GCD to enter into with Intera, Inc., in its capacity as the Administrative District for GMA 8, which is contingent on approval by the other GMA 8 districts that are funding the project. Board Member Ron Sellman seconded the motion. The motion passed unanimously.

8. Consider and act upon all matters incident and related to an Interlocal Agreement regarding Groundwater Management Area 8 Funding for Northern Trinity and Woodbine Aquifers Groundwater Availability Model Update.

General Manager Paul Sigle provided information regarding the Model Update. Wade Oliver, Intera provided details about the update. Discussion was held. Board Member Ronny Young made the motion to approve the Interlocal Agreement funding the Model Update. Board Member Greg Peters seconded the motion. Motion passed unanimously.

9. Receive report on the District's Well Monitoring Program.

Kenneth Elliott, Groundwater Field Technician provided presentation on monitoring program. Discussion was held.

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

No enforcement activities.

Board went to Item 12.

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

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

General Manager Paul Sigle informed the Board that the wells were in Cooke County and no issues were with these wells.

b. Well Registration Summary

General Manager Paul Sigle reviewed the well registration summary with the Board. Eleven wells were registered in February and Eleven wells were registered in March.

Board went to Item 11.

Board went into Executive session at 10:30 a.m. for Attorney Consultation.
Board reconvened into regular session at 10:35 a.m. No action taken.

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

The District will have permits in May.

14. Adjourn public meeting

Board Vice President Ron Sellman declared the meeting adjourned at 10:40 a.m.

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Recording Secretary

Secretary-Treasurer

ATTACHMENT 5



AGENDA COMMUNICATION

DATE: May 3, 2023

SUBJECT: AGENDA ITEM NO. 5

PREPARED AND SUBMITTED BY: Paul M. Sigle, General Manager

CONSIDER AND ACT UPON THE 2022 AUDIT

ISSUE

2022 Audit

BACKGROUND

The Board engaged the services of McClanahan and Holmes, LLP to provide the independent audit of the District's accounting records for the 2022 fiscal year. The auditors will be presenting their findings at the May meeting.

CONSIDERATIONS

If there are questions or concerns about the audit, the Board will have the opportunity to further discuss them with the auditor.

The 2022 Audit will be provided at the Board meeting.

ATTACHMENT 7

RESOLUTION NO. 2023-05-09-1

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

The following liabilities are hereby presented for payment:

	<u>Amount</u>
<u>Administrative Services</u>	
GTUA - April 2023 monthly expenses	17,415.78
<u>Advertising</u>	
Texas Alliance of Groundwater Districts - Sponsor for Summit	5,000.00
<u>Consultants</u>	
Advanced Groundwater Solutions - General hydrogeo services through 3/31/23	2,230.00
<u>Direct Costs</u>	
NexTraq - May 2023 GPS tracking	34.95
Awards Unlimited - Dedication / Appreciation awards for Sellman & Allison	287.00
<u>Legal</u>	
Kristen Fancher PLLC - Legal services through April 2023	1,820.00
Sledge Law - Legal Services with RR Commission for March 2023	725.50
<u>Legal- Injection</u>	
Sledge Law - Legal Injection services for March 2023	3,000.00
<u>Meetings & Conferences</u>	
Pilot Point ISD - Meeting Room May 2023	75.00
GRAND TOTAL:	<u><u>\$ 30,588.23</u></u>

On motion of _____ and seconded by _____ the foregoing Resolution was passed and approved on this, the 9th day of May, 2023 by the following vote:

AYE:
NAY:

President

Secretary/Treasurer

ATTACHMENT 8 a. 1)

NORTH TEXAS GROUNDWATER

Balance Sheet

As of April 30, 2023

ASSETS

Current Assets

Checking/Savings

10001 Checking Account	294,666.43
10005 Cash-Index Account	25,029.08
10006 Cash - CDARS Legend	1,150,000.00
10008 Cash - Tex Star	156,877.78
10010 Investment	1,763,000.00
10025 Accounts Receivable	261,694.23
10033 A/R Penalties	3,816.76
10035 A/R GMA8 Members	18.25
10070 A/R Liens	14,000.00
10026 Allowance for Uncollectib	-21,300.00
12001 Prepaid Expenses	1,034.14

TOTAL ASSETS 3,648,836.67

LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

23100 Accounts Payable	19,522.78
23150 Well Drillers Deposits	36,950.00

Total Liabilities 56,472.78

Equity

35100 Retained Earnings	3,466,248.97
Net Income	126,114.92

Total Equity 3,592,363.89

TOTAL LIABILITIES & EQUITY 3,648,836.67

NORTH TEXAS GROUNDWATER
Profit Loss Budget vs. Actual
April 30, 2023

	TOTAL				
	April 2023	1 mo. Budget	YTD Actual	Total Budget	% of Budget remaining
Ordinary Income/Expense					
Income					
46003 - Registration Fees	3,400.00	2,166.67	7,500.00	26,000.00	71.15%
46004 - Well Driller Fees	0.00	0.00	0.00	0.00	0.0%
46005 - PRODUCTION FEES	0.00	0.00	307,697.14	710,000.00	56.66%
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	104.10	416.67	204.90	5,000.00	95.9%
46015 Late Fees	0.00	0.00	8,105.98	0.00	0.0%
Total Income	<u>3,504.10</u>	<u>2,950.00</u>	<u>323,508.02</u>	<u>745,400.00</u>	<u>56.6%</u>
Gross Profit	3,504.10	2,950.00	323,508.02	745,400.00	56.6%
Expense					
77010 ADMINISTRATIVE					
77013 Admin-Secretarial	594.00	1,833.33	2,765.50	22,000.00	87.43%
77014 Admin-Project Coordinator	27.00	1,333.33	715.50	16,000.00	95.53%
77015 Admin-GM	3,096.00	5,500.00	12,538.00	66,000.00	81.0%
77016 Admin-Clerical	2,460.00	3,554.17	13,091.94	42,650.00	69.3%
77040 ADMIN-MILEAGE	57.82	225.00	352.05	2,700.00	86.96%
77025 ACCOUNTING	2,546.00	2,916.67	10,154.50	35,000.00	70.99%
77027 AUDITING	0.00	485.00	0.00	5,820.00	100.0%
77030 ADVERTISING	5,000.00	166.67	5,331.80	2,000.00	-166.59%
77050 BANKING FEES	34.30	425.00	287.01	5,100.00	94.37%
77150 CONSULTING-HYDROGEO SVC	0.00	2,833.33	8,530.00	34,000.00	74.91%
77325 DIRECT COSTS-REIMB	449.99	458.33	2,129.57	5,500.00	61.28%
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	0.00	400.00	68.00	4,800.00	98.58%
77550 FIELD TECH	3,926.00	15,166.67	31,221.00	182,000.00	82.85%
77560 Field Permitting/Geologis	3,454.50	6,083.33	16,461.50	73,000.00	77.45%
77650 FUEL/MAINTENANCE	409.94	416.67	1,080.52	5,000.00	78.39%
77800 INJECTION WELL MONITORING	0.00	58.33	127.00	700.00	81.86%
77810 INSURANCE & BONDING	517.09	386.33	2,287.36	4,636.00	50.66%
77970 LEGAL					
77975 Legal-Injection	0.00	833.33	9,000.00	10,000.00	10.0%
77970 LEGAL - Other	1,820.00	3,333.33	9,598.45	40,000.00	76.0%
78010 MEETINGS & CONFERENCES	151.65	666.67	1,764.48	8,000.00	77.94%
78310 Rent	200.00	200.00	800.00	2,400.00	66.67%
78600-SOFTWARE MAINT	71.88	333.33	303.04	4,000.00	92.42%
78610 TELEPHONE	292.95	316.67	1,313.58	3,800.00	65.43%
78780 Well Monitoring/Testing	0.00	450.00	0.00	5,400.00	100.0%
Total Expense	<u>25,109.12</u>	<u>54,032.83</u>	<u>130,677.72</u>	<u>648,394.00</u>	<u>79.85%</u>
Other Income/Expense					
Other Income					
46100 INTEREST INC	0.00	958.33	9,553.01	11,500.00	16.93%
Total Other Income	<u>0.00</u>	<u>958.33</u>	<u>9,553.01</u>	<u>11,500.00</u>	
Net Other Income	0.00	958.33	9,553.01	11,500.00	
Net Income	<u>-21,605.02</u>	<u>-50,124.50</u>	<u>202,383.31</u>	<u>108,506.00</u>	

CHIEF OF POLICE

COMMUNICATIONS SECTION

1000 WEST 10TH AVENUE

DEPARTMENT OF PUBLIC SAFETY

1000 WEST 10TH AVENUE

DENVER, COLORADO 80202

TELEPHONE 333-3333

ATTACHMENT 12 b.

MEMORANDUM FOR THE CHIEF OF POLICE

FROM: SAC, DENVER (157-1000)

SUBJECT: [REDACTED]

2/10

RE: [REDACTED]

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

Well Registration Summary

(as of 4/30/2023)

Well Type	Collin	Cooke	Denton	Total NTGCD	New Registrations April 2023
Domestic	92	672	1054	1818	19
Public Water System	32	76	225	333	0
Irrigation	107	7	212	326	0
Surface Impoundment	62	18	127	207	0
Livestock	7	91	68	166	1
Oil / Gas	1	6	64	71	0
Agriculture	11	13	43	67	1
Commercial	6	9	48	63	1
Golf Course Irrigation	15	2	21	38	0
Industrial / Manufacturing	11	11	9	31	0
*Other	6	5	12	23	0
Monitoring	0	0	3	3	0
TOTALS	350	910	1886	3146	22

NOTE: Plugged wells have been excluded

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

ATTACHMENT 13



AGENDA COMMUNICATION

DATE: May 3, 2023

SUBJECT: AGENDA ITEM NO. 13

PREPARED AND SUBMITTED BY: Paul M. Sigle, General Manager

CONSIDER AND ACT UPON RESOLUTION OF APPRECIATION FOR RON SELLMAN

ISSUE

Resolution of Appreciation for Ron Sellman.

BACKGROUND

The Board of Directors has customarily adopted Resolutions of Appreciation and presented a plaque to retiring Board members who have served on the Board. Mr. Ron Sellman was sworn in June of 2009 to represent the Cooke County Largest Municipal Groundwater Producer (City of Gainesville).

Mr. Sellman has served honorably as a Board Member, and his contributions to the District are much appreciated.

STAFF RECOMMENDATIONS

The staff recommends the Board consider adopting Resolution of Appreciation for his service.

ATTACHMENTS

Resolution of Appreciation

RESOLUTION NO. 2023-05-09-02

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

A RESOLUTION BY THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT RECOGNIZING

RON SELLMAN

WHEREAS, the North Texas Groundwater Conservation District wishes to recognize

RON SELLMAN

for contributing toward furthering economic development of this area and for helping to promote effective planning and utilization of groundwater by faithfully participating in the activities of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT THAT: the District conveys its sincere appreciation and gratitude to

RON SELLMAN

for service provided to the District.

On motion of _____, seconded by _____, the foregoing Resolution was passed and approved on this the 9th day of May 2023 by the following vote:

AYE:

NAY:

ABSTAIN:

At a meeting of the Board of Directors of the North Texas Groundwater Conservation District.

President

ATTEST:

Secretary-Treasurer

ATTACHMENT 14



AGENDA COMMUNICATION

DATE: May 3, 2023

SUBJECT: AGENDA ITEM NO. 14

PREPARED AND SUBMITTED BY: Paul M. Sigle, General Manager

CONSIDER AND ACT UPON RESOLUTION OF APPRECIATION FOR LEE K. ALLISON, P.E.

ISSUE

Resolution of Appreciation for Lee K. Allison, P.E.

BACKGROUND

The Board of Directors has customarily adopted Resolutions of Appreciation and presented a plaque to retiring Board members who have served on the Board. Mr. Lee K. Allison was sworn in June of 2019 to represent the Denton County Other Groundwater Producers.

Mr. Allison has served honorably as a Board Member, and his contributions to the District are much appreciated.

STAFF RECOMMENDATIONS

The staff recommends the Board consider adopting Resolution of Appreciation for his service.

ATTACHMENTS

Resolution of Appreciation

RESOLUTION NO. 2023-05-09-03

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

A RESOLUTION BY THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT RECOGNIZING

LEE K. ALLISON, P.E.

WHEREAS, the North Texas Groundwater Conservation District wishes to recognize

LEE K. ALLISON, P.E.

for contributing toward furthering economic development of this area and for helping to promote effective planning and utilization of groundwater by faithfully participating in the activities of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT THAT: the District conveys its sincere appreciation and gratitude to

LEE K. ALLISON, P.E.

for service provided to the District.

On motion of _____, seconded by _____, the foregoing Resolution was passed and approved on this the 9th day of May 2023 by the following vote:

AYE:

NAY:

ABSTAIN:

At a meeting of the Board of Directors of the North Texas Groundwater Conservation District.

President

ATTEST:

Secretary-Treasurer

ADJOURN