

# PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

June 15, 2020

## REGULAR MEETING MINUTES OF THE BOARD OF DIRECTORS

The Board of Directors (the "Board") of the Prairielands Groundwater Conservation District (the "District" or "Prairielands GCD") met in a regular board meeting, open to the public, but held via a publicly accessible webinar/telephone conference call, at 205 S. Caddo Street, Cleburne, TX.

### CALL TO ORDER AND DECLARE REGULAR MEETING OPEN TO THE PUBLIC

President Charles Beseda presided and called to order the regular Board of Directors Meeting at 9:08 a.m., announcing the meeting open to the public.

### ROLL CALL

The roll was called of the members of the Board of Directors, to wit:

Charles Beseda	Maurice Osborn
Dennis Erinakes	John Curtis
Randy Kirk	Kent Smith
Marty McPherson	Paul Tischler

All members of the Board were present, with the exception of Director(s) Erinakes and Kirk, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, General Manager; Brian Sledge, General Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comments cards received are attached hereto as Exhibit "A".*

### PUBLIC COMMENTS

None.

### CONSENT AGENDA

Motion by Director McPherson to approve the consent agenda. Director Smith seconded the motion and it carried unanimously by all those who were present.

### ADMINISTRATIVE AND FINANCIALS – Kathy Turner Jones

- a) Update on current administrative and financial activities of the District. Ms. Jones highlighted the recent promotion of Annette Kinney to Permitting Assistant after serving

as the District's Office Assistant since February 2019. Ms. Jones also discussed moving forward with hiring a GIS Specialist following the move to the new office building.

- b) Discuss, consider and take possible action regarding the Texas County District Retirement System's Plan Assessment for Plan Year 2021. Ms. Jones said each year, the District reviews its TCDRS retirement plan to determine if benefits are adequate and affordable. Based on the 2021 assessment, the District will need to increase its elected funding rate from 9.1% to 9.47% based on "Demographic/Other Changes" due to a shift in numbers of employees, greater number of employees near or retiring, increased salaries, change in male/female ratio. Ms. Jones recommended that effective January 1, 2021 the District approve the rate increase of 9.47% for the District's participation in the program. Director Osborn made a motion to approve the Texas County and District Retirement System's Plan Assessment for Plan Year 2021 and retain the current employee deposit rate of 5%. Director Smith seconded the motion. The motion passed.

**DISCUSS, CONSIDER AND POSSIBLE ACTION TO APPROVE REQUEST FOR NEW VERIFICATION PERIOD FOR HISTORIC USE PERMIT APPLICATION #097 – CHAPARRAL STEEL MIDLOTHIAN, LP**

Ms. Jones explained that the District had received a formal request from Chaparral Steel Midlothian, LP for a new verification period for their Historic Use Permit application. She pointed out that the District Rules do allow the Board to determine another two-year verification period based on circumstances involved in a permit application. She said as long as the applicant has met all of the timelines and requirements imposed in the District Rules, a new verification period may be granted. Chris Smith, representing Chaparral Steel, said there had been some delays in getting a permanent utility meter to the well site, and the original permanent pump burned up because it was running on a temporary generator. He said they are also working with Oncor to get the meter set in the next couple months and the new pump installed by August. Mr. Smith said the company wants the full two-year verification period, which is why they are requesting the new verification period to begin on January 1, 2021. Mr. Sledge said this is a request that is consistent with the District Rules, and it would be more beneficial to the District to approve this request and have a full two years of metered data. Director Tischler asked if the new verification period could begin when the new meter is installed and Oncor has power to the site as opposed to January. Mr. Sledge said the Board could determine the start of the verification period as they would like, but it may be easier to keep it at the start of a calendar year. Director Tischler made a motion to approve Chaparral Steel Midlothian, LP's request and grant new verification period for well ID #1821 to begin on January 1, 2021 and end on December 31, 2022. Director McPherson seconded the motion. The motion passed.

**UPDATE ON PUBLIC OUTREACH ACTIVITIES, EDUCATIONAL AND CONSERVATION EFFORTS – Sinclair Newby**

Ms. Newby reported on a presentation she gave to the Grandview Lions Club on June 9, and a presentation that she and Ms. Jones gave to members of the Johnson County Association of Realtors on June 11. She said the presentation to the realtors was focused on well ownership, transferring, and registering water wells, HB 1221, and information about the District. Ms. Newby also discussed a press release she distributed to the media on May 19 which had been

published in the Glen Rose Reporter and Hillsboro Reporter. She also said one resident of Hill County called the District office for more information on rainwater harvesting and said they were planning to incorporate rainwater harvesting systems into their new home after reading the article. Ms. Newby reported on some virtual meetings she had been involved in and gave an update on some upcoming meetings and events. She concluded her report with a summary of the District's social media platforms reach and engagement for May.

**GROUNDWATER MANAGEMENT AREA 8 – UPDATE ON ACTIVITIES RELATED TO JOINT PLANNING AND THE DEVELOPMENT OF DESIRED FUTURE CONDITIONS – James Beach, WSP**

- a) Update and possible action on evaluation of production and procedures from various aquifers as related to DFC Planning. Mr. Beach discussed the summary of Run 11 results, which is the updated DFC run for GMA 8. He said Prairielands GCD submitted changes to the vertical distribution of pumping in the Hosston and Hensell formations, Upper Trinity GCD to the northwest of the District submitted changes to adjust pumping to what their latest estimates indicated, and Southern Trinity GCD to the south of the District submitted changes that were fairly minor. Mr. Beach discussed comparing the results to 2070 with a chart depicting final drawdown figures. He also discussed total drawdowns predicted by 2080. Mr. Beach said the importance of looking at these results is to find the balance of making water available while protecting existing wells. He mentioned the next GMA 8 meeting would be on August 7, 2020, with discussion on the results discussed at this meeting as well as discussion of non-relevant aquifers and any more changes submitted by any more groundwater districts.

**GENERAL MANAGER'S REPORT AND UPDATE – Kathy Turner Jones**

- a) Historic Use Permit Applications. Ms. Jones said District staff members are still working through the Historic Use Permit applications. She said staff is finding that in some cases, the information is older than what the District has on record and needs to be verified. She also said the systems who are using surface water and groundwater, some of the data has to be refined in order to clarify the information for the final technical reviews. She also said several of the small cities who submitted applications were hit by a ransomware virus and lost all of their records and information, so staff is working with these applicants to verify records based on what the District has.
- b) Status report and possible action regarding construction of office facility. Ms. Jones said the building is projected to be at 98% completion, with the only things lacking being base trim, signage, mailbox, and certificate of occupancy. She also said the contractors, architect, and landscape architect met to complete a landscaping punch list. Ms. Jones said there will be some changes made to the landscaping to address some deficiencies in top soil, plant placement, and unhealthy plants and sod that need to be replaced. She said she also met with NetGenius to finalize phone system selections. She also reported that she and Ms. Newby met with an office furniture company to see about finalizing drawings and pricing for office furniture for budget purposes, but the manufacturers were behind due to restrictions from COVID-19 so pricing was not available yet. Ms. Jones said in the meantime she is following up on other leads about potential furniture retailers.

Ms. Jones also discussed the year-to-date groundwater production numbers, which are indicating the District is close to two-billion gallons, which is in line with previous years. She also said 18 new wells will be drilled in the four counties in the previous month with the majority being in Johnson County.

Ms. Jones reported that there were a few public information requests but nothing of concern. She also said staff is working with Mr. Sledge and Mr. Beach on some instances where a property owner is wanting to place additional wells on a property and verifying the property size and spacing between each well.

In terms of enforcement, Ms. Jones said staff is still working with some of the well owners on resolving past due payments, as well as a situation where a well owner was producing water under exempt use but it was determined that was being supplied to 8-10 residents and have notified the owner to register the well properly and to report and pay water use fees.

Director Curtis asked Ms. Jones what the timeline was for the move to the new building to begin after the completion of all punch lists. She replied that until the certificate of occupancy is completed, nothing besides appliances can be moved in, so moving furniture, files and equipment to the new building will be determined by the completion of the certificate of occupancy.

**GENERAL COUNSEL'S REPORT – THE DISTRICT'S LEGAL COUNSEL WILL BRIEF THE BOARD ON PERTINENT LEGAL ISSUES AND DEVELOPMENTS IMPACTING THE DISTRICT – Brian Sledge**

Mr. Sledge reported that the Governor extended the disaster declaration for another 30 days, which means the provisions allowing the District to have online board meetings is dependent upon the extension of that declaration. Mr. Sledge also followed-up on question from the previous month's board meeting about the Lower Colorado River Authority application and the Lost Pines Groundwater Conservation District. He explained that LCRA had acquired 4,800 acres in 2015 from a Boy Scout ranch and filed an application with the Lost Pines GCD for 25,000 acre/feet of water. Mr. Sledge said the Lost Pines GCD Board of Directors had several protests to the application, and in September 2018, sent the application to the state office of administrative hearings to serve as the hearings examiner for the Board of Directors. For the last year and a half, they have been holding the hearing at the state office of administrative hearings. Mr. Sledge said that what came out the previous month was a proposal for a decision by the administrative law judge which recommended permit issuance and LCRA install monitoring wells on the property to monitor groundwater levels, but also monitor loss of surface water before they can start their well field. Part of LCRA's proposal was to pump groundwater and discharge it into a portion of the Colorado River to distribute that water to customers in the basin. The administrative law judge did not deem this as waste of groundwater, and recommended it be issued. Mr. Sledge all parties have applied for exceptions to the administrative law judge's proposal, and the judge will determine if revisions to the proposed decision will be made before sending it back to the Lost Pines GCD Board of Directors. Lastly, Mr. Sledge reported that legislative committees have not been meeting during the pandemic. However, he said the groundwater legislation groups such as TWCA and TAGD have started to talk about ideas for potential legislation for next session, and that he and Ms. Jones will keep the board updated on developments.

**OPEN FORUM / DISCUSSION OF NEW BUSINESS FOR FUTURE MEETING  
AGENDAS**

None.

**ADJOURN**

There being no further business, upon a motion made by Director McPherson and seconded by Director Smith, the meeting was adjourned at 10:00 a.m.

**PASSED, APPROVED, AND ADOPTED THIS 15<sup>th</sup> DAY OF JUNE 2020.**



Charles Beseda, President



Maurice Osborn, Secretary/Treasurer