



# NOTICE OF PUBLIC HEARING ON PERMITS AND REGULAR BOARD MEETING

## OF THE BOARD OF DIRECTORS

of the

## PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

**To be held**

**IN PERSON AND REMOTELY VIA AUDIO/VIDEO CONFERENCE**

**Prairielands GCD – Board Room**

**208 Kimberly Drive**

**Cleburne, TX 76031**

**MONDAY, September 21, 2020, AT 9:00 A.M.**

Notice is hereby given to all interested members of the public that the Board of Directors of the Prairielands Groundwater Conservation District will hold a regular public meeting both in person and via audio and video conference call pursuant to Texas Government Code, Section 551.125, and as modified by the Governor of Texas who ordered suspension of various provisions of the Open Meetings Act, Chapter 551, Government Code, effective March 16, 2020, in accordance with the Texas Disaster Act of 1975. Any member of the public who wishes to participate remotely may do so through the remote access options provided below.

Click the following link to join by computer, tablet, or smartphone:

<https://us02web.zoom.us/j/83527079797?pwd=OWpUTVITL0hqZjRiWWYvN0JuLzZaZz09>

Meeting ID: 835 2707 9797

Password: 510523

or

To join by phone only, dial the following 1-346-248-7799

Meeting ID: 835 2707 9797

Password: 510523

### **Permit Hearing**

**The Prairielands GCD Board of Directors will hold a public hearing on the following permit and permit applications:**

1. Call to Order and Declare Permit Hearing Open to the Public
2. Roll Call
3. Receive permit hearing report from General Manager, any public comment(s), requests to contest, and consider granting, denying, or amending applications for the following Operating Permits and/or Exceptions:

- 1) Aqua Texas Inc, for a proposed well (#2186) to be drilled in Johnson County at 4205 Oak Drive West, Alvarado, Texas 76009; not to exceed 4,500,000 gal. for 2020 annually thereafter; Municipal Use. (Driller of record: To Be Determined).
4. Adjourn or continue permit hearing in whole or in part.

### **Regular Board Meeting**

**The Prairielands GCD Board of Directors may discuss, consider, and take all necessary action, including possible expenditure of funds, regarding each of the agenda items below:**

1. Call to Order and Declare Regular Meeting Open to the Public
2. Roll Call
3. Public Comment (verbal comments limited to 3 minutes per speaker)
4. Consent Agenda. All items are considered routine and self-explanatory and may be considered and approved by one motion of the Board. There will be no separate discussion of the items unless a Board Member so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.
  - a) Minutes of the August 17, 2020 Regular Board of Directors meeting
  - b) Unaudited financial report for the months of August 2020
  - c) August 2020 monthly invoices and payment of bills
5. Administrative and Financials – Kathy Turner Jones
  - a) Update on current administrative and financial activities of the District
6. Update on public outreach activities, educational, and conservation efforts – Sinclair Newby, Public Relations/Educational Administrator
7. Groundwater Management Area 8 – update on activities related to joint planning and the development of desired future conditions – Director Charles Beseda
8. Update and discussion of Brackish Groundwater Production Zones designated by the Texas Water Development Board – Brian Sledge
9. General Manager’s Report and Update – The General Manager will brief the Board on the following administrative, operational, and regulatory matters of the District and any other items included in the General Manager’s written report, which may be discussed, considered, and acted

upon by the Board, including authorizing the initiation of, managing, or resolving enforcement action or litigation where applicable – Kathy Turner Jones

a) Historic Use Permit Applications

10. General Counsel’s Report – The District’s legal counsel will brief the Board on pertinent legal issues and developments impacting the District since the last Board meeting, and legal counsel’s activities on behalf of the District, including without limitation waste injection well monitoring activities including any protests of injection well applications with the Railroad Commission of Texas or the Texas Commission on Environmental Quality, District rules enforcement activities, rules and management plan implementation issues, groundwater-related legislative activities, joint planning and DFC development activities, developments in groundwater case law and submission of legal briefs, contractual issues related to the District, open government, policy, personnel, and financial issues of the District, and other legal activities on behalf of the District – Brian L. Sledge

11. Show Cause Hearing for **Orchard on the Brazos**, pursuant to District Rule 9.6

- a) Show Cause Order directing **Orchard on the Brazos**, (“Respondent”), to appear at a properly called and noticed hearing for such purposes to show cause why the Board should not issue a cease and desist order indefinitely suspending operation of the Well, initiate legal action against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, and other administrative and/or civil penalties, and attorney’s fees and court costs incurred by the District in the prosecution of claims against Respondent, and take all other necessary and appropriate enforcement action against Respondent authorized under the law.
- b) Consider, discuss, and take action on matters raised in the **Orchard on the Brazos** show cause hearing, including, but not limited to, issuing a cease and desist order, authorizing filing of a civil suit against Respondent in State District Court, and taking all other enforcement action described in Agenda Item No. 11.a).
- c) Consider, discuss, and take action on petition from **Orchard on the Brazos** for extension of time to submit Historic Use Permit application.

12. Open Forum / Discussion of New Business for Future Meeting Agendas

13. Adjourn Regular Meeting

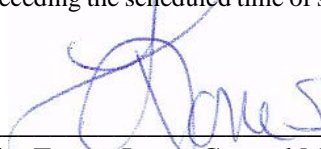
*The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. Public hearings and public meetings of the District are available to all persons regardless of disability. If you require special assistance to attend a hearing or meeting, please call (817)556-2299 at least 24 hours in advance of the hearing or meeting to coordinate any special physical access arrangements.*

At any time during a hearing or meeting of the Prairielands Groundwater Conservation District Board and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon’s Texas Codes, Annotated, the Board may meet in a closed 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); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open hearing or meeting.

**Certification**

I, the undersigned authority, do hereby certify that on September 18, 2020, at or before 9:00 AM, I posted and filed the above notice of meeting(s) and hearing(s) with the Texas Secretary of State, the Johnson County Clerk, and also posted a copy in the front window of the Prairielands GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.



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Kathy Turner Jones, General Manager  
Prairielands Groundwater Conservation District