



# NOTICE OF MEETINGS

## 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**

**9:00 AM, Monday, May 17, 2021**

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 public hearing on permit applications and 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/81017211685?pwd=REUyQXl6K05ndW96c3lnV0hqNjNtUT09>

Meeting ID: 810 1721 1685

Passcode: 157119

or

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

Meeting ID: 810 1721 1685

Passcode: 157119

### **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. Administration of Oath of Office: Barney McClure (Johnson County)
3. Roll Call
4. Receive permit hearing report from General Manager, receive any public comment(s) or

requests to contest, and consider granting, denying, or amending applications for the following Applications for Operating Permits:

1) Silo Mills Investment LLC, for a proposed Operating Permit for a new well (#2441) to be drilled in Johnson County at 3105 FM 917, Joshua, Texas, 76058; not to exceed 41.8 million gallons annually; Filling a Pond or Surface Impoundment and Irrigation of common areas. (Driller of record: Associated Well Services, Inc.)

5. Adjourn or continue permit hearing in whole or in part.

### **Regular Board Meeting**

**The Regular Board Meeting will begin upon adjournment of the Public Hearing on Permits.**

**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 April 19, 2021 Regular Board Meeting Minutes
  - b) Unaudited financial report for the month of April 2021
  - c) April 2021 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/Education Director
7. Consider and act upon Resolution #21-002 approving and submitting the District's Desired Future Conditions Summary Report for GMA8.
8. Appointment of Committees for Prairielands GCD – President Beseda

9. Discussion and possible action to authorize the General Manager to offer a settlement to the following permittees, or their designated representative, for alleged Major Violations of the District's Rules:
  - a) Pumping groundwater in excess of the authorized amount (Rule 3.8(f)):
    - i. Chatt WSC HUP-060
  - b) Failure to submit 2021 2<sup>nd</sup> Quarter Water Use Fees and/or fines associated with the timely submission of fees (Rules 7.3 and 7.6)
    - i. City of Rio Vista HUP-146
    - ii. North Whispering Meadows Water HUP-107
    - iii. Pencco, Inc. (Bardwell Plant) HUP-153
    - iv. Ranch Oaks Mobile Home Park HUP-009
  
10. Discussion and possible action to issue a show cause order directing the following permittees, or their designated representative, to appear at a hearing to show cause why appropriate enforcement action should not be taken by the District, including without limitation initiating a lawsuit against the permittees, for failure to submit a complete and accurate water production report within the required period (Rules 3.15 and 3.16):
  - a) US Midpark LLC HUP-173
  
11. 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
  - b) Enforcement
  
12. 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
  
13. Open Forum / Discussion of New Business for Future Meeting Agendas
  
14. Adjourn Regular Meeting

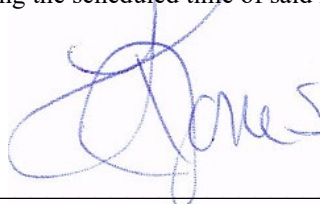
*The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. Public hearings and public meetings of the District are available to all persons regardless of disability. If you require special assistance to attend a hearing or meeting, please 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.

Persons may make comments for or against an application for any type of permit, permit amendment, replacement well, or exception request without the need to request a contested case hearing on the application. However, persons wanting to protest an application involving a permit or permit amendment by requesting a contested case hearing must do so either in writing or by appearing at the public hearing in person or by videoconference or telephone on the date specified in this notice before the time that the Board takes final action on the application, as set forth more specifically in the District Rules.

#### **Certification**

I, the undersigned authority, do hereby certify that on May 14, 2021 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