

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

September 20, 2021

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, within the boundaries of the District at 208 Kimberly Dr, Cleburne, TX, on September, 2021.

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 9:24 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
John Curtis	Kent Smith
Randy Kirk	Marty McPherson
Paul Tischler	Barney McClure

All members of the Board were in attendance, thus constituting a quorum of the Board of Directors. Also, attending 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 sheet(s) received and video conference attendee list are attached hereto as Exhibit "A".*

PUBLIC COMMENTS

None.

CONSENT AGENDA

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

PRESENTATION OF UNAUDITED FINANCIALS FOR THE MONTH OF AUGUST 2021 – Brian Watts, Comptroller

- a) Review of monthly cash flow and cash projection for 2021. Mr. Watts discussed the balance sheet and profit and loss analysis for the month of August 2021. Director Kirk made a motion to approve the finances as presented, and Director Smith seconded the

motion. The motion carried unanimously. Following the motion, Mr. Watts briefly discussed a cash flow projection for the remainder of 2021 for information purposes only and stated there was no action necessary.

- b) Consider and take action to declare the following item(s) surplus and authorize disposal: (1) Ott Transducer and PLC Cable (Damaged). Mr. Watts described the item under consideration as a damaged transducer and cable that had been damaged and rendered inoperable due to lightning strike. Director Curtis made a motion to declare the Ott Transducer and PLC Cable as surplus and authorize disposal of the item(s). Director Kirk seconded the motion and the motion carried unanimously.

CONSIDER AND ACT ON RESOLUTION #21-007 AMENDING ADMINISTRATIVE FEE SCHEDULE AND AUTHORIZE THE GENERAL MANAGER TO TAKE ANY AND ALL ACTION NECESSARY FOR THE IMPLEMENTATION OF THIS RESOLUTION. *Copy of said Resolution #21-007 attached hereto as Exhibit "B".*

Ms. Jones informed the Board that following the July Board of Directors Meeting and the approved amendments to the administrative fee schedule adopted at that meeting, there were still some fee items that needed to be amended for clarification purposes. She added that if approved, the amended administrative fee schedule would be effective immediately. Director Curtis made a motion to approve Resolution #21-007 amending the administrative fee schedule and authorizing the general manager to take any and all action necessary for the implementation of the resolution. Director Smith seconded the motion and the motion carried unanimously.

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

Ms. Newby discussed recent education and outreach events including a Texas A&M AgriLife Extension Healthy Lawns and Healthy Waters event on August 18 and a rainwater harvesting workshop hosted by the District on September 18. She also spoke about an upcoming outreach initiative with teachers within Johnson, Ellis, Hill and Somervell. She concluded her report with a brief discussion of upcoming events and a summary of recent plans for an expansion of the rainwater harvesting system and native landscaping at the District office.

GROUNDWATER MANAGEMENT AREA 8 – UPDATE ON ACTIVITIES RELATED TO JOINT PLANNING IN THE DEVELOPMENT OF DESIRED FUTURE CONDITIONS – Kathy Turner Jones

Ms. Jones stated more information on an upcoming GMA 8 meeting would be shared when either the cancelled July 20, 2021 meeting had been rescheduled or the Explanatory Report was made available.

ENGINEERING REPORT – Wade Oliver, INTERA

Mr. Oliver provided an update on recent discussions with the Rules and Bylaws Committee on September 9 regarding well spacing rules. He also reported there was progress being made on reviewing the feasibility of aquifer storage and recovery within the District. He concluded his report by discussing ongoing progress evaluating data availability and identifying

approaches to efficiently expand the District's monitoring network, and evaluating data for developing water level trends maps.

GENERAL MANAGER'S REPORT AND UPDATE – Kathy Turner Jones

- a) Update on current administrative activities of the District. Ms. Jones reported bookkeeping staff would be busy in the coming weeks preparing fourth quarter payment invoices and FY 2022 payment options letters. She also discussed the recent increase in groundwater production reported to the District. She emphasized how this board meeting was the first to not feature a virtual option via Zoom audio/video conference and how the meetings would be held exclusively in person going forward.

She provided updates on some news related to neighboring groundwater conservation districts, as well as informed the Board that the funding for an amicus brief in the *Mountain Pure TX LLC v. Neches and Trinity Valleys Groundwater Conservation District* case requested by the Texas Alliance of Groundwater Districts and approved by the District Board of Directors in January 2021 would not be utilized since the Texas Supreme Court on September 3rd denied the petition for review filed by Mountain Pure Tx, LLC and no such brief would need to be filed. To conclude her report, Ms. Jones discussed the Texas Alliance of Groundwater Districts' Texas Groundwater Summit held August 31 through September 2 in San Antonio and highlighted the upcoming Texas Water Conservation Association meeting on October 21 and 22.

There being no further discussion, President Beseda announced, "At this time, 10:01 a.m., the Board will recess into a Closed Executive Session to consult with legal counsel on items on today's agenda under Government Code Section(s) 551.071 for consultation concerning attorney-client matters. No action will be taken in closed session. At the conclusion of the closed session, the Board will reconvene in open session with the public."

At 10:57 a.m. President Beseda announced the meeting was reconvening into an open session and was open to the public.

GENERAL COUNSEL'S REPORT – Brian L. Sledge

Mr. Sledge reported he had been working on evaluating amendments of some of the District Rules to make clarifications and working with District staff on permitting issues.

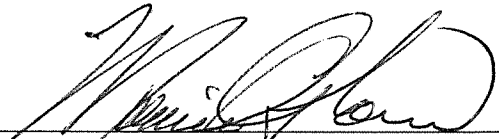
OPEN FORUM / DISCUSSION OF NEW BUSINESS FOR FUTURE MEETING AGENDAS

None.

ADJOURN

There being no further business, Director McPherson made a motion to adjourn the meeting which was seconded by Director Smith. The motion passed unanimously. The meeting was adjourned at 11:00 a.m.

PASSED, APPROVED, AND ADOPTED THIS 18th DAY OF OCTOBER 2021.


Maurice Osborn, Secretary/Treasurer



Public Hearing and Regular Board Meeting

Sign-In Sheet

September 20, 2021

**** Note: If you are speaking, please limit to 3 minutes ****

Name	Business	Phone #	Email Address	Speaking? (YES / NO)

Exhibit "B"

RESOLUTION NO #21-007

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

RESOLUTION AMENDING ADMINISTRATIVE FEE SCHEDULE FOR THE PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT PURSUANT TO §36.205 OF THE TEXAS WATER CODE

THE STATE OF TEXAS

§

§

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

§

WHEREAS, the Prairielands Groundwater Conservation District (the “District”) was created as a groundwater conservation district by the 81st Texas Legislature under the authority of Section 59, Article XVI, of the Texas Constitution, and in accordance with Chapter 36 of the Texas Water Code by the Act of May 31, 2009, 81st Leg., R.S., ch. 1208, 2009 Tex. Gen. Laws 3859, codified at TEX. SPEC. DIST. LOC. LAWS CODE ANN. ch. 8855 (“the District Act”);

WHEREAS, pursuant to said Act, the Board of Directors of the District has the permitting and general management powers granted under Chapter 36 of the Texas Water Code;

WHEREAS, § 36.205(a) of the Texas Water Code authorizes a groundwater conservation district to set fees for administrative acts of the District;

WHEREAS, on July 19, 2021, the Board of Directors adopted an amended Administrative Fee Schedule effective September 1, 2021; and

WHEREAS, upon further review the District staff review has determined corrections to the administrative fee schedule as previously adopted are necessary and appropriate.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:

1. The “amended” administrative fee schedule attached hereto is hereby adopted as the administrative fee schedule of the District;
2. The administrative fee schedule so adopted shall be effective beginning September 20, 2021 and continue in effect until modified by the Board of Directors.
3. The administrative fee schedule so adopted shall supersede any and all such fees previously adopted by Resolution or other action of the Board of Directors.
4. The General Manager is further authorized to take any and all reasonable action

necessary for the implementation of this resolution.

AND IT IS SO ORDERED

PASSED AND ADOPTED this 20th day of September 2021.

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

By: Charles Bered
President

ATTEST:

I, Maurice Osborn, certify that I am Secretary/Treasurer of the
Prairielands Groundwater Conservation District organized and existing under the laws of the
State of Texas, and that the resolutions on this document are a correct copy of the resolutions
adopted at a meeting of the District duly and properly called and held on September 20, 2021.
Said resolution appears in the minutes of this meeting and has not been rescinded or modified.

Maurice Osborn
Secretary

[SEAL]





Attachment

ADMINISTRATIVE FEE SCHEDULE

OF THE

PRAIRIE LANDS GROUNDWATER CONSERVATION DISTRICT

Effective

September 20, 2021

Administrative Fees:

1. **Change of Ownership** = \$100
2. **Recording Fees** (County Clerk's Office) = Actual Cost + 10%
3. **Publication Fees** = \$75 per applicable well spacing application
4. **Well Spacing Tool** = \$250 for each additional run of tool (1 run included with application)
5. **Returned Check** fee = \$50
6. **Certified/Return Receipt Mailing** for non-compliance or violations of District Rules = Cost or minimum of \$10
7. **Meter Verification** re-inspection = \$250 each site visit
8. **Well Abandonment/Capping** Re-Inspection = \$500 a well
9. **Request for GPS Well Location and/or Verification** of GPS Location = \$100 per well
10. **Monthly Payment of Permitted Water Use Fees** = surcharge of five (5) percent on the amount owed for the ensuing month
11. **Credit Card Fee** = not to exceed five (5) percent of the transaction
12. **Late Fee** = \$25.00 or ten (10) percent of the total amount due and owing

Application Fees:

1. Exception to **Minimum Tract Size** Requirements:
 - a. Exception that does **NOT** require Notice and Hearing = \$250.
 - b. Exception that **DOES** require Notice and Hearing = \$750.
2. Exceptions to **Well Spacing** Requirements = \$750
3. **Well Registration** Fee = \$500 per "new" well
 - a. Application to Amend Well Registration = NC
 - b. Application to Extend Well Registration Completion requiring Board approval = \$250
 - c. Change of Ownership = \$100
4. **Replacement Well** Application Fee:
 - a. Authorization does **NOT** require Notice and Hearing = \$250.

- b. Authorization **DOES** require Notice and Hearing = \$750.
- 5. Application for **Operating Permit** = \$1,000
- 6. Application to **Amend Operating Permit**:
 - a. Additional Production Authorization= \$750
 - b. Add well ONLY with NO additional Production Authorization = \$1000
- 7. Application for **Compliance Order** = \$1,500
- 8. **Permit Renewal** = \$150 per well