

# PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

May 16, 2022

## MINUTES OF PUBLIC HEARING ON APPLICATION FOR EXCEPTION TO MINIMUM SPACING REQUIREMENTS

The Board of Directors of the Prairielands Groundwater Conservation District (“District”) met in special session, open to the public, within the boundaries of the District at 208 Kimberly Dr, Cleburne, TX, on May 16, 2022.

President Charles Beseda presided and called the public hearing to order at 9:03 a.m., announcing the meeting open to the public.

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

Charles Beseda  
John Curtis  
Randy Kirk  
Paul Tischler

Maurice Osborn  
Brad Daniels  
Marty McPherson  
Barney McClure

All members of the Board were in attendance, with the exception of Director(s) Kirk and Tischler, thus constituting a quorum of the Board of Directors. Also present 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 are attached hereto as Exhibit “A” to the May 16, 2022 Regular Board Meeting minutes.*

### RECEIVE PUBLIC HEARING REPORT FROM GENERAL MANAGER, ANY PUBLIC COMMENT(S), REQUESTS TO CONTEST AND CONSIDER GRANTING, DENYING, OR AMENDING APPLICATION FOR THE FOLLOWING APPLICATION FOR EXCEPTION TO MINIMUM SPACING REQUIREMENTS

1) Betty Vaughn, to continue operation of a domestic well located at 1232 E Red Deer Road, Cleburne, Texas 76031 in Johnson County. Ms. Jones reported the applicant is seeking an exception to minimum spacing requirements for a domestic well that had been registered with the District in August 2021. She stated that since then, the property was replatted and the new plat led to the well’s location not in compliance with District rules. Ms. Jones requested the Board go into Closed Executive Session to consult with general counsel on matters related to this application.

President Beseda announced, “At this time, 9:05 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.”

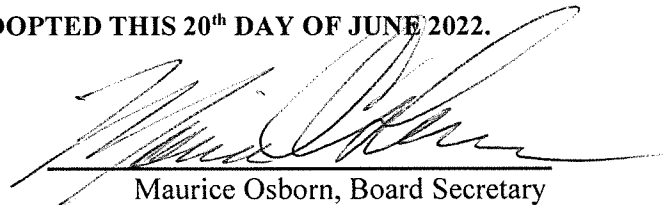
At 9:32 a.m. President Beseda announced the meeting was reconvening into an open session and was open to the public.

Ms. Jones asked Ms. Vaughn or her representative to come forward to the podium and provide more information on the issues they are facing which have initiated this request for a spacing exception. Mr. Christopher Fitzgerald, owner of “Lot 4”, addressed the board and explained that his grandmother, Ms. Vaughn, gave land to her grandchildren, which subdivided the original 24-acre tract into four smaller tracts. Mr. Fitzgerald listed all of the revisions that had been made to the plats due to trying to comply with county, city, Johnson County SUD, and Prairielands GCD requirements. He stated that Johnson County SUD informed them the lots would have no access to water for the additional homes being constructed, so since April 2021, he and his family had invested over \$70,000 on the well, pumps, and storage tanks.

Director Osborn made a motion to approve the application for exception to minimum spacing requirements based on the unique circumstances under consideration for this situation. Director McClure seconded the motion and it carried unanimously.

There being no further discussion, Director McPherson made a motion to adjourn the public hearing. Director Curtis seconded the motion and the motion carried unanimously. The public hearing was adjourned at 9:43 a.m.

**PASSED, APPROVED, AND ADOPTED THIS 20<sup>th</sup> DAY OF JUNE 2022.**



Maurice Osborn, Board Secretary