



# **NOTICE OF PUBLIC HEARINGS AND BOARD MEETING**

**OF THE BOARD OF DIRECTORS  
Of the  
PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT  
To be held**

**Prairielands GCD – Board Room  
208 Kimberly Drive  
Cleburne, TX 76031**

**9:00 AM, Monday, September 18, 2023**

## **Special Meeting**

1. Execution of Statement of Appointed Officer
2. Administer Oaths of Office and execution of Oath of Office form
  - 1) Maurice Osborn
  - 2) Charles Beseda
  - 3) Barney McClure
  - 4) John Curtis
3. Adjourn Special Meeting

## **Public Hearing on Amendments to the District Rules**

**The Public Hearing on Amendments to the District Rules will begin at 9:00 AM or upon adjournment of the above-listed Special Meeting.**

**The Prairielands GCD Board of Directors will hold a public hearing, accept public comment, and may act to adopt amendments to the District Rules regulating water wells within the boundaries of the District, including Ellis, Hill, Johnson, and Somervell Counties, Texas.**

1. Call to order and declare public hearing on amendments to the District Rules open to the public.
2. Roll call.

3. Presentation by the District's legal counsel, SledgeLaw Group, PLLC, on proposed amendments to the District Rules.
4. Receive public comment(s) on proposed amendments to the District Rules.
5. Discussion, consideration, and possible action adopting Resolution #23-009 approving amendments to the District's Rules for groundwater wells in Ellis, Hill, Johnson, and Somervell Counties, Texas, in the form originally published or with changes based upon comments received.
6. Adjourn or Continue Public Hearing.

## **Public Hearing on Permit Applications**

**The Hearing on Permit Applications will begin upon adjournment of the above-listed Public Hearing on Rule Amendments.**

**The Prairielands GCD Board of Directors will hold a hearing on the below-listed application(s) for an Operating Permit. Notice of the Hearing on Permit Applications was also posted separately in accordance with the District Rules, and Chapter 36, Texas Water Code, no later than 10 days prior to the date of this hearing.**

1. Call to order and declare public hearing open to the public
2. Roll call
3. Board will receive a report from the General Manager describing the following applications for an Operating Permit and the General Manager's recommendation to the Board:
  - 1) Ron Sturgeon Real Estate LP, for a proposed Operating Permit (OP-23-047) for authorization to produce groundwater from an existing well (PGCD-000313) located in Johnson County at 12521 E FM 917, Alvarado, TX; not to exceed 3,128,250 gallons annually for 2023→2027; Commercial Use (KB); and
  - 2) Senor Muffler, Inc., for a proposed Operating Permit (OP-23-048) for authorization to drill a new well (PGCD-003262) to be located in Johnson County at 10545 County Road 506, Venus, TX; not to exceed 250,000 gallons in 2023 and 500,000 gallons annually for 2024→2027; Commercial Use (AK)
4. Receive public comment(s) or requests to contest the above-listed applications for Operating Permits.
5. Discussion, consideration, and possible action on the above-listed applications for Operating Permits.
6. Adjourn or continue public hearing in whole or in part.

## **Regular Board Meeting**

**The Regular Board Meetings will begin at 9:00 A.M. or upon adjournment of the above-listed Hearing on Permit Applications.**

**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. Presentation of 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 requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.
  - a. Minutes of the August 21, 2023, Hearing on Permit Applications
  - b. Minutes of the August 21, 2023, Board of Directors Meeting
  - c. August 2023 monthly invoices and payment of bills
5. Finance Report – Brian Watts, Comptroller
  - a. Presentation of unaudited financials for the month of August 2023
6. Consider for approval of application to extend well registration: Well ID 2703 (Buena Vista Bethal SUD) – Kathy Turner Jones
7. Discuss, consider, and take action to authorize the General Manager to authorize purchase and installation of controlled gate access and perimeter fencing; not to exceed \$23,500 – Kathy Turner Jones/Michael Heath
8. Policy and Personnel Committee – Marty McPherson, Committee Chair
  - a. Review and action as necessary regarding Texas County District Retirement System’s Plan Assessment for Plan Year 2023-2024 – Kathy Turner Jones
  - b. Report and recommendations from Board’s Policy and Personnel Committee to consider adoption of Resolution #23-010 authorizing revisions to the District’s personnel policies and procedures and to further authorize the General Manager to take any and all action necessary for the implementation of this Resolution – Kathy Turner Jones

- c. Discuss, consider, and take action as necessary to approve changes to General Manager's compensation package and performance review – Marty McPherson
9. Update on public outreach activities, educational, and conservation efforts – Kaylin Garcia, Public Relations/Education Director
10. Hydrogeologist Report – Wade Oliver, INTERA, Inc.
  - a. Update on District involved activities.
  - b. Update on activities related to Groundwater Management Area 8 joint planning and the development of desired future conditions.
11. Planning and Development Committee – John Curtis, Committee Chair
  - a. Discuss, consider, and take action as necessary to adopt Resolution #23-011 authorizing a percentage increase of groundwater production for calendar year 2023 under Rule 5.10 due to an extreme drought – John Curtis/Kathy Jones
12. Update on well monitoring and field operations – Michael Heath, Field Operations Coordinator
13. 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. Update on current administrative activities of the District
  - b. Monthly update on well registrations and groundwater production reports
  - c. Drought Monitoring
  - d. Enforcement
14. 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 Sledge, Legal Counsel, SledgeLaw Group, PLLC

15. Consider and take action as necessary to elect officers (2.4 Bylaws)
16. Open Forum / Discussion of New Business for Future Meeting Agendas
17. 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 in writing in accordance with District Rule 10.6 that is either received by the District or submitted at the public hearing in person 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 September 14, 2023 at or before 5:00 PM, I posted and filed the above notice of meeting(s) and hearing(s) with the Texas Secretary of State, the Johnson, Ellis, Somervell, and Hill counties' clerk offices, 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.

Prairielands Groundwater Conservation District



Kathy Turner Jones, General Manager