

**PANHANDLE GROUNDWATER
CONSERVATION DISTRICT
BOARD OF DIRECTOR'S REGULAR MEETING
MINUTES**

DISTRICT OFFICE - Windmill Room
201 W. Third Street, White Deer, Texas
May 11, 2021 – 8:30 a.m.

Those Present Were:

Phillip Smith	President
Chancy Cruse	Vice-President
William Breeding	Secretary
Charles Bowers	Director
Butch Collard	Director
Danny Hardcastle	Director
David Hodges	Director
John R. Spearman	Director
Jim Thompson	Director
Devin Sinclair	Director
Lee Peterson	Director
CE Williams	General Manager
Britney Britten	Asst. General Manager
Kelly Lane	Compliance Officer
Ashley Ausbrooks	Hydrogeologist
Julie Bennett	Permitting Administrator

Guests Present: Floyd Hartman, City of Amarillo; Julie Allegretti, City of Amarillo; Andrew Freeman, City of Amarillo; Ryan Berry, Producer; Dale Brooks, Producer; Lance Ollinger, Producer; Leland Gabel, Producer; Dennis Babcock, Producer; Kent Satterwhite, CRMWA; Wes Williams, Operator; Lance Williams, Operator; Mike Friemel, Operator; Joe Terhune, Ochiltree Co. Operator; Bonnie Terhune, Ochiltree Co. Operator; Austin Terhune, Ochiltree Co. Operator; Brett Friemel, Operator

1. CALL MEETING TO ORDER

The meeting was called to order at 8:30 a.m.

2. PUBLIC COMMENT – Please limit comments to 3 minutes.

There was no public comment – The Board introduced themselves to those in attendance.

3. CONSIDERATION AND POSSIBLE ACTION ON MARCH 25, 2021 MINUTES

Danny Hardcastle made the motion to approve the March 25, 2021 minutes as written, seconded by William Breeding. Motion passed unanimously.

4. CONSIDERATION AND POSSIBLE ACTION ON EXPENDITURES

- a) March 2021
- b) April 2021

William Breeding made the motion to approve the March 2021 expenditures, seconded by Jim Thompson. Motion passed unanimously.

Chancy Cruse made the motion to approve the April 2021 expenditures, seconded by John R Spearman. Motion passed unanimously.

A copy of the financial statement(s) is attached to these minutes.

5. CONSIDERATION AND POSSIBLE ACTION ON AMENDMENT TO PARTICIPATION AGREEMENT FOR EAST GATEWAY TAX INCREMENT ZONE NUMBER TWO, AMARILLO, TEXAS

Andrew Freeman, Managing Director of Planning and Special Projects for City of Amarillo addressed the Board on behalf of the TIRZ #2 Board. Mr. Freeman stated that the Board is requesting 449 acres be added to the TIRZ #2 zone for a total of 1,389 acres, adding that this amendment has been approved by all the other taxing entities in Potter County.

John R Spearman made the motion to approve the amendment to TIRZ #2 agreement adding 449 acres located within the Panhandle Groundwater District to the TIRZ #2 zone, seconded by Jim Thompson. Motion passed unanimously.

6. RECESS FOR PROPOSED DESIRED FUTURE CONDITIONS HEARING AT 9:00 AM

President Smith recessed the meeting at 8:59 am for the Public Hearing on the Desired Future Conditions.

CALL TO ORDER

President Smith called the Public Hearing to order at 9:00

PROPOSED DESIRED FUTURE CONDITIONS PRESENTATION

General Manager C.E. Williams gave a presentation regarding the proposed Desired Future Conditions. There was no formal comment.

The presentation is attached to these minutes.

President Smith reconvened the regular meeting at 9:30 am

7. CONSIDERATION AND POSSIBLE ACTION ON WELL #364502 IN ROBERTS COUNTY PUMPING WATER TO AN IRRIGATION SYSTEM LOCATED IN OCHILTREE COUNTY.

Joe Terhune addressed the Board stating he was not aware of the District's rules that apply to his well in Roberts County until he received a letter from the District. He stated he is willing to work with the District to come into compliance, however, his biggest concern is being able to continue with the same farming

practices he has used for years, due to the section being in two different groundwater districts with different rules concerning pumping. Per the appraisal districts he has 100 acres in Roberts County and 528 acres in Ochiltree County, however when using the ARC GIS map to measure the section there is 640 acres, 160 acres in Roberts County and 480 acres in Ochiltree County. Much discussion ensued concerning the number of acres to use for permitting and how to blend the total production of the wells.

Charles Bowers made the motion for the PGCD staff to contact the NPGCD staff to resolve the issue of the number acres to permit and the blending of the production of the wells, seconded by Butch Collard. Motion passed unanimously.

8. CONSIDERATION AND POSSIBLE ACTION ON DRAFT SETTLEMENT AGREEMENT METES AND BOUNDS DESCRIPTION OF THE BOUNDARY BETWEEN PGCD AND HPWD

Director Hardcastle stated on April 7th he, Williams and Britney Britten met with representatives from the High Plains Water District. They settled on a tentative agreement transferring all of Sections 195, 196, 126 and a small portion of 77, Block 9, H&GN Survey to HPWD since most of the wells in these sections were permitted by High Plains. Of all the wells located in these sections, there are only two registered domestic wells by PGCD.

Danny Hardcastle moved to go into executive session under Texas Open Meetings Act Chapter 551 Government Code 551.071 Legal Matters.

The Board recessed into executive session at 1:08 pm and reconvened at 2:46 pm.

Danny Hardcastle made the motion to continue with the tentative agreement and pursue a declaratory judgement and seek proper legal representation to achieve it, seconded by Devin Sinclair. Motion passed unanimously.

9. CONSIDERATION AND POSSIBLE ACTION N AG LOANS

a) Bill Craft

Charles Bowers made the motion of approve the ag loan request from Bill Craft in the amount of \$42,180.80, seconded by William Breeding. Motion passed unanimously.

10. CONSIDERATION AND POSSIBLE ACTION ON QUARTERLY PRODUCTION REPORTS AND OUT OF DISTRICT TRANSPORTATION REPORTS FROM THE CITY OF AMARILLO, CONOCO PHILLIPS, CRMWA, THE CITY OF BORGER, THE CITY OF FRITCH, THE CITY OF MEMPHIS, THE CITY OF CLARENDON, BRICE-LESLEY AND GREENBELT WATER AUTHORITY

Jim Thompson made the motion to approve the quarterly production and out of district transportation reports, seconded by Charles Bowers. Motion passed unanimously.

11. CONSIDERATION AND POSSIBLE ACTION ON POTTER COUNTY SHERIFF'S SALES

a) 805 S. Florida Bid: \$11,599.03

b) 1008 Melody Ln. Bid: \$99,068.81

Charles Bowers made the motion to approve item (a), seconded by Butch Collard. Motion passed unanimously.

William Breeding made the motion to approve item (b), seconded by Charles Bowers. Motion passed unanimously.

12. CONSIDERATION AND POSSIBLE ACTION FOR TRUST PROPERTIES IN CARSON COUNTY
a) Lots 1-5 Block 1 OT of Skellytown – 100 Main Street Skellytown, TX. 79080
Bid: \$1,500.00

John R Spearman made to motion to approve item (a), seconded by Danny Hardcastle. Motion passed unanimously.

13. CONSIDERATION AND POSSIBLE ACTION ON TAX DEEDS AND PROPERTY CARDS FOR TRUST PROPERTY IN THE CITY OF MCLEAN
a) Parcel 14893 Bid: \$212.00
b) Parcel 14543 Bid: \$220.00
c) Parcel 15134 Bid: \$7,013.00
d) Parcel 15179 Bid: \$3,150.00

William Breeding made the motion to approve items a-d, seconded by Jim Thompson. Motion passed unanimously.

14. CONSIDERATION AND POSSIBLE ACTION ON TAX DEEDS AND PROPERTY CARDS FOR TRUST PROPERTY IN THE CITY OF HOWARDWICK
- | | | |
|--------------------------------|--------------------------------|---------------------------------|
| a) Parcel 6909 Bid: \$102.00 | y) Parcel 8270 Bid: \$106.00 | ww) Parcel 8934 Bid: \$100.00 |
| b) Parcel 6920 Bid: \$601.00 | z) Parcel 8275 Bid: \$121.00 | xx) Parcel 8941 Bid: \$1501.00 |
| c) Parcel 6930 Bid: \$400.00 | aa) Parcel 8284 Bid: \$125.00 | yy) Parcel 9046 Bid: \$100.00 |
| d) Parcel 6936 Bid: \$400.00 | bb) Parcel 8286 Bid: \$125.00 | zz) Parcel 9086 Bid: \$102.75 |
| e) Parcel 7015 Bid: \$101.00 | cc) Parcel 8311 Bid: \$111.00 | aaa) Parcel 9106 Bid: \$10.00 |
| f) Parcel 7018 Bid: \$171.00 | dd) Parcel 8314 Bid: \$126.76 | bbb) Parcel 9294 Bid: \$105.00 |
| g) Parcel 7041 Bid: \$100.00 | ee) Parcel 8354 Bid: \$126.75 | ccc) Parcel 9503 Bid: \$100.00 |
| h) Parcel 7042 Bid: \$100.00 | ff) Parcel 8357 Bid: \$110.00 | ddd) Parcel 9586 Bid: \$176.26 |
| i) Parcel 7059 Bid: \$121.55 | gg) Parcel 8471 Bid: \$1005.00 | eee) Parcel 9589 Bid: \$555.00 |
| j) Parcel 7118 Bid: \$100.00 | hh) Parcel 8478 Bid: \$1002.00 | fff) Parcel 9700 Bid: \$100.00 |
| k) Parcel 7119 Bid: \$100.00 | ii) Parcel 8728 Bid: 100.00 | ggg) Parcel 9709 Bid: \$400.00 |
| l) Parcel 7192 Bid: \$1,111.00 | jj) Parcel 8730 Bid: \$100.00 | hhh) Parcel 9720 Bid: \$100.00 |
| m) Parcel 7201 Bid: \$251.00 | kk) Parcel 8758 Bid: \$126.75 | iii) Parcel 9754 Bid: \$900.00 |
| n) Parcel 7202 Bid: \$251.00 | ll) Parcel 8768 Bid: \$100.00 | jjj) Parcel 9791 Bid: \$810.00 |
| o) Parcel 7205 Bid: \$102.76 | mm) Parcel 8814 Bid: \$105.00 | kkk) Parcel 9851 Bid: \$125.00 |
| p) Parcel 7222 Bid: \$151.00 | nn) Parcel 8821 Bid: \$105.00 | lll) Parcel 9880 Bid: \$150.00 |
| q) Parcel 7536 Bid: \$171.00 | oo) Parcel 8823 Bid: \$105.00 | mmm) Parcel 9885 Bid: \$150.00 |
| r) Parcel 7605 Bid: \$150.00 | pp) Parcel 8828 Bid: \$105.00 | nnn) Parcel 9894 Bid: \$150.00 |
| s) Parcel 7844 Bid: \$100.00 | qq) Parcel 8846 Bid: \$206.00 | ooo) Parcel 9887 Bid: \$125.00 |
| t) Parcel 7855 Bid: \$410.00 | rr) Parcel 8848 Bid: \$127.75 | ppp) Parcel 9999 Bid: \$100.00 |
| u) Parcel 7898 Bid: \$100.00 | ss) Parcel 8850 Bid: \$100.00 | qqq) Parcel 10001 Bid: \$100.00 |
| v) Parcel 8219 Bid: \$161.00 | tt) Parcel 8852 Bid: \$250.00 | rrr) Parcel 10002 Bid: \$100.00 |
| w) Parcel 8238 Bid: \$102.78 | uu) Parcel 8891 Bid: \$106.00 | |
| x) Parcel 8242 Bid: \$102.78 | vv) Parcel 8929 Bid: \$100.00 | |

Chancy Cruse made the motion to approved items a-rrr, seconded by Charles Bowers. Motion passed unanimously.

15. CONSENT AGENDA – DRILLING PERMITS

The following items are part of the Consent Agenda. All Well Permit requests have been thoroughly reviewed by staff, are administratively complete and the General Manager is recommending issuance.

RECLASSIFY WELLS – None

DRILLING PERMITS FOR WELLS PUMPING MORE THAN 25,000 GALLONS A DAY OR 17.5 GPM

- a) Steve Hightower – An 8” well to be drilled on 621.55 ac by Lichtie Drilling by 4.1.21 to be located in the SW4 of Sec 4, Blk 2, TT RR Survey (being located SW of Panhandle on Hwy 60 to FM 2385, then approx. 3 mi N on FM 2385 to the intersection of CR 16 & FM 2385) **WELL #1 CARSON CO**
- b) Steve Hightower – An 8” well to be drilled on 621.55 ac by Lichtie Drilling by 4.1.21 located in the SE4 of Sec 4, Blk 4, TT RR Survey (being located SW of Panhandle on Hwy 60 to FM 2385, then approx. 3 mi N of FM 2385 to the intersection of CR 16 & FM 2385) **WELL #2 CARSON CO**
- c) Robinson Land & Cattle – A 6” well to be drilled on 4490 ac by Lichtie Drilling by 4.1.21 located in the NE4 of Sec 145, Blk 7, I&GN Survey (being located approx. 3 mi E of Panhandle on CR 11 to CR R, then approx. 6 mi S to CR 7, then 1 ¾ mi E on CR 7) **CARSON CO**
- d) Robinson Land & Cattle – A 6” well to be drilled on 4490 ac to Lichtie Drilling by 4.1.21 located in the NE4 of Sec 142, Blk 7, I&GN Survey (being located approx. 3 mi E of Panhandle on CR 11 to CR R, then approx. 4 mi S to CR 7, then 1 ¾ mi E on CR 7) **CARSON CO**
- e) Zach Stone – A 4” well to be drilled on 480 ac by himself by 4.1.21 located in the NW4 of Sec 96, Blk C-6, GC&SF Survey (being located S of Leila Lake on FM 1754 approx. 2 1/5 mi to CR W then approx. 2 mi S on CR 19 to CR Y, S side of CR Y) **DONLEY CO**
- f) Kenneth Corse – Increasing the size of an existing 1” well to a 3” well located on 890 ac in the SW4 of Sec 62, Blk A-6, H&GN Survey (being located approx. 2 ½ mi W of Gray-Wheeler county line on Hwy 152 to FM 2857, E side of FM 2857, N side of Hwy 152) **GRAY CO**
- g) Wayne Benefield – A 4” well to be drilled on 160 ac by Roy Hartley by 4.1.21 to be located in the SE4 of Sec 18, Blk A-4, H&GN Survey (being located 2 ½ mi E of Wheeler on Hwy 152 to CR 18, N on CR 18 approx 1 mi, W side of CR 18) **WHEELER CO**

Jim Thompson made the motion to approve drilling permits a-g, seconded by David Hodges. Motion passed unanimously.

16. REPORT FROM SCHOLARSHIP COMMITTEE

Director Bowers reported that the scholarship committee met on April 29th with himself, David Hodges, Britney Britten and Suzy Pool in attendance. Jim Thompson sent his scored applicants in before the meeting. They reviewed 30 scholarship essays and applications, awarding Mason Zamudio of Pampa \$4000, Jarique Mitchell of Ft. Elliott \$3000, and Michael Goad of Ft Elliott \$2000. Bowers stated that during the meeting it was discussed, that for privacy reasons the scholarship committee only score the essay, grades, and extra-curricular activities and suggests hiring a consultant to review the financial part of the application.

Danny Hardcastle made the motion to accept the recommendation of the scholarship committee to hire a consultant to score the financial part of the scholarship applications, seconded by William Breeding. Motion passed unanimously.

17. CANVASS MAY 1 ELECTION RETURNS

General Manager C.E. Williams reported the election returns, stating in Precinct 1 Phillip Smith received 5 early votes and 3 election day votes, giving him a total of 8 votes. Devin Sinclair received 16 early votes and 3 election day votes, giving him a total of 19 votes. In Precinct 9 Brian Walker received 168 absentee votes, 875 early votes and 456 election day votes, giving him a total of 1,499 votes. Lee Peterson received 272 absentee votes, 1,128 early votes and 688 election day votes, giving him a total of 2,088 votes. J Zimmer received 88 absentee votes, 407 early votes and 232 election day votes, giving him a total of 727 votes. Tim Ingalls received 183 absentee votes, 728 early votes and 442 election day votes, giving him a total of 1,353 votes.

William Breeding made the motion to accept the Precinct 1 election results, seconded by Jim Thompson. Motion passed unanimously.

Butch Collard made the motion to accept the Precinct 9 election results, seconded by Danny Hardcastle. Motion passed unanimously.

18. CERTIFICATION OF ELECTION

General Manager C.E. Williams certified for the Director Election scheduled for May 1, 2021 only one person signed a petition to run for the position in Precinct 3, 5, and 7 of the Panhandle Groundwater Conservation District. Therefore, each candidate is unopposed and is duly elected.

Certification of Election is attached to the minutes.

19. PRESENTATION AND RECOGNITION OF SERVICE FOR PRESIDING OFFICER PHILLIP SMITH AND DIRECTOR F.G. BUTCH COLLARD

Phillip Smith and F.G. Butch Collard were presented with clocks in appreciation of their 31 years and 10 years of service respectively to the District.

Phillip Smith stated that he feels the District has made great strides in water conservation during his time on the board. Water conservation is not an easy battle that everyone is involved in and especially important when considering the use of the water.

Butch Collard stated that the job of District is getting more important all the time. He believes more public education is necessary, that farmers need to understand that if they are going to keep their water, they need to protect it and dreads the day the state decides to take ownership of it. Therefore, we all need to take care of business and protect the water now.

20. STATEMENT OF OFFICERS

The Statement of Officers is attached to these minutes.

21. ADMINISTOR OATH OF OFFICE TO NEWLY ELECTED DIRECTORS

- The Honorable Robert Peets, Mayor of White Deer

The Oath of Office is attached to these minutes.

The Board took a short recess from 10:10 am to 10:17 am

22. ELECT OFFICERS TO BOARD OF DIRECTORS

Charles Bowers made the motion to elect Jim Thompson as Board President by acclamation, seconded by Danny Hardcastle. Motion passed unanimously.

Charles Bowers made the motion to elect Chancy Cruse as Vice-President by acclamation, seconded by David Hodges. Motion passed unanimously.

William Breeding made the motion to elect David Hodges as Secretary by acclamation, seconded by John R. Spearman, Jr. Motion passed unanimously.

23. DISCUSSION ON DISTRICT RULE AMENDMENTS

With the election complete and the new board members sworn in the Board decided to set a date for a District Rules work session.

William Breeding made the motion to set the date of the rules work session for Tuesday July 13, 2021 at 9:00 am, seconded by John R. Spearman, Jr. Motion passed unanimously.

24. CONSIDERATION AND POSSIBLE ACTION ON DISTRICT METER STANDARDS

Assistant Manager Britney Britten made the Board aware that there have been some instances of possible meter tampering, so the staff is asking for direction on how to handle the issue. Britten continued stating the current meter standards could be followed, fining the operator for not reporting non-operational meters. The installing of a lock on the meter, that if broken would indicate tampering was suggested by Compliance Officer Kelly Lane. Director Sinclair clarified that what is being discussed is more of seal than a lock. That the operator would not be locked out of being able to read their meter.

William Breeding made the motion to order the meter seals and install them, seconded by David Hodges. Motion passed unanimously.

25. CONSIDERATION AND POSSIBLE ACTION TO APPOINT BUDGET COMMITTEE

After discussion Danny Hardcastle, Lee Peterson, Chancy Cruse and John R. Spearman, Jr. were appointed to the budget committee with William Breeding as alternate.

26. CONSIDERATION AND POSSIBLE ACTION TO APPOINT PGCD RULES COMMITTEE

After discussion Jim Thompson, Devin Sinclair, David Hodges, and Charles Bowers were appointed to the rules committee with John R. Spearman, and Danny Hardcastle as alternates.

27. STAFF UPDATES

- a) Presentation on Preliminary Aquifer Conditions – *Ashley Ausbrooks, Hydrogeologist*

The preliminary aquifer conditions were presented by District Hydrogeologist Ashley Ausbrooks based on the water level measurements of the 838 wells measured from November 2020 to the end of March 2021.

Presentation is attached to these minutes.

- b) Report update on new INTERA database

Britten said the new Database has been migrated over the PGCD's internal server and the staff is currently working with INTERA to troubleshoot issues, learn and work out any kinks.

28. MANAGER'S REPORT

- a) Update on TWDB Ag Water Conservation Loan
b) Report on TWDB Grant Request

No action taken

Manager's report attached to these minutes.

The Board recessed for lunch from 12:05 pm to 1:07 pm

29. CONSIDERATION AND POSSIBLE ACTION TO SET FUTURE MEETING DATES

The next meeting date is set for July 15, 2021 at 9:00 am

30. CYBERSECURITY AWARENESS TRAINING VIDEO

The Board and Staff took part in the cybersecurity training presented by Texas Alliance of Groundwater Districts.

31. ADJOURN

William Breeding made the motion to adjourn the meeting, seconded by Charles Bowers. Meeting adjourned at 3:22 pm



David Hodges, Secretary



Jim Thompson, President