

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

DISTRICT OFFICE - Windmill Room  
201 W. Third Street, White Deer, Texas  
October 26, 2021 – 9:00 a.m.

Those Present Were:

Jim Thompson	President
Charles Bowers	Director
Bill Breeding	Director
Devin Sinclair	Director
John R. Spearman	Director
Britney Britten	General Manager
Aspen Edgar	PR/Education Director

Guests Present: Julie Allegretti, City of Amarillo; Chad Pernell, CRMWA; Kent Satterwhite CRMWA; Kevin Carter, Amarillo EDC

1. CALL PUBLIC MEETING TO ORDER

President Thompson called the meeting to order at 9:11 a.m.

2. INTRODUCTIONS

3. EXPLANATION OF DISTRICT TAX ABATEMENT GUIDELINES AND CRITERIA

Kevin Carter with the Amarillo EDC explained the state statute says for the District to provide a tax abatement to a business you must follow specific guidelines. This allows us to give a tax abatement to a business or prospect and must be renewed every two years.

4. PUBLIC COMMENT

There was no public comment.

5. ADJOURN PUBLIC MEETING

President Thompson called to adjourn the public meeting at 9:14 a.m.

***John R. Spearman made the motion to adjourn the public meeting, seconded by Charles Bowers. Motion passed unanimously.***

6. CALL REGULAR MEETING TO ORDER

President Thompson called the regular meeting to order at 9:14 a.m.

7. PUBLIC COMMENT

There was no public comment.

8. CONSIDERATION AND POSSIBLE ACTION ON RESOLUTION TO REAUTHORIZE GUIDELINES AND CRITERIA FOR PROPERTY TAX ABATEMENTS

Britney Britten, General Manager said there were no changes to the guidelines, and asked the Directors if there were any suggestions on additions. There were no official changes, but Director Bowers asked Carter if they could help inform those asking for abatements about the benefits of rainwater harvesting systems, especially on these buildings where they could use the water for landscaping. Carter said he would mention it to applicants, and suggested that be an addition to the District's guidelines next time we reauthorize them.

***John R. Spearman Jr. made the motion to approve the guidelines and criteria for property tax abatements, seconded by Charles Bowers. Motion passed unanimously.***

9. CONSIDERATION AND POSSIBLE ACTION ON AN APPLICATION FOR PROPERTY TAX ABATEMENT UNDER CH. 312 OF THE TEXAS TAX CODE, DESCRIBED AS FOLLOWS:

- a) Property Owner: Park west Corporate Center, Ltd., a Texas limited partnership. The Property is expected to be purchased by Encompass Health Texas Real Estate, LLC or related entity.
- b) Applicant for Tax Abatement: Encompass Health Texas Real Estate, LLC, a Delaware limited liability company (real property) and Encompass Health Rehabilitation Hospital of Amarillo, LLC, a Delaware limited liability company (equipment)
- c) Enterprise / Reinvestment Zone: Reinvestment Zone No. 14, being 7.29 acres north of the intersection of Wallace Blvd. and Gentry Dr.
- d) Anticipated Improvements: Construction of an approx. 40-bed inpatient rehabilitation hospital, related site improvements, and purchase of appropriate furnishings and equipment.
- e) Estimated Cost of the Improvements: Facility: \$21,900,000; Equipment: \$4,500,000; Total: \$26,400,000

**\*\*\*The above agenda item was posted in accordance with Ch. 312 of the Texas Tax Code with a 30-day notice on September 24, 2021.**

Kevin Carter with the Amarillo EDC made the proposal for Encompass Rehabilitation facility to have a 6 year, 60% tax abatement. Director Charles Breeding asked if the Amarillo EDC could suggest a rain catchment system to Encompass Health. Hart agreed to visit with them and encourage that to happen.

***Charles Breeding made the motion to approve a 6 year, 60% tax abatement for Encompass Health, seconded by Bill Breeding. Motion passed unanimously.***

10. CONSIDERATION AND POSSIBLE ACTION ON MINUTES FROM SEPTEMBER 23, 2021

***Bill Breeding made the motion to approve the minutes, seconded by Devin Sinclair. Motion passed unanimously.***

11. CONSIDERATION AND POSSIBLE ACTION ON SEPTEMBER 2021 EXPENDITURES

Britten said we were under budget for the year. She also said that we under projected our income last year by quite a bit and moving forward we will not have that issue again due to changes in the legislative process the District is required to go through when setting the tax rate.

***John R. Spearman Jr. made the motion to approve the September 2021 Expenditures, seconded by Charles Bowers. Motion passed unanimously.***

## 12. CONSIDERATION AND POSSIBLE ACTION ON

- a) Enforcement regarding a 1” domestic well drilled for Alma Gonzales by DB&E Drilling in Potter County without required registration; and
- b) Spacing Exception for a 1” domestic well drilled for Alma Gonzales by DB&E Drilling in Potter County, subject to a future permit hearing under District Rule 10.1(b). (Hearing with a 10-day post)

Permit Administrator, Julie Bennett, explained that both landowner and driller have asked for the Board to appeal the fine. Britten explained that a well was drilled without the exempt well registration form being completed, and the well doesn’t meet the 25-yard property line spacing requirement per the rules. The landowner is still working on trying to secure easements. However, if he’s not able to do that it will come back to the Board and there will have to be a hearing for an exception to the spacing request.

***Charles Bowers made the motion to table this until the end of the meeting. John R. Spearman Jr. seconded.***

***John R. Spearman Jr. made the motion to table this until the next meeting, seconded by Devin Sinclair. Motion passed unanimously.***

## 13. CONSIDERATION AND POSSIBLE ACTION ON DRAFT RULE 3.3 (e) FOR HEARING

***Bill Breeding made the motion to take the changes in rule 3.3 (e) to hearing, seconded by Charles Breeding. Motion passed unanimously.***

## 14. CONSIDERATION AND POSSIBLE ACTION ON THE DISTRICTS BOUNDARY ISSUE WITH HPWD

Britten explained that HPWD has drawn the map and has shown where the boundary has changed in Potter County, however counsel for the District had a few minor clarifying changes, and HPWD is working on those. This will be included in the individual letters that will be sent out to give constituents 30 days for a response.

No action taken.

## 15. CONSIDERATION AND POSSIBLE ACTION TO APPOINT GEORGE BOMAR AS PGCD’S REPRESENTATIVE ON THE TEXAS WEATHER MODIFICATION ASSOCIATION

***Bill Breeding made the motion to appoint George Bomar as PGCD’s representative on the Texas Weather Modification Association, seconded by John R. Spearman Jr. Motion passed unanimously.***

16. CONSIDERATION AND POSSIBLE ACTION ON THE RESOLUTION TO TERMINATE SOUTHERN FARM BUREAU DEFERRED COMPENSATION RETIREMENT PLAN

*Charles Bowers made the motion to terminate the Southern Farm Bureau Deferred Compensation Plan, seconded by Bill Breeding. Motion passed unanimously.*

17. 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

*John R. Spearman Jr. made the motion to accept the quarterly production and out of district transportation reports, seconded by Devin Sinclair. Motion passed unanimously.*

18. CONSIDERATION AND POSSIBLE ACTION ON CONTRACT WITH ALLEN & ORTEGA CPA TO CONDUCT AUDIT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2021

Britten stated that they have been our auditor for several years, and the price has increased by \$200.

*John R. Spearman Jr. motioned to continue the contract with Allen & Ortega CPA, seconded by Charles Bowers. Motion passed unanimously.*

19. CONSIDERATION AND POSSIBLE ACTION ON THE BALLOT FOR ARMSTRONG COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE 2022-2023 TERM

Britten told the Board that we have 20 votes to spread out through 3 nominees.

*Bill Breeding made the motion to vote 6, 7 and 7, on the ballot from Armstrong County Appraisal District, seconded by Charles Bowers. Motion passed unanimously.*

20. CONSIDERATION AND POSSIBLE ACTION ON THE BALLOT FOR GRAY COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

Britten told the Board that we have 24 votes to spread out through 5 nominees.

*John R Spearman Jr. made the motion to vote 5 for 5 nominees and 4 for 1 nominee, seconded by Bill Breeding. Motion passed unanimously.*

21. CONSIDERATION AND POSSIBLE ACTION ON THE DEED FOR THE PRIVATE PROPERTY SALE IN POTTER COUNTY

a) 1309 N Harrison BID: \$3,960

*Charles Bowers made the motion to approve the deed for the private property sale in Potter County, seconded by Bill Breeding. Motion passed unanimously.*

22. CONSIDERATION AND POSSIBLE ACTION TO ERROR OFF TAXES ONE DOLLAR OR LESS IN CARSON COUNTY FOR THE 2021 TAX ROLL TOTALING APPROXIMATELY \$25

***John R. Spearman Jr. made the motion to error off taxes one dollar or less in Carson County for the 2021 tax roll totaling approximately \$25.00, seconded by Devin Sinclair. Motion passed unanimously.***

23. CONSENT AGENDA- DRILLING PERMITS

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

**RECLASSIFY WELLS – NONE**

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

a) Richard DeVuyst – An 8” well to be drilled on 2352 ac by Hydro Resources by 10.9.21 in the NE4 of Sec 6, Blk 3, I&GN Survey (being located E of Pampa on Hwy 60, approx. 2 mi E of the Hwy 60 & Hwy 152 to CR 16, W side of CR 16, S side of Hwy 152)  
GRAY COUNTY

b) Kevin McGarraugh Trust – A 6” well to be drilled on 1476.13 ac by Hydro Resources by 10.15.21 in the NE4 of A Cooper Survey (being located approx. 1 mi S of the Roberts/Ochiltree county line, approx. 2 ½ mi W of Hwy 70) ROBERTS COUNTY

c) Ken Wischkaemper – A 6” well to be drilled on 426.26 ac by First Priority Drilling by 11.1.21 in the SW4 of Sec 50, Blk 13, H&GN Survey (being located E of Shamrock on Hwy 2033 approx. 3 ½ mi, N side of 2033 S side of I-40) WELL # 1 WHEELER COUNTY

d) Ken Wischkaemper – A 6” well to be drilled on 426.26 ac by First Priority Drilling by 11.1.21 in the SE4 of Sec 50, Blk 13, H&GN Survey (being located E of Shamrock on Hwy 2033 approx. 4 mi, N side of 2033 S side of I-40) WELL # 2 WHEELER COUNTY

***Charles Bowers made the motion to approve all drilling permits, seconded by John R. Spearman Jr. Motion passed unanimously.***

24. STAFF UPDATES

No Updates

25. MANAGER’S REPORT

Britten stated the District is having a drillers meeting on November 11<sup>th</sup>. She also told the Board that Steve Kersh said that there was too much interference from the wind turbines so we will not have the Lightning Mapping Array placed on the District’s property.

26. CONSIDERATION AND POSSIBLE ACTION ON GENERAL MANAGER’S SALARY AND BENEFITS

President Thompson moved that they break out to Executive Session: 11:04 a.m.

Back in Regular Session: 11:51 a.m.

***Charles Bowers motioned to set the General Manager's salary at \$125,000 and have an agreement written up on the phone at a later time, seconded by John R. Spearman Jr. Motion passed unanimously.***

27. CONSIDERATION AND POSSIBLE ACTION TO SET FUTURE MEETING DATES

Britten stated that we must have a 20-day post for the rule hearing. The next Board Meeting is set for Tuesday, December 7<sup>th</sup> at 9:00 a.m.

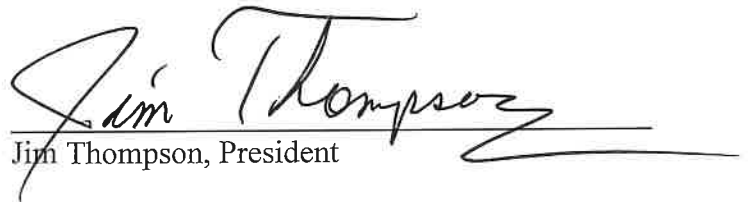
28. EXECUTIVE SESSION ON LISTED AGENDA ITEMS

No Action Taken

29. ADJOURN

***Bill Breeding made the motion to adjourn, seconded by John R Spearman Jr. Meeting adjourned at 12:16 p.m.***

  
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David Hodges, Secretary

  
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Jim Thompson, President