

**MINUTES OF THE JANUARY 17, 2023  
BOARD OF DIRECTORS MEETING OF  
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

The Board of Directors of North Plains Groundwater Conservation District met in regular session on January 17, 2023, at 8:30 a.m. at the Richard S. Bowers Water Conservation Learning Center Barn at the North Plains Water Conservation Center, 6045 West County Road E., Dumas, Texas 79029-7201. The following persons were present:

**Members Present at 8:33 a.m.:**

Mark Howard, President;  
Daniel L. Krienke, Vice-President;  
Bob B. Zimmer, Secretary;  
Gene Born, Director;  
Justin Crownover, Director;  
Harold Grall, Director; and,  
Allan Frerich, Director.

**Staff present during part or all the meeting:**

Steve Walthour, General Manager;  
Kirk Welch, Assistant General Manager;  
Kristen Blackwell, Administration Manager;  
Odell Ward, Aquifer Science Manager;  
Curtis Schwertner, Natural Resource Specialist; and  
Baylee Barnes, Conservation Outreach Specialist.

**Others present during part or all the meeting:**

Brantley Jones, Esq.;  
Sabrina Leven, RNA Ag;  
Nicole Spencer, RNA Ag;  
Deborah Trejo, Esq.;  
F. Keith Good, Esq.; and,  
Ellen Orr, Paralegal.

President Howard declared a quorum present and called the meeting to order at 8:33 a.m. Daniel L. Krienke gave the invocation and President Howard led the pledge.

***Action Agenda 3.c. - Closed Session.***

**Executive Session - Section 551.071 of the Texas Government Code.**

At 8:35 a.m., Harold Grall moved to go into Executive Session in compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, §551.071, to obtain legal advice on matters in which the duty of attorneys to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551. Bob B. Zimmer seconded the motion, and it was unanimously approved by the Board.

Executive Session: At 8:35 a.m., the Board went into Executive Session. At 10:40 a.m., Bob B. Zimmer moved that the Board reconvene into regular session. Harold Grall seconded the motion, and it was unanimously approved by the Board.

The Board reconvened into regular session at 10:45 a.m.

**1. - Public Comment**

No Public Comment was made to the Board.

**2. - Consent Agenda**

The Consent Agenda was discussed by the Board and consisted of the review and approval of payment to Lemon, Shearer, Phillips & Good, P.C. for professional services and out-of-pocket expenses incurred from December 1, 2022, through December 31, 2022, in the amount of \$6,185.75.

Gene Born moved to approve the Consent Agenda. Justin Crownover seconded the motion, and it was unanimously approved by the Board.

***Action Agenda 3.a. - Consider General Manager's request to amend the District's 2022 – 2023 Budget.***

The General Manager reported that the Board authorized a professional services contract with LRE to develop an interactive map to replace the District's current web-based map for public and District internal use. Development of the interactive map by LRE is a professional service and needs to be budgeted under Professional Fees. The General Manager requested that the Board amend the 2022 - 2023 Budget as follows:

<b>Budget Item description</b>	<b>Current Budget Amount</b>	<b>Increase or (Decrease)</b>	<b>Proposed Budget Amount</b>	<b>Explanation</b>
Professional Fees	\$225,000.00	\$60,000.00	\$285,000.00	LRE Water LLC contract approved by the board to develop an interactive public map should be budgeted under professional services.
Conservation Outreach	645,000.00	(\$30,000.00)	\$615,000.00	Reduced based on historical surplus of end of year expenses from the three previous years under this budget item.
Conservation Demo Project	305,000.00	(\$30,000.00)	275,000.00	Reduced based on historical surplus of end of year expenses from the three previous years under this budget item.
<b>Total overall 2022-2023 budget change</b>		<b>0</b>		<b>No change in overall budget</b>

Justin Crownover moved that the Board amend the 2022-2023 budget as follows:

- Increase Professional Fees budget from \$225,000.00 to \$285,000.00;
- Decrease Conservation Outreach budget from \$645,000.00 to \$615,000.00; and,
- Decrease Conservation Demo Project budget from \$305,000.00 to \$275,000.00.

Daniel L. Krienke seconded the motion, and it was unanimously approved by the Board.

**Action Agenda 3.b. - Consider action regarding BLF request for Exception under district rules regarding Chapter 7 Groundwater Production Units ("GPU") specifically, District Rules 7.5 and 7.6.**

On December 13, 2022, the Board heard BLF Land, LLC's request for an exception under District Rules regarding Chapter 7 Groundwater Production Units (GPU) specifically, District Rules 7.5 and 7.6. The Board tabled this item at its January 10, 2023, meeting after receiving additional information it wished to consider.

The January 10, 2023, hearing transcript was presented to the Board in the Board Packet.

Bob B. Zimmer moved that the Board deny the Application for Exception filed by BLF Farms, LLC to District Rules 7.5 and 7.6; however, Mr. Zimmer also recommended the BLF representatives meet with District representatives and that BLF Farms, LLC provide additional information to the District regarding possible methods of accommodation for BLF Farms, LLC rather than the requested Exception from District Rules 7.5 and 7.6. Gene Born seconded the motion, and it was unanimously approved by the Board.

**Set Next Meeting Date and Time**

The next regular meeting of the Board was scheduled for February 14, 2023.

**Adjournment.**

There being no further business to come before the meeting, Harold Grall moved to adjourn the meeting. Justin Crownover seconded the motion, and it was unanimously approved by the Board. President Howard adjourned the meeting at 10:50 a.m.

  
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Mark Howard, President

  
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Bob B. Zimmer, Secretary