

**MINUTES OF THE MARCH 19, 2019
BOARD OF DIRECTORS MEETING OF
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

The Board of Directors of North Plains Groundwater Conservation District met in regular session March 19, 2019, at 9:00 a.m. in the Conference Room in the Richard S. Bowers Water Conservation Learning Center Building at the North Plains Water Conservation Center, 6045 West County Road E, Dumas, Texas 79029-7201. The following persons were present:

Members Present at 9:04 a.m.:

Daniel L. Krienke, President;
Bob B. Zimmer, Vice-President;
Mark Howard, Secretary;
Gene Born, Director;
Harold Grall, Director; and
Zac Yoder, Director.

Staff Present during part or all of the meeting:

Steve Walthour, General Manager;
Dale Hallmark, Assistant General Manager — Hydrologist/Production Services;
Kirk Welch, Assistant General Manager — Outreach;
Kristen Blackwell, Executive Assistant;
Odell Ward, Program Coordinator — GIS/Monitor Wells;
Curtis Schwertner, Natural Resource Specialist; and
Julia Stanford, Conservation Outreach Specialist.

Others present during part or all of the meeting:

Jeff Ammons;
David Peckenpaugh;
Nicholas Kenny;
John Reznik;
Stan Spain;
F. Keith Good, Attorney; and,
Ellen Orr, Paralegal.

President, Daniel L. Krienke, declared a quorum present and called the meeting to order at 9:04 a.m. Director, Gene Born, gave the invocation and President Krienke led the pledge.

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 the Minutes of the regularly scheduled February 12, 2019 Board of Directors Meeting; the review and approval of un-audited District expenditures for February 1, 2019 through February 28, 2019, including the General Manager's expense and activity report; and the review and approval of payment to Lemon, Shearer, Phillips & Good, P.C. for professional services and out-of-pocket expenses from February 1, 2019 through February 28, 2019, in the amount of \$7,657.75.

Harold Grall moved that the Board approve the Consent Agenda. Mark Howard seconded the motion and it was unanimously approved by the Board.

Action Agenda 3b - Receive report regarding 2018 Annual Production Reporting.

The General Manager reported that District staff is currently reviewing annual groundwater production reports for 2018. Additionally, District staff are contacting well owners who have apparently not timely filed production reports to finish the reporting for this year.

Director, Justin Crowover, arrived to participate in the meeting at 9:09 a.m.

Action Agenda 3a - Receive report and consider action regarding the District's maintenance and operation tax limit Legislation.

President Krienke stated that the District is seeking to change its statutory tax rate cap back to the original 50 cents per \$100 of property valuation that the Legislature authorized when the District was created.

This tax funds the District's statutory duties and its mission to maintain our way of life through conservation, protection and preservation of our groundwater resources.

Voters set a maximum 5-cent rate in 1955. Later that year, the Texas Legislature ratified the creation of the District and approved a higher tax rate up to 50 cents, if needed.

Legislation to change the District's name in 1999, also amended the statutory maximum rate originally set by the Legislature to 5 cents. The amended rate reduced the flexibility for District voter's to adequately fund local management of the area's groundwater resources in the future. The District does not know why the statutory maximum rate was changed.

The current tax levy is 3.3 cents per \$100 of property valuation. The District Board of Directors does not anticipate any significant increases in operating expenses or capital expenditures that would require raising the ad valorem tax rate anywhere near the current voter approved 5-cent cap in the near future. In fact, the last time the District had a 5-cent tax rate was in 1978.

The District wants to amend its Enabling Legislation now for several reasons:

- Maintain the District's financial soundness;
- Provide flexibility for voters to consider a tax rate above 5 cents in the future to generate enough income to accomplish the District's mission;
- Align the District with other groundwater conservation districts that are subject to a 50-cent statutory cap established in the Texas Water Code;
- Address continued wide swings in petroleum and related industry property values, which affect District revenue;
- Prepare for the future, including any potentially large water conservation projects.

The District remains subject to:

- Voter approval for any tax rate above 5 cents in the future; and

- The Texas Tax Code, which allows voters to "roll back" any ad valorem tax increase that is more than 8% above the effective tax rate for the prior year.

Since 1955, the District and the area have experienced wide swings in the ad valorem tax base. At the same time, the need for water conservation will undoubtedly continue to increase for future generations as the District and its stakeholders work to manage a diminishing resource.

The proposed Legislation provides voters with a tool to meet that need.

Mark Howard stated that he had reservation about seeking to change the District's ad valorem tax cap. Zac Yoder stated that he didn't see a reason to seek to change the ad valorem tax cap before the District needed to raise the limit.

Zac Yoder moved to pull support for Senate Bill 528. Mark Howard seconded the motion. The motion was discussed by the Board. President Krienke called for a roll-call vote. The members voted as follows:

Harold Grall: No
 Mark Howard: No
 Justin Crownover: No
 Bob B. Zimmer: No
 Daniel L. Krienke: No
 Gene Born: No
 Zac Yoder: Yes.

The motion was defeated by a 6-1 vote.

The meeting was recessed at 10:28 a.m. and reconvened at 10:42 a.m.

Action Agenda 3c - Consider final compliance approval of Water Well Permits as active and complete wells.

The General Manager reported that District Rule 2.13 provides, after the site inspection is complete, and it is determined that the Well (and all Wells within the Groundwater Production Unit) are in compliance with the Rules of the District, and the Well Permit application, the General Manager shall submit the Well Permit to the Board for final compliance approval.

The General Manager reported that the District staff had processed 20 Water Well Permits which are ready for Board consideration and approval. These permits, listed in the table below, represent completed Wells that have been inspected and are in compliance with District Rules. The inspections verify that the Wells were completed as required by the respective Permits, including proper Well location, Well classification, maximum yield, and proper installations of check valves and flow meters. Copies of the individual permits were presented to the Board.

It was noted that Director, Zac Yoder had Well Permit DA-10316 on the table below.

WELL	CLASS	SEC	BLK	SUR	NS	EW
DA-9930	C	4	2	FDW	449 N	450 W
DA-10036	B	2	2	SPRR	215 S	68 W
DA-10316	B	63	5	CSS	435 N	419 E
HA-9430	B	127	48	H&TC	787 S	266 W
HA-9945	C	32	48	H&TC	106 S	131 W
HA-9946	C	32	48	H&TC	121 S	591 W
HA-9948	C	39	48	H&TC	548 N	712 E
HA-10219	C	39	48	H&TC	300 N	750 W

HA-10371	C	5	1	Waco Mfg.	121 S	378 W
HA-10380	C	12	11	CSS	954 N	463 W
HA-10381	C	13	11	CSS	858 N	419 W
HA-10390	C	12	11	CSS	150 N	287 W
HA-10392	C	15	11	CSS	845 S	718 W
HA-10393	C	15	11	CSS	850 S	269 W
HU-10059	D	-	-	Thos. Ross	911 N	636 E
LI-10305	B	148	10	SPRR	431 S	457 E
LI-10312	B	148	10	SPRR	112 S	235 E
MO-10511	C	227	3-T	T&NO	167 N	884 E
SH-9938	C	35	1-T	T&NO	393 S	648 W
SH-10264	C	60	3-B	GH&H	591 N	45 W

Zac Yoder moved to remove Well Permit DA-10316 from the Well Permit schedule and to approve all of the remaining Well Permits on the Well Permit Schedule, noting that the Wells are properly equipped and otherwise comply with District Rules. Mark Howard seconded the motion and it was unanimously approved by the Board.

Harold Grall moved to approve Well Permit DA-10316, noting that the Well is properly equipped and otherwise complies with District Rules. Mark Howard seconded the motion and it was approved by the majority vote of the Board, with Zac Yoder abstaining from the vote.

Action Agenda 3d - Receive report and consider action as needed regarding agriculture water conservation demonstration programs.

Assistant General Manager, Kirk Welch, following reports to the Board:

Texas Water Day at the Capitol

General Manager, Steve Walthour, had a scheduling conflict and Assistant General Manager, Kirk Welch, spoke on an Ag and Water Conservation Panel at the state Capitol on March 13 as part of Texas Water Day. The panel was part of the Texas Water Symposium and included Dr. Benny Chefetz, Professor of Soil and Environmental Chemistry, Columbia Foundation Chair in Soil and Water Sciences; Dean, The Robert H. Smith Faculty of Agriculture, Food and Environment, The Hebrew University of Jerusalem. The panel was moderated by Texas Water Foundation board member, Carlos Rubenstein. Texas Water Day at the Capitol is presented by the Texas Water Foundation.

Master Irrigator Program

Final preparations are being made for the 2019 Master Irrigator (MI) Class. The 2019 Class was officially full as of February 1 with a waiting list for next year. The first session will take place on Wednesday, March 20. Participants for the MI Class of 2019 are as follows:

- Thurman, Brent
- Bellsnyder, Suzanne
- Hill, Heath
- Darcy, William
- Darcy, Marci
- Baxa, John
- Ballinger, Tim
- Koehn, Trent
- Immler, Ryan
- Dewey, Evan
- Wagoner, Matthew
- Anderson, Shane

Murphy, Jay
Murphy, Florene
Mininger, Frank
Russell, Lem
Gonzalez, Jose
Boyles, Caylen
Meiners, Clarence
Bezner, Brian
Ford, David
Lee, Chase
Dyck, Paul
Goodwin, Jay
Nickel, Marlin

This year's participants have influence over at least 72,852 acres, bringing the total number of acres touched by the Master Irrigator program approximately 200,000 acres.

2019 Session Dates:

Session 1: Agronomics March 20, 2019
Session 2: Irrigation Scheduling March 27, 2019
Session 3: Systems April 3, 2019
Session 4: Systems & Special Topics April 10, 2019

Lunch and/or Day Sponsors:

March 20 - Senninger
March 27 - AquaSpy
April 3 - Reinke
April - 10 Netafim

District staff booked the last of the speakers for the upcoming Master Irrigator Program by adding Nicholas Kenny, PE, to present about Gensets. The speaker list is as follows:

Dr. Stephen H. Amosson, Regents Professor and Extension Service Economist-
Management, Texas A&M AgriLife;
Dr. Jourdan Bell, Assistant Professor and Agronomist, Texas A&M AgriLife
Extension Service;
Mike Caldwell, Natural Resources Manager, USDA-NRCS;
Jeff Childs, Sales Engineer, Yaskawa America Inc.;
Nicholas Kenny, PE, Owner/Consultant NPK Ag, LLC;
Karllyle Haaland, CEO, PivoTrac Monitoring, LLC;
Farris Hightower, Regional Sales Manager, Lindsay Corporation;
Pat Scarth, AquaPlanner;
Eric Burton, Better Harvest;
John Gibson, Precision Ag Specialist, Crop Quest;
Leon New, Agricultural Engineer;
David Reinart, Co-Owner, Better Harvest, Inc.;
Keith Sides, State Irrigation Engineer, USDA-NRCS;
Dr. David Sloane, Agronomist;
Fred Vocasek, Senior Laboratory Agronomist, Servi-Tech; and,
Steve Walthour, General Manager, North Plains Groundwater Conservation District.

Stan Spain presented the following report:

Water Conservation Center

Growers and Crop Quest ran EC and EM devices over the WCC. Nature's Way Compost delivered and spread composted manure on the east pivot and SDI field. Cover crop demo on west pivot is progressing, wheat stand is decent, but turnip and radish emergence is very poor. Curtis continues to read gypsum blocks weekly. The readings indicate good