

BOARD MEETING
9:00 AM Tuesday, August 8, 2023
North Plains Water Conservation Center
6045 County Road E., Dumas, Texas

A meeting of the Board of Directors of North Plains Groundwater Conservation District (“District”) will be held on August 8, 2023, beginning at 9:00 a.m. at the North Plains Water Conservation Center, 6045 County Road E., Dumas, Texas 79029. The presiding officer and a quorum of the Board of Directors of the District will be physically present at this location. Other board members and employees of the District may participate remotely in the meeting by videoconference as permitted by Government Code Section 551.127.

Call Meeting to Order and Establish a Quorum.

Opening Prayer

Pledge

Recess for Hearing

9:00 A.M. - Conduct formal show cause hearing show cause hearing NPGCD 023-001, in the matter of Rogelio Magana, dba Rogers Water Well Service, in apparent violation of District Rules 2.1, 2.18, and 4.4.

At any time during the meeting and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the North Plains Groundwater Conservation District Board may meet in executive session for consultation concerning attorney-client matters (§551.071).

Adjourn Hearing

Reconvene Meeting of the Board of Directors

- 1. Public Comment:** Public comment may only be offered during this Agenda item and may either be general in nature or may address any specific item on this Agenda. General comments shall be limited to a maximum of 3 minutes, or comments on specific Agenda items shall be limited to a maximum of 3 minutes per Agenda item, not to exceed a total of 9 minutes.
- 2. Consent Agenda**
 - a. Review and approval of Minutes of meetings as follows:
 - Regular Board Meeting held July 19, 2023.
 - b. Review and approval of District expenditures for July 1, 2023, through July 31, 2023.
 - c. Consider approval of payment to Lemon, Shearer, Phillips & Good, P.C. for professional services and out-of-pocket expenses from July 1, 2023, through July 31, 2023.
- 3. Action Agenda**

- a. Consider action regarding formal show cause hearing NPGCD 023-001, in the matter of Rogelio Magana, dba Rogers Water Well Service, in apparent violation of District Rules 2.1, 2.18, and 4.4.
- b. Consider comment from Morning Star LLC regarding timely filing documents related to Groundwater Production Unit Joining.
- c. Consider final compliance approval of Water Well Permits as active and complete wells.
- d. Receive report and consider action as needed regarding agriculture water conservation demonstration programs and the North Plains Water Conservation Center.
- e. Review last year's tax rate, the 2023 No-New-Revenue Tax Rate and the 2023 Voter-Approval Tax Rate and consider proposing a new tax rate.
- f. Consider action directing the general manager to amend 2022-2023 budget based on consultation with auditor and report any changes to the board for review.
- g. Consider action as needed regarding NRCS EQIP Practice 328 Payments for Crop Rotation in Dryland
- h. Consider candidates for nomination to the Moore County Appraisal District Board of Directors for 2024-2025
- i. Receive report and consider action regarding compliance and contested matters including but not limited to BLF Land LLC., Humberto Mendoza, Roger Sybesma of Skyward Dairy, Jason Fehr, Braiden Cartrite, John Neufeld, Jon & Sharon Engelbrecht, Dave Venhaus, and Derik Grotegut before the District.
- j. Closed Session. The Board of Directors of the District may go into a closed session under the authority of the Government Code, Chapter 551, Texas Open Meetings Act, to discuss:
 - i. Consultation with Attorney – Attorney/Client Privileged Consultations (§ 551.071).
 - ii. Consultation with Legal Counsel regarding pending compliance matters and attorney-client privileged communications exempt from the Open Meetings Act pursuant to § 551.071 of the Government Code.
 - iii. Consultation with Legal Counsel to obtain legal advice on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Texas Government Code Chapter 551.
 - iv. Discussion of personnel matter regarding the transition from Steve Walthour as NPGCD General Manager to a successor NPGCD General Manager. Exempt from the Open Meetings Act pursuant to Section 551.074 of the Government Code.
- k. Consider recommendation(s) regarding matters discussed in closed session.

4. Discussion Agenda

- a. District Director Reports regarding meetings and/or seminars attended, weather conditions and economic development in each director's precinct.
- b. Committee reports.

- c. General Manager's report, including, without limitation:
 - i. Upcoming meetings and conferences.
 - ii. General Manager's activity summary.
 - iii. Permits Issued in July 2023; and
 - iv. District activity summary.

5. Discuss Items for Future Board Meeting Agendas and Set Next Meeting Date and Time.

6. Adjournment.

At any time during the meeting and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the North Plains Groundwater Conservation District Board may meet in executive session for consultation concerning attorney-client matters (§551.071). Any subject discussed in executive session may be subject to action during an open meeting.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Directors of the North Plains Groundwater Conservation District, is a true and correct copy of said Notice; and that I posted a true and correct copy at a place convenient to the public at the District office, at 603 East First, Dumas, Texas, and the Notice was posted on August 3, 2023, on or before 5:00 pm and will remain so posted continuously for at least 72 hours immediately preceding the day of said Meeting; a true and correct copy of the Notice was furnished to each county clerk of the county or counties in which the above District is located.

Additionally, I certify that the above Notice of Meeting was furnished to the Secretary of State on or before 5:00 pm August 3, 2023.

Dated this the 3rd day of August, 2023

North Plains Groundwater Conservation District

By:

Krystal Donley

Krystal Donley, Administrative Assistant