

Date of Meeting: 8/27/2020

Time of Meeting: 7:00 PM

Location: 802 S 9th ST

Wellington, Texas 79095



Regular Meeting Minutes

Call Meeting to Order and Establish a Quorum

Time: 7:14 PM

Directors Present: Jerry Lewis, Matt Tarver, Mat Montgomery, Curtis Scrivner, Johnny Lindley, and Terry Canada

Staff Present, Lynn Smith, and Tasha McNeil

Professionals Present: Ellen Orr, Cheryl Tarver, Ray Brady, Jennifer Puryear, and Amy Bush

Guests Present: Stacie Smith

- Opening Comments: Amy introduced Jennifer, Lynn introduced Tasha and Cheryl. Cheryl was asked if she was related to Matt, and she is not.
- Public Comments: none

1. Consent Agenda

- a. Consider and act on Minutes of July 30, 2020
- b. Consider and act on approval of July Bills
- c. Consider and act on Test Hole Permits:
 - i. None
- d. Consider and act on Well Registrations:
 - i. 751 – Troy Thomason
 - ii. 752 – Dwyer Ranch LLC

Curtis moved to accept the consent agenda, Terry seconded, all ayes and motion carried.

2. Consider and act on Well Permits

- a. 749 – Bruce Ward in Needwood area
- b. 750 – Bruce Ward in Needwood area

Johnny moved to approve the two well permits, Matt seconded, all ayes and motion carried.

3. **Manager's Report:** Lynn reported on water quality testing that is ongoing, budget concerns – in particular the past salary line item calculations, and the possibility of providing rain gauges to producers and/or students as an outreach program. There was some discussion about the cost of providing gauges to all the students but possibly only providing them to a sub-set. He also discussed ongoing data loss issues with the producer-provided meter data. There was some discussion regarding how to deal with the data loss. Lynn pointed out that the District had better data when staff read the meters but that it might look bad to take that task back at this point.
4. **Hydrogeologist Report:** Amy gave a presentation on the Seymour Pod 1 analysis. She provided the results of the analysis of short vs long term data and concluded that long term analysis was more stable. She provided data that indicated the overall static water level trend in Pod 1 was not meeting the DFC set for it at this point. Jennifer and Amy presented an initial look at rainfall analysis and will provide more information on that at a future date.
5. **Legal Comments:** Ellen reported on SB2 and its affect on the Tax Code the District must follow. She stated that, to her knowledge, the District has complied with all the provisions necessary to set its tax rate.
6. **Consider and act on Bookkeeper's Contract:** Lynn presented the Bookkeeper Contract for discussion. He stated that it was acceptable to staff and to Cheryl. Terry moved to approve the contract, Curtis seconded, all ayes and motion carried.
7. **Quarterly Investment Report:** Lynn presented the quarterly investment report and stated that the District was in compliance with its Investment Policy. Johnny moved to approve the report, Mat seconded, all ayes and motion carried.
8. **Review the Certification of Unopposed Candidates and consider cancelling the District Directors' Election in Precincts 1, 4, 5, and 7 and authorizing Lynn Smith, General Manager, to post and deliver the Order of Cancellation, as required by the Texas Election Code:** Ellen reported that as there are no candidates being opposed in the current election as evidenced by the Certification of Unopposed Candidates, and the Board may cancel its November 3, 2020 Directors' Election. Curtis moved to cancel the District Directors' 2020 election in Precincts 1, 4, 5, and 7 and to authorize Lynn Smith, General Manager, to post and deliver the Order of Cancellation as required by the Texas

Election Code. Terry seconded the motion. President Lewis called for a roll-call vote as follows: Curtis – aye, Terry – aye, Matt – aye, Mat – aye, Johnny – aye, and Jerry – aye. With all ayes, and with no opposition, the motion carried, with Directors Danny Wischkaemper and Rex Fuston absent, and not voting.


9. Consider adopting the proposed tax rate of 0.04872 per \$100 valuation: After some discussion, Curtis moved to adopt the proposed 2020 ad valorem tax rate of 0.04872 per \$100 valuation. Terry seconded the motion. President Lewis called for a roll-call vote as follows: Curtis – aye, Terry – aye, Matt – aye, Mat – aye, Johnny – aye, and Jerry – aye. With all ayes, and with no opposition, the motion carried, with Directors Danny Wischkaemper and Rex Fuston absent, and not voting. No Board members were present and not voting.
10. Review, consider, and act on compliance matters before the District, including, without limitation, violations leading to potential water quality issues, water wasting violations, and inoperable meter violations: Lynn gave a presentation on results from a water quality investigation he has been working on. Initially, Toby Tarver brought in two water samples, one from a trough and one from a well. The place was owned by Mike Williams. Toby reported that cattle had died near the trough. The District analyzed those samples and also collected samples from seven other wells in the area. The data suggests that fertilizer may have entered the well during chemigation activities. This is supported by reverse flow being detected by the electronic meter at the subject well. Lynn reported that he had called Mike twice but that he had not called back yet. Considerable discussion occurred. Johnny moved that a letter be issued to Mr. Williams regarding the faulty chemigation valve. He asked that the letter be worded in a courteous manner and give plenty of time during harvest for the repairs to be made. Matt seconded the motion, all ayes and the motion carried.
11. Consider and possibly update the Administrative Assistant job description: Lynn stated that the previous discussion regarding staff potentially reading meters may drive this selection process, but no further information was available at the moment.
12. Other Business: none
13. Executive Session: Consultation with Attorney Regarding Attorney Client Matters exempt from open meetings pursuant to Texas Government Code §551.071: none

14. Set Date and Time for next Board Meeting: The next Board meeting was set for October 1, 2020 at 7 PM in Wellington, TX. It was suggested by the Chair that the December meeting be held in Memphis at First Baptist Church and that it be catered by Bertie Fannie.

15. Adjourn: Meeting was adjourned at 9:00 PM.

Checked by Lynn on 8/28/2020

Approved on 10-1-2020 by the Board of Directors



Presiding Officer



Attest