

Date of Meeting: **March 3, 2022**
Time of Meeting: **7:00 PM**
Location: **303 8TH ST**
Memphis, TX 79245



Regular Meeting Minutes

Jerry Called the meeting to order at 7:03 PM

Board Members Present: Jerry Lewis, Johnny Lindley, Mat Montgomery, Rex Fuston, Matt Tarver, Terry Canada, and Michael Souder

Staff Present: Lynn Smith, General Manager; Shaylee Rose, Intern

Professionals Present: Keith Good, District Attorney; Ray Brady, District Geologist; Amy Bush, District Hydrologist; Jennifer Puryear, District Meteorologist

Visitors present: Stacie Smith

Opening Comments - none

Public Comments - none

1. Consent Agenda

- a. Consider and act on Minutes of January 20, 2022
- b. Consider and act on expenses for January 2022
- c. Consider and act on Test Hole Permits:
 - i. 572 – Joe Ike Clay
 - ii. 573 – Barry Long
 - iii. 574 – Hazel Fuston Estate
 - iv. 575 – Lisa Fuston
 - v. 576 – Tony Cox
 - vi. 577 – Logan Cabbell
 - vii. 578 – Ricky Husband
 - viii. 579 – John Klassen
 - ix. 580 – Michael Souder
 - x. 581 – Michael Souder
 - xi. 582 – Hefley Real Estate (Richard Hefley)

- d. Consider and act on Well Registrations:
 - i. 849 – Lawrence Long
 - ii. 854 – Gerald Malkuch
 - iii. 855 – Kimberly Artho
 - iv. 858 – Lucas Hartman
- e. Consider and act on approval of December bills

Motion to approve Consent Agenda made by Terry, second by Matt, all ayes.

2. Consider and act on Well Permits
 - a. 850 – Tye Stephens
 - b. 851 – Scott Myers
 - c. 852 – Joe Ike Clay
 - d. 853 – Ben Peters
 - e. 856 – Rick Fuston
 - f. 857 – Mark Gregory

Motion to approve Well Permits made by Johnny, second by Terry, all ayes with Rex abstaining from discussion and vote.


3. Hydrologist Report – RMBJGeo provided a summary of water level changes by aquifer. Generally, not not change from last year. Data show that levels continue to not meet DFC in Pod 1 and likely will not meet DFC in Pod 2. Pod 3 and Blaine appear ok for now. Amy recommends spending some funds on model update. Jennifer gave brief report on weather patterns. She believes the dry pattern will start to moderate mid-summer, probably too late to be of benefit to this years crop.
4. Manager’s Report - Lynn provided a summary of the District’s travel and activities.
5. Legal Comments - Keith provided an overview of the rule-making process as prescribed in TWC.
6. Consider and act on joining Texas SmartBuy program. – After some discussion, Terry moved to join the Texas SmartBuy Program by Resolution. Johnny seconded the motion, all ayes.
7. Review, consider, and act on compliance matters before the District, including, without limitation, failures to timely submit Annual Production Reports, violations leading to potential water quality issues, water wasting violations, and inoperable meter

violations. – Lynn presented a list of 23 individuals that were late in submitting their APRs with 17 that had yet to submit them. There were several repeat violators. After some discussion, Terry moved to send the violators a letter stating that civil penalty was waived until the 15th and would be \$50 per day per report after that until the reports were submitted and the penalty paid. Rex seconded the motion, all ayes.

8. Discuss and act on updates to District Rules and consider setting a Rulemaking Hearing and determining a place and date for the Hearing – Lynn presented to proposed Rules and discussed the last few items that the Board had not seen a finished version of. After some discussion and three typo corrections, Terry moved to call for a Rules Hearing on April 28, 2022, at 6 PM in Wellington with staff to determine the best location. Mat seconded, all ayes.
9. Other Business – none
10. Executive Session: Consultation with Attorney Regarding Attorney Client Matters exempt from open meetings pursuant to Texas Government Code §551.071 – none
11. Set Date and Time for the next Board Meeting – by unanimous consent, the next meeting will occur immediately following the Rules Hearing on the 28th of April.
12. Adjourn – Motion to adjourn made by Terry, second by Michael, all ayes.

Checked by Lynn on 3/09/2022

Approved on 4-28-2022 by the Board of Directors



Presiding Officer



Attest