



BOARD MEETING
9:00 AM Tuesday, September 12, 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 September 12, 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

Open North Plains GCD Property Tax Rate Hearing

Close Hearing

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 August 8, 2023
- Master Irrigator Program Advisory Committee held August 8, 2023.
- Special Board Meeting held August 22, 2023.
- Special Board Meeting held August 28, 2023.

b. Review and approval of District expenditures for August 1, 2023, through August 31, 2023.

c. Consider approval of payment to Lemon, Shearer, Phillips & Good, P.C. for professional services and out-of-pocket expenses from August 1, 2023, through August 31, 2023.

d. Consider approval of Sherman County Appraisal District tax collection agreement for 2023-2024.

3. **Action Agenda**

a. Consider final compliance approval of Water Well Permits as active and complete wells.

b. Consider General Manager's request to amend the district's 2022-2023 Budget.

c. Consider Action to adopt District Budget for 2023-2024.

d. Consider Action to adopt debt service fund budgets for Texas Water Development Board default reserve account and contract for 2023-2024.

- e. Consider adoption of the Tax Rate of 0.027966 per one hundred dollars (\$100.00) of valuation for the district's ad valorem tax rate for 2023.
- f. Review and consider action to adopt Dallam County non-taxed area production fees to pay the area's share for District administration and services.
- g. Receive report and consider action as needed regarding agriculture water conservation demonstration programs and the North Plains Water Conservation Center.
- h. Consider action as needed regarding Natural Resource Conservation Service EQIP Practice 328 Payments for Crop Rotation in Dryland.
- i. Consider Action to engage Janet Guthrie as North Plains Groundwater Conservation District General Manager with authorized signatory authority on behalf of the district.
- j. Consider action to extend Steven Walthour's employment through December 31, 2023, to assist with the district's management transition.
- k. Consider action to propose North Plains Groundwater Conservation District Rule amendments for public review.
- l. Receive report and consider action regarding compliance and contested matters including but not limited to BLF Land LLC, Todd Skalsky, Jason Fehr, Sabrina Leven Agent for Lauri Darling LLC and 3T Martins Farms-Tony Martins, Marshal Cator, Cheri Allard; Owner Johan Knelsen and Driller Franz Wiebe before the District.
- m. Consider and approve the August 30, 2023, Engagement Letter with attorney, Tom Riney and the Underwood Law Firm, for local counsel in the defense of Cause No. 2:23-cv-0013 pending in the U.S. District Court for the Northern District of Texas, Amarillo Division, styled, BLF Land, LLC and Blaine Larsen Farms, Inc. Vs. North Plains GCD and Mark Howard; et al.
- n. 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.
- o. 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 the 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 **September 6, 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 **September 6, 2023**.

Dated this the **6th** day of **September, 2023**

North Plains Groundwater Conservation District

By:



Krystal Donley, Administrative Assistant