

RED RIVER GROUNDWATER CONSERVATION DISTRICT

PERMIT HEARING AND BOARD MEETING

Greater Texoma Utility Authority Board Room
5100 Airport Drive
Denison, Texas 75020

**THURSDAY
DECEMBER 21, 2023
10:00 AM**

NOTICE OF PUBLIC MEETING
OF THE
BOARD OF DIRECTORS OF THE

RED RIVER GROUNDWATER CONSERVATION DISTRICT
Thursday, December 21, 2023, at 10:00 a.m.

MEETING LOCATION:
Greater Texoma Utility Authority Board Room
5100 Airport Drive
Denison, Texas 75020

Permit Hearing

The Permit Hearing will begin at 10:00 a.m.

Notice is hereby given that the Board of Directors of the Red River Groundwater Conservation District (“District”) will conduct a permit hearing on the following Production Permit Application:

Agenda:

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.
2. Review the Production Permit Application of:

New Production Permit

- a. **Applicant:** City of Trenton; 216 Hamilton St, Trenton, TX 75490
Location of Well: Hwy 69, Trenton, TX 75490; Latitude: 33.424602°N Longitude: 96.327290°W; about 420 feet west of Hwy 69, and about 1,650 feet south of CR 4605, in Fannin County.
Purpose of Use: Municipal/Public Water System
Requested Amount of Use: 117,177,321 gallons per year
Production Capacity of Well: 425 gallons per minute
Aquifer: Woodbine
3. Public Comment on the Production Permit Application (verbal comments limited to three (3) minutes each).
4. Consider and act upon the Production Permit Application, including designation of parties and/or granting or denying the Production Permit Application in whole or in part, as applicable.
5. Adjourn or continue permit hearing

Board Meeting

The regular Board Meeting will begin upon adjournment of the above noticed Permit Hearing.

Notice is hereby given that the Board of Directors of the Red River Groundwater Conservation District (“District”) may discuss, consider, and take all necessary action, including expenditure of funds, regarding each of the agenda items below:

Agenda:

1. Pledge of Allegiance and Invocation.
 2. Call to order, establish quorum; declare meeting open to the public.
 3. Consider and act upon election of Officers.
 4. Public Comment.
 5. Consider and act upon approval of Minutes of October 19, 2023, Board Meeting.
 6. Budget and Finance.
 - a. Review and approval of monthly invoices.
 - b. Receive monthly financial information.
 7. Consider and act upon the Administrative Service Contract with the Greater Texoma Utility Authority.
 8. Update and possible action regarding the process for the development of Desired Future Conditions (DFC).
 9. Discussion and possible action regarding sending letters to municipalities discussing options for wells being proposed to be drilled within city boundaries.
 10. Discussion and possible action regarding issuing Historic Use Permits for Non-Exempt Well Owners.
 11. Consider and act upon compliance and enforcement activities for violations of District Rules.
 - a. Tioga ISD
 12. General Manager’s report: The General Manager will update the Board on operational, educational and other activities of the District.
 - a. Well Registration Summary
 - b. Update on Injection/Disposal Well Monitoring Program
 13. Open forum / discussion of new business for future meeting agendas.
 14. Adjourn.
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¹*The Board may vote and/or act upon each of the items listed in this agenda.*

²*At any time during the meeting or work session and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Red River Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.*

³*Persons with disabilities who plan to attend this meeting, and who may need assistance, are requested to contact Velma Starks at (800) 256-0935 two (2) working days prior to the meeting, so that appropriate arrangements can be made.*

⁴*For questions regarding this notice, please contact Velma Starks at (800) 256-0935, at rrgcd@redrivergcd.org or at 5100 Airport Drive, Denison, TX 75020.*

ATTACHMENT 5

**MINUTES OF THE BOARD OF DIRECTORS' BOARD MEETING
RED RIVER GROUNDWATER CONSERVATION DISTRICT**

Thursday, October 19, 2023

**MEETING LOCATION:
GREATER TEXOMA UTILITY AUTHORITY
BOARD ROOM
5100 AIRPORT DRIVE
DENISON TX 75020**

Members Present: Chuck Dodd, David Gattis, Harold Latham, Mark Patterson, Mark Gibson, and Billy Stephens.

Members Absent: Mark Newhouse

Staff: Paul Sigle, Nichole Murphy, Wayne Parkman, Kenneth Elliott, Allen Burke, Stacy Patrick, and Velma Starks

Visitors: Kristen Fancher, Fancher Legal

Public Hearing to Adopt Amendments to District Rules for Water Wells in Fannin and Grayson Counties, Texas

Agenda

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.

Board President Mark Patterson called the Permit Hearing to order at 10:00 a.m., established quorum declared hearing open to the public and introduced the Board

2. Review of Rules for Water Wells applicable to the District.

General Manager Paul Sigle and Kristen Fancher, legal counsel, reminded the Board that the 87th session of the Texas Legislature approved a bill requiring groundwater conservation districts to have a rule for the public to petition for rulemaking. The changes to the District's Rule are to meet those requirements. Discussion was held.

3. Public Comment on District's Rules for Water Wells (verbal comments limited to three (3) minutes each).

No public comments.

4. Consider and act upon adoption of the Rules for Water Wells applicable to the District.

Board Member Chuck Dodd made the motion to adopt the Rules for Water Wells applicable to the District. Board Member Mark Gibson seconded the motion. Motion passed unanimously.

Permit Hearing

Agenda:

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.

Board President Mark Patterson called the Permit Hearing to order at 10:04 a.m., established quorum declared hearing open to the public and introduced the Board.

2. Review the Production Permit Application of:

Board President Mark Patterson informed the Board that Bel Air Village permit would be reviewed first.

Permit Amendments

- a. **Applicant:** GlobalWafers America LLC; 200 FM 1417 West, Sherman, TX 75092
Location of Well (Well W-1): 3200 Northgate Drive, Sherman, TX 75092; Latitude: 33.593758°N Longitude: 96.620444°W; about 675 feet north of FM 1417 and 4,665 feet west of US 75 in Grayson County.
Purpose of Use: Industrial/Manufacturing
Requested Amount of Use: 95,040,000 gallons per year
Production Capacity of Well: 200 gallons per minute
Aquifer: Woodbine
Amendment: Changes to Special Condition only
- b. **Applicant:** GlobalWafers America LLC; 200 FM 1417 West, Sherman, TX 75092
Location of Well (Well A-1): 3200 Northgate Drive, Sherman, TX 75092; Latitude: 33.593728°N Longitude: 96.620264°W; about 645 feet north of FM 1417 and 4,615 feet west of US 75 in Grayson County.
Purpose of Use: Industrial/Manufacturing
Requested Amount of Use: 332,640,000 gallons per year
Production Capacity of Well: 700 gallons per minute
Aquifer: Trinity (Antlers)
Amendment: Changes to Special Condition only

New Production Permit

- a. **Applicant:** Bel Air Village SFR LLC; 520 Central Pkwy E, Suite 104, Plano, TX 75074
Location of Well: US Hwy 75/FM 1417, Sherman, TX 75090; Latitude: 33.591498°N Longitude: 96.596653°W; about 2,425 feet east of US Hwy 75 and about 2,020 feet south of FM 1417 in Grayson County
Purpose of Use: Irrigation, Filling a Pond/Other Surface Impoundment
Requested Amount of Use: 19,569,902 gallons per year
Production Capacity of Well: 199 gallons per minute
Aquifer: Woodbine

General Manager Paul Sigle reviewed the permit with the Board. Discussion was held.

Board convened into Executive Session at 10:12 a.m.

Board reconvened into Regular Session at 10:56 a.m.

No action was taken. Both permits are tabled. Board has questions that need to be answered before action will be taken. Questions will be sent to Sherman.

3. Public Comment on the Production Permit Application (verbal comments limited to three (3) minutes each).

No public comments.

4. Consider and act upon the Production Permit Application, including designation of parties and/or granting or denying the Production Permit Application in whole or in part, as applicable.

Permits were tabled.

5. Adjourn or continue permit hearing

Board President Mark Patterson adjourned the permit hearing at 10:56 a.m.

Board Meeting

1. Pledge of Allegiance and Invocation.

Board President Mark Patterson led the group in the Pledge of Allegiance and Board Member Chuck Dodd offered the invocation for the group.

2. Call to order, establish quorum; declare meeting open to the public.

Board President Mark Patterson called the meeting to order at 10:57 a.m., established a quorum was present, and declared the meeting open to the public.

3. Consider and act upon election of Officers.

The following officers were elected: Board Member Mark Gibson, Secretary/Treasurer, Board Member Mark Patterson, President and Board Member Harold Latham, Vice President. Board Member David Gattis made the motion to approve the election of officers. Board Member Chuck Dodd seconded the motion. Motion passed unanimously.

4. Public Comment.

No Public Comment.

5. Consider and act upon approval of Minutes of September 21, 2023, Board Meeting.

Board Member Mark Gibson made a motion to approve the minutes of September 21, 2023, meeting. The motion was seconded by Board Member Billy Stephens. Motion passed unanimously.

6. Budget and Finance.

a. Review and approval of monthly invoices.

General Manager Paul Sigle reviewed the invoices with the Board. Discussion was held. Board Member Billy Stephens made the motion to approve the monthly invoices. Board Member David Gattis seconded the motion. Motion passed unanimously.

b. Receive monthly financial information.

General Manager Paul Sigle reviewed the District's monthly financial information with the Board.

c. Receive Quarterly Investment Report.

General Manager Paul Sigle reviewed the Quarterly Investment Report with the Board. Discussion was held.

7. Receive Quarterly Report on Management Plan.

General Manager Paul Sigle reviewed the Quarterly Report on Management Plan with the Board. Discussion was held.

8. Consider and act upon updating the Investment Policy.

General Manager Paul Sigle reviewed the Investment Policy with the Board. The legislative session did not produce any changes to the Public Funds Investment Act that would impact the current investment policy. The Board added a Senior Accountant. *The Board shall designate by resolution one or more officers and/or General Manager, Finance Officer and Senior Accountant of the District to be responsible for the investment of its funds and be the District's Investment Officer(s).* Board Member David Gattis made the motion to update the Investment Policy. Board Member Chuck Dodd seconded the motion. Motion passed unanimously.

9. Consider and act upon Engagement Letter for Audit Services for Fiscal Year Ending December 31, 2023.

General Manager Paul Sigle provided background information for the Board. This is the 5th year McClanahan and Holmes have been the auditor. Discussion was held. Board Member Chuck Dodd made the motion to accept McClanahan and Holmes for this year's audit ending December 31, 2023, with a different lead auditor and to solicit proposals for audit services next year. Board Member Harold Latham seconded the motion. Motion passed unanimously.

10. Discussion and possible action regarding issuing request for qualifications for database management and development service.

General Manager Paul Sigle provided background information for the Board. Discussion was held. Chuck Dodd was appointed RRGCD representative to work with staff to review RFQs for database management and development service. This is a joint project with NTGCD. Board Member David Gattis made the motion to issue RFQ for database management and development service. Board Member Mark Gibson seconded the motion. Motion passed unanimously.

11. Update and possible action regarding the process for the development of Desired Future Conditions (DFC).

No updates

12. Consider and act upon compliance and enforcement activities for violations of District Rules.

Kristen Fancher, legal counsel, provided information regarding the Porter Green lawsuit. The lawsuit has been settled. In the future any new owner cannot use wells to fill pond, leakage problem has not been fixed.

13. General Manager's report: The General Manager will update the Board on operational, educational, and other activities of the District.

- a. Well Registration Summary

General Manager Paul Sigle reviewed the well registration summary with the Board. Eight new wells were registered in September.

- b. Update on Injection/Disposal Well Monitoring Program

No updates

- c. Update of Historic Use Permits

General Manager Paul Sigle informed the Board that the District is in the process of updating Historic Use Permits that don't have issues by the end of the year. Discussion was held.

14. Open forum / discussion of new business for future meeting agendas.

Regular November meeting date third Thursday, November 16, 2023.

11. Adjourn.

Board President Mark Patterson declared the meeting adjourned at 11:30 a.m.

Recording Secretary

Secretary-Treasurer

ATTACHMENT 6 a.

RESOLUTION NO. 2023-12-01

RESOLUTION BY THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT AUTHORIZING PAYMENT OF ACCRUED LIABILITIES FOR THE MONTHS OF OCTOBER AND NOVEMBER

The following liabilities are hereby presented for payment:

	<u>Amount</u>
<u>Administrative Services</u>	
GTUA - Monthly expenses for October 2023	14,599.48
GTUA - Monthly expenses for November 2023	22,695.74
<u>Contract Services</u>	
Advanced Groundwater Solutions - Hydrogeologic consulting through 11/30/23	3,008.75
<u>Direct Costs</u>	
Statewide Plat Service - Monthly service charge for September 2023	50.00
Statewide Plat Service - Monthly service charge for October 2023	56.40
NexTraq - GPS Service through December 2023	36.95
<u>Dues & Subscriptions</u>	
Texas Water Conservation Association - Annual renewal expires	445.00
<u>GMA-8 Fees</u>	
NTGCD - 2023 Intera expenses for Northern Trinity & Woodbine Aquifer GAM Update Sept. 2023	3,487.06
<u>Insurance</u>	
Bayless Hall - Dishonesty Bond renewal for 2024-2025	286.00
<u>Legal</u>	
Fancher Law - BOD general legal services through October 2023	3,042.00
<u>Meetings & Conferences</u>	
Feast On This - October BOD Lunch	233.00
GRAND TOTAL:	<u><u>47,940.38</u></u>

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT THAT the Secretary-Treasurer is hereby authorized to make payments in the amounts listed above.

On motion of _____ and seconded by:

_____, the foregoing Resolution was passed and approved on this, the 21st. day of December 2023

by the following vote:

AYE:

NAY:

At a meeting of the Board of Directors of the Red River Groundwater Conservation District.

President

ATTEST:

Secretary/Treasurer

RED RIVER
GROUNDWATER
CONSERVATION
DISTRICT

BOARD MEETING

Agenda for the July Board Meeting
July 10, 2013
7:00 AM

ATTACHMENT 6 b.

1. Approval of the minutes of the previous meeting.

2. Approval of the 2013-2014 budget.

THANK YOU
FOR YOUR ATTENTION

RED RIVER GROUNDWATER
Balance Sheet
As of November 30, 2023

ASSETS

Current Assets

Checking/Savings

10001 CASH-First United	273,742.41
10025 A/R CONSUMPTION	50,987.95
10230 A/R Violation Fees	500.00
10101 ALLOWANCE FOR UNCOLLECT	-1,530.00
10010 INVESTMENTS	644,775.68
10230 PP EXPENSES	2,294.25

TOTAL ASSETS	<u>970,770.29</u>
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LIABILITIES & EQUITY

Liabilities

Current Liabilities

Accounts Payable

23100 ACCOUNTS PAYABLE	25,704.49
23150 DRILLERS DEPOSIT LIAB	16,415.02

Total Other Current Liabilities	<u>42,119.51</u>
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Total Current Liabilities	<u>42,119.51</u>
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Total Liabilities	42,119.51
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Equity

35100 RETAINED EARNINGS	849,390.66
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Net Income	<u>79,260.12</u>
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Total Equity	<u>928,650.78</u>
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TOTAL LIABILITIES & EQUITY	<u>970,770.29</u>
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RED RIVER GROUNDWATER
Profit & Loss Budget vs. Actual
November 30, 2023

	Current Actual	Current Budget	YTD Actual	Total Budget	% of Budget Remaining
Income					
46002 GW PRODUCTION	-7.40	81,750.00	285,849.21	327,000.00	12.58%
46005 LATE FEES	-400.00	0.00	8,129.62	0.26	0.00%
46006 VIOLATION FEES	0.00	0.00	0.00	0.00	0.00%
46015 REGISTRATION FEES	400.00	525.00	15,100.00	6,300.00	-139.68%
46020 PERMITTING FEES	0.00	500.00	2,900.00	6,000.00	0.00%
46100 INTEREST INCOME	0.00	666.00	8,278.41	8,000.00	-3.48%
Total Income	-7.40	83,441.00	320,257.24	347,300.26	7.79%
Gross Profit	-7.40	83,441.00	320,257.24	347,300.26	
Expense					
77010 ADMINISTRATIVE COST	4,969.25	8,750.00	69,933.49	105,000.00	33.40%
77020 ADVERTISING	0.00	83.00	75.94	1,000.00	92.41%
77027 AUDITING	0.00	0.00	5,400.00	5,300.00	-1.89%
77031 BANKING FEES	80.17	92.00	560.09	1,100.00	49.08%
77032 CONTRACT SERVICES	3,008.75	3,500.00	18,209.00	42,000.00	56.65%
77035 FIELD TECH	7,711.00	7,916.00	53,509.00	95,000.00	43.67%
77040 DIRECT COST	256.06	400.00	3,043.62	4,800.00	36.59%
77045 FIELD PERMITTING SPECIAL	2,561.50	2,916.00	27,025.00	35,000.00	22.79%
77450 DUES & SUBSCRIPTIONS	445.00	333.00	4,025.00	4,000.00	-0.63%
77480 EQUIPMENT	0.00	167.00	756.91	2,000.00	62.15%
77500 FEES-GMA8	0.00	83.00	16,494.40	1,000.00	-1549.44%
77810 INSURANCE AND BONDING	327.75	360.00	4,475.75	4,315.00	-3.73%
77850 GENERIC SOFTWARE SVC	0.00	208.00	1,037.72	2,500.00	58.49%
77970 LEGAL	0.00	2,500.00	18,836.52	30,000.00	37.21%
78010 MEETINGS AND CONFEREN	501.80	433.00	4,640.13	5,200.00	10.77%
78310 RENT	200.00	200.00	2,200.00	2,400.00	8.33%
78600 SOFTWARE MAINTENANCE	1,216.00	1,250.00	1,369.25	15,000.00	90.87%
78750 TELEPHONE	12.50	225.00	2,326.05	2,700.00	13.85%
78770 - TRANSPORTATION	24.27	417.00	1,798.94	5,000.00	64.02%
Total Expense	21,314.05	29,833.00	235,716.81	363,315.00	35.12%
Net Income	-21,321.45	53,608.00	84,540.43	-16,014.74	

ATTACHMENT 7



RED RIVER GROUNDWATER CONSERVATION DISTRICT AGENDA COMMUNICATION



DATE: December 15, 2023

SUBJECT: AGENDA ITEM NO. 7

PREPARED AND SUBMITTED BY: Paul M. Sigle, Assistant General Manager

CONSIDER AND ACT UPON ADMINISTRATIVE SERVICES CONTRACT WITH GREATER TEXOMA UTILITY AUTHORITY

ISSUE

Renewal of contract with Greater Texoma Utility Authority ("GTUA") for 2024 Administrative Services.

BACKGROUND

In November 2010, the District and GTUA entered into an agreement for administrative services to be provided by GTUA for the District. The Board of Directors of GTUA has continued to indicate their satisfaction with the outcome of the agreement. This agreement was considered and approved at GTUA's November 13, 2023, Board meeting.

CONSIDERATIONS

In conjunction with the Board's prudent management of funds, this relationship has helped the District operate with the lowest production fees in the region.

The budgeted amounts identified in the contract are consistent with the 2024 budget adopted by the District.

STAFF RECOMMENDATIONS

The staff recommends that the contract between the District and GTUA be approved.

ATTACHMENTS

2024 Administrative Services Contract with GTUA.

2024 Budget

**ADMINISTRATIVE SERVICES AGREEMENT
BETWEEN THE GREATER TEXOMA UTILITY AUTHORITY AND
THE RED RIVER GROUNDWATER CONSERVATION DISTRICT**

STATE OF TEXAS	§	STATE OF TEXAS
	§	
GREATER TEXOMA UTILITY AUTHORITY	§	RED RIVER GROUNDWATER
	§	CONSERVATION DISTRICT

This Agreement, made and entered into by and between the Greater Texoma Utility Authority, hereinafter referred to as ("Authority") and the Red River Groundwater Conservation District in Fannin and Grayson Counties, Texas, hereinafter referred to as ("District").

WITNESSETH:

WHEREAS, the District is experiencing a need for administrative services in order to achieve the objectives provided in its enabling legislation and Chapter 36 of the Texas Water Code; and

WHEREAS, the Authority has staff experienced in water related activities; and

WHEREAS, the District has determined that it is in the best interest of the District to engage the Authority to assist in providing administrative assistance in establishing the District's programs and activities; and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and of the terms and conditions hereinafter set forth, the parties agree as follows:

1. The Scope of Services. The term "Scope of Services" as used herein refers to the Scope of Services made and submitted by the Authority to the District as amended, modified, or supplemented herein. (attached hereto as "Exhibit A")

The Scope of Services is a general guideline for the commencement of administrative activities and related services. Said Scope of Services is amended and superseded by specific terms of this Agreement, which may be amended in writing from time to time upon agreement of the Authority and the District.

2. Administrative Services. The Authority shall perform administrative services for the District at the direction of the District Board, and the District Board President to the extent that the Board President's direction does not conflict with any District, State or Federal Laws, or Authority rule, policy, or order of the District or Authority Board. Such directions from the District Board and Board President regarding the performance of administrative services shall supplement any specific services delineated in this Agreement or the attached Scope of Services. Administrative services shall include, but not be limited to recording and communication services, database collection and well registration services, as well as assistance in developing personnel policies, operating procedures, refining of temporary rules and developing a management plan. Administrative services shall also include performance of the duties of the "General Manager" as set forth in the District's Temporary District Rules, Bylaws, rules and orders, subject to the directions and orders of the District Board and

Board President. The Authority shall not retain outside professional services to be reimbursed by the District without prior authorization from the District. The District Board shall retain ultimate authority in decision-making under the District's Rules.

3. Charges and Payment. Monthly payments shall be made by the District to the Authority for actual costs incurred including hourly wages and benefits of the Authority employees, insurance costs, extra travel costs to and from the District, overhead, and other direct costs, including fees for professional services. The Authority shall invoice the District for any such services performed hereunder during the preceding thirty (30) day period, said invoice to be presented by the 25th day of the following month. Said invoice shall be itemized in such a manner that the District may determine the reasonableness of the charges submitted. The District shall pay the full amount of invoices received from the Authority by the tenth day of the month following receipt of any such invoice unless notice of protest or disagreement is given to the Authority within seven (7) business days after receipt of said invoice. Failure of the Authority and the District to agree upon payment of such invoice within thirty (30) days of protest shall be grounds for termination under Paragraph 4 unless the parties can otherwise agree in writing to a schedule of payment.

4. Terms of Agreement. The Term of this Agreement shall be for a 12-month period commencing as of the effective date of this Agreement, which shall be the later date that the District or the Authority executes this Agreement. This Agreement may be renewed upon expiration of the 12-month term of this Agreement by written agreement between the parties. Either the District or the Authority may terminate this agreement for any reason at any time upon ninety (90) days written notice of termination to the other party. Should the Authority or the District elect to terminate this Agreement, the District shall remain responsible for its share of any costs for which it is obligated that remain existing and unpaid as of the effective date of termination.

5. Indemnity. Neither the District nor the Authority shall be liable to the other for loss, either direct or consequential. All such claims for any and all loss, however caused, are hereby waived. Said absence of liability shall exist whether or not the damage, destruction, injury, or loss of life is caused by the negligence of either party or of any of their respective agents, servants, or employees. It is contemplated that each party shall look to its respective insurance carriers for reimbursement of any such loss. Neither party shall have any interest or claim in the other's insurance policy or policies, or the proceeds thereof, unless it is specifically covered therein as an additional insured. Nothing contained in this Agreement is intended by either party to create a partnership or joint venture, and any implication to the contrary is hereby expressly disavowed. It is understood and agreed that this Agreement does not create a joint enterprise, nor does it appoint any party as an agent of any other party, for any purpose whatsoever. It is understood and agreed that by execution of this Agreement, no governmental powers or immunities are waived or surrendered by either the District or the Authority.

6. Independent Contractor. The Authority is, and shall perform this agreement as, an independent contractor, and as such, shall have and maintain complete control over all of its employees, subcontractors, agents, and operations. Neither the Authority nor anyone employed by it shall be, represent, act, purport to act or be deemed to be the agent, representative, subcontractor, employee, officer or servant of the District. No employee or agent of the District shall be, represent, act, or purport to act or be deemed to be the agent, representative, subcontractor, employee, officer, or servant of the Authority.

7. Surety Bond. Any officer, employee, or agent of the Authority who collects, pays, or handles any funds of the District shall furnish good and sufficient bond payable to the District in an amount determined by the

District Board to safeguard the District. The bond shall be conditioned on the faithful performance of that person's duties and on accounting for all funds and property of the District. The bond shall be signed or endorsed by a surety company authorized to do business in Texas. The District Board hereby determines that the initial amount of each bond shall be set at \$50,000.00, and may alter the amount pursuant to a minute order or resolution adopted at a properly noticed meeting. The District Board shall provide the Authority with notice of any such alternative amount. The District shall reimburse the Authority for costs incurred in connection with providing administrative services to the District. Any such out-of-pocket costs exceeding \$2,500.00 per year shall require prior approval of the District Board. The Authority shall limit the collection, payment, or handling of District funds only to the officers, employees, and agents of the Authority who have been bonded in accordance with this paragraph.

8. No Third Party Rights. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the parties hereto, and all duties and responsibilities undertaken pursuant to this Agreement shall be for the sole and exclusive benefit of the parties hereto, and not for the benefit of any other party. There are no third party beneficiaries to this Agreement.

9. Assignment. This Agreement shall not be assignable except at the written consent of the Authority and the District hereto, and if so assigned, shall extend to and be binding upon the successors and assigns of the Authority and the District thereto.

10. Notices. All notices given under this agreement shall be deemed properly served if delivered in writing personally, or sent by certified mail to Mark Patterson, President, Red River Groundwater Conservation District, PO Box 1214, Sherman, TX 75091-1214, and to the Authority addressed to the President, Greater Texoma Utility Authority, 5100 Airport Drive, Denison, TX 75020-8448. Date of service of notice served by mail shall be the date on which such notice is deposited in a post office of the United States Postal Service. Either party may change their respective addresses for notice by providing notice of such address change in the aforesaid manner with specific reference to this Agreement.

11. Authority Financial Obligations. Nothing in this agreement shall be construed to require the Authority to expend funds from any source other than the revenues received hereunder. All costs required by valid rules, regulations, laws, or orders passed or promulgated by the United States of America, the State of Texas, and regulatory or judicial branches thereof having lawful jurisdiction shall be the responsibility of the District.

12. Entire Agreement. This agreement embodies the entire understanding between the Authority and the District hereto relative to the subject matter hereof and shall not be modified, changed or altered in any respect except in writing signed by the Authority and the District.

13. Governing Law and Severability. This agreement shall be governed by the laws of the State of Texas and the venue in Grayson County, Texas. The provisions of this agreement shall be deemed to be severable and the invalidity of or inability to enforce other provisions hereof. In the event of a conflict between the terms of this Agreement and any exhibit attached hereto, the terms and conditions of this Agreement shall take precedence. Venue shall be in Grayson County, Texas.

14. Interpretation. Although drawn by the Authority, this contract shall, in the event of any dispute

over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party. Captions and headings used in this Agreement are for reference purposes only and shall not be deemed a part of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused the signatures of their legally authorized representatives to be affixed hereto, having been duly approved by the respective governing bodies and effective on the last date of execution as set forth below.

GREATER TEXOMA UTILITY AUTHORITY
5100 AIRPORT DRIVE
DENISON TX 75020-8448

RED RIVER GCD
PO BOX 1214
SHERMAN TX 75091-1214

BY: _____
President

BY: _____
President

DATE: _____

DATE: _____

ATTEST:

ATTEST:

Secretary-Treasurer

Secretary-Treasurer

Exhibit "A"

Scope of Services

- I. Recording and Communication Services
 - Act as point of contact for well owners by answering questions regarding rules
 - Provide all postings for meetings
 - Provide notice postings in timely manner
 - Mail notices and rules as needed
 - Prepare agenda after consultation with President
 - Prepare and e-mail draft minutes to Board of Directors
 - Complete minutes after review by Board of Directors
 - Maintain website as needed
 - Establish and maintain paper and electronic filing system
 - Provide written communications to well owners, TWDB and others as needed
 - Draft correspondence for signature by designated persons
- II. Database Collection for Registered and Non-Registered Wells in the District
 - Work with chosen database development firm to create the well registration system for the District
 - Operate and maintain well registration website and map, which will depict wells in each District county
 - Work with well owners to register wells and collect well registration fees
 - Employ field technician to locate and verify wells in each District county
- III. Development of Personnel and Other Policies
 - Prepare and present drafts of personnel policies for review by appropriate committee and Board of Directors
 - Prepare and present drafts of operating procedures for future staff to follow
 - Assist Board of Directors in training personnel for District at appropriate time
- IV. Assistance for Rule Development
 - Assist Board of Directors in development of permanent rules
 - Assist Board of Directors in the development and implementation of a Management Plan
- V. Accounting
 - Provide accounting services including keeping financial records, issuing invoices, paying invoices, etc.
 - Prepare and present monthly financial statements
 - Assist Board of Directors with development of budget
 - Prepare and provide documentation for audit

Approach to Provision of Services

- Staff is able to work diplomatically with well owners and others
- Use 800 number on all letterhead and other communication for calls to make contact easier for well owners
- Well-acquainted with TWDB staff
- Utilize assistance from Texas Alliance of Groundwater District members
- Coordinate District activities with GMA 8 activities
- Develop records and procedures in a manner that will make for easy transition when desired

Estimated Cost of Services

The Authority is a public agency. The Board's approach to provision of services has always been to seek reimbursement for the costs of providing the services requested. These costs include:

- The salary and employer personnel costs (social security, worker's compensation insurance, retirement, and accounting, etc.)
- Mileage for travel required at the rate set annually by IRS
- Any direct expenses required to provide the services requested (telephone charges, copies, postage, and similar expenses directly associated with the project)
- The contract for services will not exceed \$105,000 for administration and accounting, \$95,000 for the field technicians, and \$35,000 for field permitting specialist without prior authorization from the Board of Directors
- Field personnel costs will be an expense of the District, which will include salary, benefits, transportation and other costs directly associated with verification of well and pumping information
- Billing Rates:
 - General Manager – \$114 per hour
 - Project Coordinator - \$50 per hour
 - Administrative Assistant - \$32 per hour
 - Finance Officer - \$75 per hour
 - Accounting Assistant (2) - \$30 per hour
 - Office Clerk - \$34 per hour
 - Field Technician - \$48 per hour
 - Field Technician (2) - \$39 per hour
 - Groundwater Technical Lead - \$52 per hour
 - Operation Supervisor - \$62 per hour

**RED RIVER GROUNDWATER
CONSERVATION DISTRICT
BUDGET YEAR 2024**

	Approved 2024
Income	
46002 GW Production Fees	326,769.23
46007 Registration Fees	10,000.00
46005 Late Fees	-
46006 Violation Fees	-
46010 Drillers Dep Forfeit	-
46020 Permitting Fees	7,000.00
46100 Interest Inc	16,000.00
Total Income	359,769.23
Gross Profit	
Expense	
77010 ADMINISTRATIVE COST	105,000.00
77033 ADS-LEGAL	1,000.00
77027 AUDITING	5,700.00
77031 BANKING FEES	1,000.00
77032 CONTRACT SERVICES	
Hydrogeologist Consultant	17,000.00
GAM Runs & Update	35,702.39
77040 DIRECT COST	4,500.00
77450 DUES & SUBSCRIPTIONS	4,000.00
77550 EQUIPMENT	2,000.00
77555 FEES-GMA8	181.82
77035 FIELD TECH	65,000.00
77045 FIELD PERMITTING SPECIALIST	35,000.00
77810 INSURANCE & BONDING	4,410.00
77855 GENERIC SOFTWARE SERVICES	2,500.00
77970 LEGAL	15,000.00
78010 MEETING AND CONFERENCE	6,000.00
78310 RENT	2,400.00
78600 DATABASE (DRIPDROP)	50,000.00
78770 TRANSPORTATION/FUEL/MAINT	5,000.00
78750 TELEPHONE	3,000.00
Total Expense	364,394.21
Contingencies	
Total Expenditures	364,394.21
	(4,624.98)

ATTACHMENT 12 a

RED RIVER GROUNDWATER CONSERVATION DISTRICT

Well Registration Summary

(as of 10/31/2023)

Well Type	Fannin	Grayson	Total RRGCD	New Registrations October 2023
Domestic	258	439	697	6
Public Water	61	196	257	1
Livestock	17	32	49	0
Agriculture	24	27	51	0
Commercial	10	19	29	0
Surface Impoundments	14	18	32	1
Oil / Gas	0	18	18	0
Golf Course	0	14	14	0
Irrigation	1	13	14	0
Monitoring	1	9	10	0
Industrial	0	7	7	0
*Other	1	0	1	0
TOTALS	387	792	1179	8

NOTE: Plugged wells have been excluded

*Construction Water

RED RIVER GROUNDWATER CONSERVATION DISTRICT

Well Registration Summary

(as of 11/30/2023)

Well Type	Fannin	Grayson	Total RRGCD	New Registrations November 2023
Domestic	260	441	701	4
Public Water	61	196	257	0
Livestock	17	32	49	0
Agriculture	24	27	51	0
Commercial	10	19	29	0
Surface Impoundments	14	18	32	0
Oil / Gas	0	17	17	0
Golf Course	0	14	14	0
Irrigation	1	13	14	0
Monitoring	1	10	11	0
Industrial	0	7	7	0
*Other	1	0	1	0

TOTALS	389	794	1183	4
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NOTE: Plugged wells have been excluded

***Construction Water**

ADJOURN