

# NTG NORTH TEXAS CD GROUNDWATER CONSERVATION DISTRICT

COLLIN COUNTY COOKE COUNTY DENTON COUNTY

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COMMISSIONER'S COURT  
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March 29, 2013

The Honorable Keith Self and Members of the Collin County Commissioners Court  
Collin County  
Collin County Administration Building  
2300 Bloomdale Rd, Ste 4192  
McKinney, TX 75071

RE: North Texas Groundwater Conservation District Board Representation

Dear Judge Self and Members of the Collin County Commissioners Court,

The legislation creating the North Texas Groundwater Conservation District in 2009 contains a provision for three representatives to be appointed by the Collin County Commissioners Court. Since the terms for directors are staggered, one of these will expire on June 1, 2013. A copy of Section 8856.051 of SB 2497, the section of the District's governing legislation regarding the Terms of the Board of Directors of the District is attached. The new term will be for the period ending June 1, 2017.

The position appointed by the Commissioners Court is to be selected from a list of nominees provided by the groundwater producers in Collin County. That position is currently being filled by Mr. Eddy Daniel, an engineer with DBI Consultants in the City of Farmersville. Mr. Daniel has been a very active and involved member of the Board and has expressed a willingness to serve another term.

The purpose of this letter is to request that this item be placed on a future Commissioners Court agenda and make appointments for this position for the period beginning June 2, 2013 and ending June 1, 2017. Please notify the District of the Commissioners Court action as soon as a decision on this appointment has been made.

Respectfully submitted,



Jerry Chapman  
General Manager

cc: Eddy Daniel, DBI Consultants

North Texas Groundwater Conservation District

PO Box 508 Gainesville, Texas 76241

(855) 426-4433

[www.northtexasgcd.org](http://www.northtexasgcd.org)

1 8856.004, the temporary directors from the counties that are  
2 included in the district become the initial permanent directors.

3 (b) If the Commissioners Courts of Collin, Cooke, and Denton  
4 Counties confirm the inclusion of those counties in the district,  
5 the three directors appointed from each county shall draw lots as  
6 follows to determine:

7 (1) for Denton and Cooke Counties, which director's  
8 term expires June 1, 2011, and which two directors' terms expire  
9 June 1, 2013; and

10 (2) for Collin County, which two directors' terms  
11 expire June 1, 2011, and which director's term expires June 1, 2013.

12 (c) If the commissioners courts of only two of the counties  
13 confirm the inclusion of those counties in the district, the three  
14 directors appointed from each county shall draw lots as follows to  
15 determine:

16 (1) for the first county to confirm, which director's  
17 term expires June 1, 2011, and which two directors' terms expire  
18 June 1, 2013; and

19 (2) for the second county to confirm, which two  
20 directors' terms expire June 1, 2011, and which director's term  
21 expires June 1, 2013.

22 Sec. 8856.024. EXPIRATION OF SUBCHAPTER. This subchapter  
23 expires September 1, 2011.

24 [Sections 8856.025-8856.050 reserved for expansion]

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 8856.051. GOVERNING BODY; TERMS. (a) The district is  
27 governed by a board of six or nine directors appointed as provided

1 by this section.

2 (b) If the Commissioners Courts of Collin, Cooke, and Denton  
3 Counties confirm the inclusion of those counties in the district,  
4 nine directors shall be appointed as follows:

5 (1) the Collin County Commissioners Court shall  
6 appoint three directors;

7 (2) the Cooke County Commissioners Court shall appoint  
8 three directors; and

9 (3) the Denton County Commissioners Court shall  
10 appoint three directors.

11 (c) If the commissioners courts of only two of the counties  
12 confirm the inclusion of those counties in the district, the  
13 commissioners court of each of those counties shall appoint three  
14 directors.

15 (d) The commissioners court of each appointing county shall  
16 appoint two of the three directors from that county as follows:

17 (1) one director from a slate of not more than three  
18 nominees submitted by the largest municipal groundwater producer in  
19 the county; and

20 (2) one director from a slate of not more than three  
21 nominees submitted by the other groundwater producers in that  
22 county.

23 (e) Directors serve staggered four-year terms, with the  
24 term of one or two directors from each appointing county expiring on  
25 June 1 of each odd-numbered year.

26 (f) A director may serve multiple consecutive terms.

27 (g) A position on the board may not be construed to be a

1 civil office of emolument for any purpose, including a purpose  
2 described by Section 40, Article XVI, Texas Constitution.

3 (h) A person who qualifies to serve on the board may serve as  
4 a director and participate in all votes relating to the business of  
5 the district regardless of any common law doctrine of  
6 incompatibility. Section 36.051, Water Code, does not apply to the  
7 district.

8 Sec. 8856.052. DIRECTOR ELIGIBILITY; QUALIFICATION.

9 (a) To be eligible to serve as a director, a person must be a  
10 registered voter in the appointing county.

11 (b) Each director must qualify to serve in the manner  
12 provided by Section 36.055, Water Code.

13 Sec. 8856.053. VACANCIES. If a vacancy occurs on the board,  
14 the commissioners court that appointed the director who vacated the  
15 office shall appoint a person to fill the vacancy in a manner that  
16 meets the representational requirements of Section 8856.051.

17 Sec. 8856.054. COMPENSATION; REIMBURSEMENT.

18 (a) Notwithstanding Sections 36.060(a) and (d), Water Code, a  
19 director may not receive compensation for performing the duties of  
20 director.

21 (b) A director is entitled to reimbursement of actual  
22 expenses reasonably and necessarily incurred while engaging in  
23 activities on behalf of the district.

24 Sec. 8856.055. BOARD CHAIR. The board shall select one of  
25 its members to serve as the chair for a two-year term. The position  
26 of chair must rotate among the counties in the district every two  
27 years in alphabetical order by county.