

**NORTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT**

1100 Circle Drive, Suite 300 Fort Worth, Texas 76119

# Minutes

January 16, 2020 at 2:00 PM

for

**PERMIT HEARING AND REGULAR MEETING**

of the

**BOARD OF DIRECTORS**

## Permit Hearing on Operating Permit

Notice is hereby given that the Board of Directors of the Northern Trinity Groundwater Conservation District (District) will hold a Permit Hearing and may discuss, consider, and take all necessary action regarding the subject matters of the hearing, including but not limited to approving the applications listed below.

All interested parties are invited to attend.

### AGENDA:

1. Call to order: establish a quorum and declare meeting open to the public.

Permit Hearing for Operating Permit was called to order. A quorum was established. The meeting was declared open to the Public at 2:10 P.M.

2. Review the Operating Permit Application of:

President requested the General Manager to introduce the Operating Permit Application for Monarch Utilities 1, L.P.

General Manager briefly summarized the application and stated it is administratively complete.

GM introduced Jarrod Reynolds, Civil Engineer and representative for Monarch Utilities 1, L.P.

President Laughlin clarified the application date of October 2019 and the amended gallons per minute to meet well spacing requirements.

**Applicant:** Monarch Utilities 1, L.P.

**Location of Well:** 6814 Silver Saddle Fort Worth, TX 76126; Silver Saddle Water System:

Latitude: 32.69633°N Longitude: -97.51272° W

**Purpose of Use:** Public Water Supply

**Requested Amount of Use Annually:** 35 acre ft / 11,404,785 gallons

**Production Capacity of Well:** 39 gallons per minute

**3. Public Comment on the Operating Permit Applications.**

Jarrod Reynolds spoke to the prospect of supplying more water from this well in the future on an as needed basis. Plugging existing well to add more capacity with new well to meet TCEQ standards in the future.

President Laughlin confirmed the capacity of the well is 35-acre feet per year with 39 gallons per minute maximum production.

Board discussion. No further questions. GM recommended approval of the permit

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

Vice President Cozart made the motion to accept the Operating Permit as submitted by Monarch Utilities 1, L.P. for Silver Saddle Road system.

Motion seconded by Director Merritt. Motion passed unanimously.

**5. Adjourn or continue permit hearing.**

President Laughlin adjourned the Operating Permit Hearing at 2:17 PM.

## **Regular Board Meeting**

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

All interested parties are invited to attend.

The Board may consider, discuss and take action, including expending funds, on any of the following agenda items:

### **AGENDA:**

1. Call to order; establish a quorum; and declare meeting open to the public.

President Laughlin called the Regular Board Meeting of the Northern Trinity Groundwater Conservation District to order at 2:18 PM, established a quorum and declared the meeting open to the public.

2. Welcome and introductions.

President Laughlin recognized Pete Shulmeyer, senior hydrogeologist for Collier Consulting.

President recognized Johan Petterson prospective new board member representing Precinct 3 in Tarrant County. He is a principal with Dannenbaum Engineering with a background in hydrology.

3. **Resignation of Board Member Secretary Richard Sawey, representing Tarrant County Precinct 3. Presentation of appreciation gift.**

Vice President Cozart made the motion to accept the resignation of Richard Sawey representing Tarrant County Precinct 3.

Motion seconded by Director Merritt. None opposed.

4. **Introduce and administer Oath of Office to newly appointed Board Member, Johan Petterson representing Tarrant County Precinct 3.**

Johan Petterson was present to take his oath of office for Northern Trinity GCD Board Director to fill the vacancy of Tarrant County Commissioner's Office Precinct 3. Laura Schumacher, Notary for the State of Texas witnessed the Oath of Office for the newly appointed Board Member.

5. **Public Comment.**

No public comment.

6. **Consent Agenda:** Each of these items is recommended by the Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval for the Consent Agenda authorizes the General Manager or his designee to implement each item in accordance with the Staff recommendations. The Consent Agenda will be approved as a block. Any Board member that has questions regarding any item on the Consent Agenda may have the item pulled and considered as a regular item on the agenda. Any items so pulled for separate discussion will be considered as the first items following approval of the Consent Agenda.
  - A. Approval of minutes from Board meeting on November 11, 2019.
  - B. Approval of Current Budget Performance - Operating and Investment account statements.
  - C. Payment of bills/invoices received.
  - D. Reimburse General Manager, Field Tech, and/or Office Manager for invoices/bills paid on behalf of the District.

President Laughlin called for a motion to approve the Consent Agenda.

Director Merritt made the motion to approve the Consent Agenda. Vice President Cozart seconded the motion.

President Laughlin called for a Board vote. Vote was unanimous to approve the Consent Agenda.

7. **Any items from Consent Agenda that were pulled for further discussion.**

No items were pulled for further review.

8. Discussion and possible action on assisting "The Texas Department of Licensing and Regulation" with fulfilling their duties consistent with their Memorandum of Understanding with "The Texas Commission on Environmental Quality" relating to investigative procedures for referrals of complaints regarding abandoned and / or deteriorated wells. Resolution 020-001.

President requested information from GM on the Memorandum of Understanding. GM recommended District participation in the TDLR request.

President called for further discussion or questions. No further discussion or questions.

President Laughlin called for a motion of acceptance and approval of Resolution 020-001. Director Petterson made the motion. Motion seconded by Vice President Cozart. None opposed or abstained.

#### **9. Consider and adopt Groundwater Management Plan.**

GM explained to the Board the current Management Plan was adopted in 2015 and is required to be reviewed and adopted every 5-years.

GM requested Attorney Ty Embrey to provide details for Management Plan required in 2020. The current plan was approved by the Texas Water Development Board (TWDB) on June 11, 2015. A 20-day Notice is required for Public Hearing of the Management Plan which will be on the next Board meeting Agenda for the Board of Director's approval.

The steps to re-adopt a 2020 Management Plan as outlined by Attorney Ty Embrey is as follows:

- Wade Oliver with Intera has submitted the Draft Management Plan to TWDB for pre-review.
- TWDB will make revisions to submitted plan.
- District staff will review and make revisions.
- Revisions will be incorporated in Management Plan and submitted to NTGCD Board for review before next scheduled Board meeting to comply with the June 11, 2020 re-adoption date.
- Post Notice 20 days in advance of next scheduled Board meeting to present revised Management Plan for Public discussion.
- Hold Public Hearing to re-adopt Management Plan by Board.
- Submit adopted Management Plan to TWDB for review and approval by TWDB Executive Administrator by June 11, 2020.

President of the Board requested that the Management Plan be available to all Board members for review so that comments might be submitted timely to staff. Board comments should be submitted to Wade, Ty and staff by February 21, 2020.

No action taken.

#### **10. Consider and act upon election of Secretary of the Board.**

President of the Board called for a volunteer or a nomination for Secretary of the Board. The position was vacated by the acceptance of the resignation of Richard Sawey.

Vice President Cozart made a motion to nominate Director Wayne Merritt to the office of Secretary of the Board. President Laughlin seconded the motion.

President Laughlin confirmed Director Merritt's willingness to serve. Director Merritt agreed to accept the office of Secretary of the Board.

Motion passed unanimously.

- 11. Board will consider and possibly approve lease administered by Resource Connections for office space. Lease term commencing on February 1, 2020 and shall continue for a period of two (2) years ending January 31, 2022.**

President Laughlin confirmed the lease fee would be increased. GM confirmed the increase is \$0.50 per sq ft.

GM recommended acceptance of the new lease agreement.

President Laughlin confirmed the lease term to be 2-years ending January 31, 2022.

President Laughlin called for a motion to authorize Amendment No. 5 for the renewal of the current Lease administered by Resource Connection.

Vice President Cozart made the motion to accept a 2-year renewal of the current office lease administered by Resource Connection. Motion seconded by Director Petterson.

Motion passed unopposed.

- 12. Consider and possibly act on regulatory issues associated with Samantha Springs.**

GM reported a request received this morning from Samantha Springs attorney, Mabel Simpson that Agenda Item 12 not be discussed at the Board of Director's meeting.

Attorney Ty Embrey reviewed the legal actions taken to prompt Samantha Springs to comply with the District Rules and Regulations. Legal correspondence to Samantha Springs required compliance by January 30, 2020 or a Notice for a Show Cause Hearing would be posted 30-days prior to the next regular Board of Directors' meeting.

President Laughlin requested a one to two-page "white paper" prepared by Attorney Embrey and Wade Oliver, hydrologist with the facts leading up to the Show Cause Hearing.

The Board of Directors discussed Samantha Springs non-compliance with the registration of existing wells and not reporting the groundwater usage to the District in preparation for the Show Cause Hearing.

- 13. G M Report**

GM addressed a TCEQ contamination report in the City of Euless at a Chevron station on Euless Main.

President Laughlin requested the GM and Attorney to get the monitoring well reports submitted for this contamination location including any well drilled to groundwater to be a monitoring well. NTGCD should be kept informed of the clean-up management plan for this contamination event .

GM reported the Lakes of Creekwood HOA's non-compliance with District Rules and Regulations.

GM reported upcoming meetings to the Board including his participation in the meetings.

President Laughlin requested the website posting of the GM's power point presentations.

**14. Upcoming Groundwater Conferences**

No action taken.

**15. Other Business / Setting of next meeting**

Next meeting set for March 24, 2020. No other business.

**16. Adjourn.**

President Laughlin called for the meeting to adjourn at 3:50 PM.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF DIRECTORS this

20<sup>th</sup> day of May, 2020.

Attest: *H. Wayne Hewitt*, Secretary of NTGCD Board