

Minutes

for

the

10:00 AM

November 19, 2020

PERMIT HEARING on GRANDFATHERED and OPERATING PERMITS

and

REGULAR MEETING

OF THE

BOARD OF DIRECTORS

for

NORTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

1100 Circle Drive, Suite 300 Fort Worth, Texas 76119

In accordance with Governor Abbott's declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act, the Northern Trinity Groundwater Conservation District (NTGCD) will hold public hearings on proposed Grandfathered and Operating Permits Thursday, November 19th at 10:00 a.m. by telephonic conference call. The public may call in to this meeting by calling 1-888-599-1357 and entering the following code: 8529.

All interested parties are encouraged to provide input, and members of the public wishing to make public comment during the meeting must register by emailing lauraschumacher@ntgcd.com prior to 10:00 a.m. on November 19, 2020. This meeting will be recorded and the audio recording will be made available upon request after the meeting by sending an email to lauraschumacher@ntgcd.com.

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.

AGENDA:

1. Call to order; establish a quorum; declare meeting open to the public; introduction of Board.

President Laughlin called the Permit Hearing to order and opened the Hearing to the Public at 10:08 A.M. A quorum was established.

Members Present: President Laughlin, Vice President Cozart, Secretary Merritt, Director Petterson

Members Absent: Director Haster

Staff: Bob Patterson, Corey Jones, Laura Schumacher

Visitors: Ty Embrey, Legal Counsel
Kim Knox, CPA with Boucher Morgan and Young
Gama Navarro, Jose Najera, Jerry Leafgreen, and Jerry Browning representing Keller ISD
Ms. Martha Leonard and John Maddux representing Leonard Golf Links
Jason Flynt (Barco Well Service) representing TM Watercress, LLC
Peter Schulmeyer with Collier's Consulting

2. Review the Grandfathered Permit Application of:

General Manager introduced and reviewed each permit individually.

Applicant: Southlake Park Services
Location of Well: 3340 Southlake Park Drive Southlake, TX 76092 (25' inside gate)
Latitude: 32.984268° N Longitude: -97.145552° W
District Registration Number: N-2016-1087
Purpose of Use: Public Water Supply
Maximum Grandfathered Use Verified: 9,542,600 [2014.(Jan-Dec) Water Production Reports]
Requested Amount of Use Annually: 9,500,200 gallons
Production Capacity of Well: 70 gallons per minute
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No comment from public or NTGCD Board.

President Laughlin requested a recommendation from the General Manager. GM recommended approval of application as submitted.

President Laughlin called for a consensus vote of the Board. Vote was unanimous for approval of the Grandfathered Use Permit Application for Southlake Park Services.

Applicant: Leonard Golf Links
Location of Well: 3400 Chapel Creek Blvd-South Well Fort Worth, TX 76116
Latitude: 32° 43' 26.7" N Longitude: -97° 30' 16.3" W
District Registration Number: N-2016-1081
Purpose of Use: Commercial / Small Business
Maximum Grandfathered Use Verified: 5,644,600 [2015.(Jan-Dec) Water Production Reports]
Requested Amount of Use Annually: 5,644,000 gallons
Production Capacity of Well: 85 gallons per minute

Applicant: Leonard Golf Links
Location of Well: 3400 Chapel Creek Blvd-North Well Fort Worth, TX 76116
Latitude: 32° 43' 41.5" N Longitude: -97° 30' 14.5" W
District Registration Number: N-2016-1088
Purpose of Use: Commercial / Small Business
Maximum Grandfathered Use Verified: 19,627,600 [2014.(Jan-Dec) Water Production Reports]

Requested Amount of Use Annually: 19,627,600gallons

Production Capacity of Well: 85 gallons per minute

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No comment from public or NTGCD Board.

President Laughlin called for a consensus vote of the Board. Vote was unanimous to approve the two (2) Grandfathered Use Permit Applications for Leonard Golf Links.

3. Public Comment on the Grandfathered Use Permit Applications.

Comments were made during presentation of Permit Applications as noted above.

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

5. Review the Operating Permit Application of:

Applicant: TM Watercress, LLC

Location of Well: 502 Blue Mound Road E Haslet, TX 76052

Latitude: 32° 56' 39.6" N Longitude: -97° 20'10.7" W

District Registration Number: N-2020-0251

Purpose of Use: Commercial / Small Business (Filling a pond, landscape irrigation)

Requested Amount of Use Annually: 17,505,282 gallons

Production Capacity of Well: 125 gallons per minute

President Laughlin ask the Board for any comments. No comments nor questions from Board.

Jason Flynt with Barco Well Service gave a short description of the land and water use for this operating well permit.

President Laughlin called for a Board vote. Vote was unanimous to grant the operating permit as submitted for TM Watercress,LLC N-2020-0251.

Applicant: Keller ISD

Location of Well: Keller High School – 601 Pate Orr Road Keller, TX 76248

Latitude: 32.939338° N Longitude: -97.235517° W

District Registration Number: N-2020-0237

Purpose of Use: Irrigation of landscape and sports fields

Requested Amount of Use Annually: 10,000,000 gallons

Production Capacity of Well: 50 gallons per minute

Applicant: Keller ISD

Location of Well: Timber Creek High School – 12350 Timberland Blvd. Keller, TX 76244

Latitude: 32.951009° N Longitude: -97.285026° W

District Registration Number: N-2020-0238

Purpose of Use: Maintain pond and irrigation

Requested Amount of Use Annually: 10,000,000 gallons

Production Capacity of Well: 50 gallons per minute

President Laughlin ask the Keller ISD representative, Gama Navarro to address the amount of usage requested. Keller ISD requested potential future use for the operating permit.

President Laughlin called for a motion to approve the two (2) Operating Permits for Keller ISD subject to District Rules which include the ability to review the authorized amount of the operating permits and revise the usage amounts based on the actual reported water usage.

Vice President Cozart made the motion to approve the two (2) Operating Permits for Keller ISD subject to District Rules which include the ability to review the authorized amount of the operating permits and revise the usage amounts based on the actual reported water usage.

Director Petterson seconded the motion.

President Laughlin called for a vote. Vote was unanimous.

Ty Embrey, attorney quoted Rule 5.1 (e) which grants the Board the authority to revise a permit to accomplish the purposes of the District, the District Rules, Management Plan, and DFCs established for the aquifers located in the District boundaries.

6. Public Comment on the Operating Permit Applications.

Public comment was made during the individual operating permit Agenda Item.

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

Board action was taken during the individual operating permit Agenda Item.

8. Adjourn or continue permit hearing.

The Permit Hearing was adjourned at 10:35 A.M.

Regular Board Meeting

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

The Regular Board meeting was convened at 10:35 AM. A quorum was established.

2. Public Comment.

None

3. **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 July 23, 2020.
 - 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 approval of the Consent Agenda.

Secretary Merritt made the motion to approve the Consent Agenda.

The motion was seconded by Director Petterson.

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

None

5. Presentation of "Draft" Audit for Board approval.

General Manager introduced Kim Knox, CPA with Boucher Morgan and Young to present the Draft 2019.Audit for Board review and adoption.

President Laughlin called for Board comments. No comments from the Board.

President Laughlin called for a motion for approval and adoption of the Audit for year ending December 31, 2019 as presented by Ms. Knox.

Vice President Cozart made the motion for approval and adoption of the Audit ending December 31, 2019.

Director Petterson seconded the motion.

President Laughlin called for a Board vote. Vote was unanimous.

6. G M Report

- **Update on GMA 8 Joint Planning Process – Ty Embrey**

GM ask Ty Embrey, attorney to summarize the Groundwater Management Area 8 (GMA 8) Joint Planning Process.

Mr. Embrey summarized the GMA 8 joint planning process.

- October 27, 2020 - GMA 8 adopted the Proposed DFCs for all the Districts and Counties in GMA 8
- November 16, 2020 – the GMA 8 administrator mailed the Proposed DFCs for the aquifers within GMA 8 that were relevant
- November 16, 2020 - started a 90-day period as required by Chapter 36 for GCDs within GMA 8 to hold a Public Hearing for their Proposed DFCs
- February 14, 2021 – deadline for required 90-day period Public Hearing on the Proposed DFCs
- Submit any comments or revisions from stakeholders within the District taken during the Public Hearing to GMA 8
- GMA 8 will review and consider all Public Hearing comments and requests for revisions from each GMA 8 GCDs.
- GMA 8 will vote on an Explanatory Report that is the finalization of the DFCs.
- The final Explanatory Report with the DFCs will be sent to the GMA 8 GCDs for adoption.
- The appeals process will start for anyone that wants to appeal the adoption of the DFCs.

The President of the Board inquired if the DFCs for NTGCD were revised. Attorney Embrey said there are no substantive changes.

GM told the Board Wade Oliver, hydrologist for the District has reviewed the DFCs for NTGCD.

- **Accolades for GM from University of Houston, School of Business**

GM addressed the University of Houston, School of Business invitation before the GMA 8 update.

GM shared the Letter of Invitation from the University of Houston School of Business to partner with the Board to assist them with the design and the University processes with respect to water conservation. GM declined the invitation.

7. Other Business / Setting of next meeting

No other business.

General Manager will poll the Board for the next best meeting date.

8. Adjourn.

The President adjourned the meeting at 10:56 AM.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF DIRECTORS this

27 day of JANUARY, 2021.

Attest: X. Wayne - Miller, Secretary of NTGCD Board