

Minutes

for the
2:00 PM
August 25, 2021

PERMIT HEARING on OPERATING PERMIT
and
Regular Board Meeting
of the
Board of Directors
of the
NORTHERN TRINITY GROUNDWATER CONSERVATION
DISTRICT

1100 Circle Drive, Suite 300 Fort Worth, Texas 76119

IN-PERSON MEETING LOCATION:
Board Room located at 1100 Circle Drive, Fort Worth, TX 76119

REMOTE ACCESS AVAILABLE AT:
The public may call in to this meeting by calling 1-888-599-1357 and entering the following code: 8529.

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 application(s) listed below.

AGENDA:

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

Vice President Cozart called the Permit Hearing to order and opened the Permit Hearing to the Public at 2:07 P.M. A quorum was established.

Directors Present: President Laughlin (remote) Vice President Cozart, Secretary Merritt,
Director Petterson (remote)

Directors Absent: Director Haster

Ty Embrey (Lloyd Gosselink, Attorneys at Law), District's attorney attended the meeting remotely.

Staff Present: General Manager Bob Patterson; Corey Jones and Laura Schumacher

2. Review the Operating Permit Application(s) of:

Applicant: Trinity United Methodist Church

Location of Well: 1200 W. Green Oaks Blvd. Arlington, TX 76013

Latitude: 32.724967° N Longitude: -97.184743° W

District Registration Number: N-2021-0148

Purpose of Use: Irrigation Water

Requested Amount of Use Annually: 5,952,000 gallons

Production Capacity of Well: 60 gallons per minute

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Vice President Cozart requested the General Manager introduce the Operating Permit Application for Trinity United Methodist Church located in Arlington, TX. 76013.

The Operating Permit was discussed and presented to the Board by the General Manager.

VP Cozart ask the GM if he approved the Operating Permit for Trinity United Methodist Church. GM confirmed that he did approve.

3. Public Comment on the Operating Permit Application(s).

VP Cozart called for Public Comment on the Operating Permit Application.

No public comment.

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

VP Cozart called for a motion to approve the Operating Permit Application for Trinity UMC.

President Laughlin made the motion to accept the Operating Permit for Trinity United Methodist Church as presented and approved by the GM.

Secretary Merritt seconded the motion.

VP Cozart called fora vote. Vote was unanimous. 4 Ayes and 0 Nays

5. Adjourn or continue permit hearing.

VP Cozart adjourned the Permit Hearing at 2:10 P.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.

VP Cozart called the meeting to order at 2:10 P.M. and established a quorum and opened the meeting to the public.

Directors Present: President Laughlin (remote) Vice President Cozart, Secretary Merritt,
Director Petterson (remote)

Directors Absent: Director Haster

Ty Embrey, District's attorney attended the meeting remotely.
Sheila Gladstone with Lloyd Gosselink Attorneys at Law

Staff Present: General Manager Bob Patterson; Corey Jones and Laura Schumacher

2. Public Comment.

There was no public comment.

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 20, 2021.
 - 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.

VP Cozart ask if anyone wanted to pull an item from the Consent Agenda for further discussion.

No items were pulled.

VP Cozart called for a motion to approve the Consent Agenda as presented.

Secretary Merritt made the motion to approve the Consent Agenda as presented.

President Laughlin seconded the motion. The vote was unanimous to accept the Consent Agenda as presented.

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

No items were pulled from the Consent Agenda for further discussion.

Attorney Embrey requested the Board of Directors call for Agenda Item 8 to be presented next before Agenda Items 5, 6, 7, 9 and 10.

At 2:13 P.M. the Board of Directors recessed the Regular Board meeting to go into an Executive Session meeting in compliance with Texas Open Meeting Act, Chapter 551, Government Code, Vernon's Texas Codes for consultation concerning attorney-client matters (§551.071) and personnel matters (§551.074).

Regular Board meeting was called back into session at 2:48 P.M. with no action required from the Executive Session.

Agenda Item 8: GM Report was presented before Agenda Items 5, 6, 7, 9 and 10.

General Manager discussed the Database improvements by Halff and Associates. GM discussed the timeline from Halff and Associates for the Database improvements.

GM discussed the following 2022.Projected Budget items:

- Increased fee at 15.5 cents per thousand gallons of groundwater usage
- Increase in Database budget
- Decreased Legal Fees to \$60,000.00
- Discussed Website budget
- As requested by the Board, researched new location for NTGCD offices
- New vehicle and additional \$2,000.00 for new vehicle equipment
- Lowering of salaries

GM reviewed the Board Reports presenting reported groundwater usage and new wells.

General Manager Patterson announced his retirement effective September 30, 2021.

The Board requested an email from the General Manager stating his retirement date will be effective September 30, 2021.

The Board of Directors resumed the Agenda Items order starting with Agenda Item 5.

5. Discussion regarding potential violations of District Rules by the following. Take action as necessary.
 - Viridian Municipal Management District

VP Cozart gave a brief history of the Board's actions for first violators of the District rules. President Laughlin reiterated the Board's goal is to get people into Board meetings, discuss the District's mission, give them a pass the first time and hold them accountable in the future.

Ty Embrey, attorney discussed the requirements of Chapter 36 of the Water Code for majority voting of a Board of Directors for Groundwater Districts. In relationship to Northern Trinity, three (3) Directors must vote in agreement for a motion to prevail.

Director Petterson made the motion to not assess a violation to Viridian Municipal Management District.

President Laughlin seconded the motion.

VP Cozart called for a vote.

The vote was three (3) ayes and one (1) nay.

6. Board will consider and possibly act upon Operating Budget for January 1 through December 31, 2022.
 - Adopt Resolution # 021-002 (Adopting 2022 Operating Budget)

VP Cozart opened Agenda Item by calling for Board discussion.

Director Petterson ask about the overage balance of the 2022.Projected Draft Budget.

General Manager addressed Director Petterson's concern that the 2022.Projected Draft Budget had a large overage. GM said the budget would be changed numerous times during the budget year.

President Laughlin discussed the 15.5 per thousand gallons of water fee.

The 2022.Project Draft Budget was tabled until the next called meeting.

At 3:15 PM Director Petterson exited the meeting due to a prior engagement.

7. Board will consider and possibly approve the District's 2020 Annual Report.

VP Cozart called for comments or questions on the 2020 Annual Report.

Board comments were in favor of the 2020 Annual Report.

President Laughlin made the motion to approve the 2020 Annual Report.

Vice President Merritt seconded the motion.

VP Cozart called for a vote to approve the 2020 Annual Report. Unanimous vote to approve the 2020 Annual Report.

GM report was given before Agenda Items 5, 6, and 7.

8. G M Report

- Database updates from Halff

9. Other Business / Setting of next meeting

Ty Embrey, attorney gave the Board of Directors a brief update on the federal court's favorable ruling for City of Bryan's legal proceedings on constitutional grounds. The City of Bryan is located within Brazos Valley GCD's authority. Landowner lost by due process. Proceedings are ongoing regarding "takings" actions.

The next meeting for the NTGCD Board of Directors is set for Tuesday, September 21, 2021 at 2:00 P.M.

10. Adjourn.

VP Cozart adjourned the meeting at 3:24 P.M.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF DIRECTORS this

21st day of September 2021.

Attest: Robert Patterson, GM, Secretary of NTGCD Board