

# MINUTES

for the

2:00 PM Wednesday, January 26, 2022

**PERMIT HEARING on Grandfathered Use Permits, Operating Permits, Permit  
Amendment  
and REGULAR BOARD MEETING**

of the

## BOARD OF DIRECTORS

for

**NORTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT**

### IN-PERSON MEETING LOCATION:

**Board Room located at 1100 Circle Drive, Fort Worth, TX 76119**

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 the meeting open to the public; introduction of Board.

President Laughlin called the meeting to order at 2:00 P.M. A quorum was established, and the meeting was opened to the public.

Board Members present: President Laughlin

Vice President Cozart

Secretary Merritt

Director Haster

Director Petterson

Staff Present:

Corey Jones

Hi Newby

Laura Schumacher

Members of the Public Present:

Matt Van Hatten, Collier Consulting-Beltmill Saginaw, LLC

Hunter King, Collier Consulting-Beltmill Saginaw, LLC

Tom Mitchell, Fort Worth Country Day

Chris Hamilton, Hillwood-Independence Water

Craig Schkade, Hillwood-Independence Water

Jason Flynt, Barco Well Service, L.P.

Chris Barker, Deputy City Manager for City of Euless

Hal Cranor, Director of Public Works for City of Euless

Liz Ferry, Engineer for City of Euless and Ridglea Country Club

Duane Janssen, Ridglea Country Club

Peter Schulmeyer, Collier Consulting

Attorney for the District attending remotely: Ty Embrey

Hydrologist for the District attending remotely: Wade Oliver

President Laughlin announced that during the time the Board discussed Agenda Item 6: Operating Permits for Independence Water, LP he would recuse himself and excuse himself from the meeting room. A Conflict of Interest

Disclosure Affidavit stating L. Russell Laughlin is Executive Vice President of Independence Water, LP signed by President Laughlin has been filed with the Board of Directors for Northern Trinity GCD.

The Board will have a quorum in attendance when President Laughlin excuses himself from the Board meeting.

2. Review the Grandfathered Use Permit Applications of:

President Laughlin requested Corey Jones, GM introduce the two (2) Grandfathered Use Permits.

**Applicant:** Fort Worth Country Day

**Location of Well:** 4200 Country Day Lane Fort Worth, TX 76109

Latitude: 32° 41' 40.2" N Longitude: -97° 24' 35.8" W

**District Registration Number:** N-2021-0140

**Purpose of Use:** Irrigation

**Maximum Grandfathered Use Verified:** 16,406,300 [2020.Jan-Dec Water Production Rpts]  
12,679,900 [2021.Jan-Dec Water Production Rpts]

**Requested Amount of Use Annually:** 20,000,000 gallons

**Production Capacity of Well:** 90 gallons per minute

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GM reported FWCD metered, reported and paid fees starting with January 2020. Water usage is for irrigation. GM recommended approval of requested permit amount.

President Laughlin asked for a motion to approve the Grandfathered Use Permit for Fort Worth Country Day.

Director Petterson made the motion to approve. Motion was seconded by Director Haster. Unanimous vote to approve the permit.

GM requested the Grandfathered Use Permit Application for Rio Concho Aviation, Inc. be tabled until the next meeting due to a lack of proof of posting.

**Applicant:** Rio Concho Aviation, Inc.

**Location of Well:** 171 Aviator Drive Fort Worth, TX 76179

Latitude: 32° 56' 0.9" N Longitude: -97° 24' 53.6" W

**District Registration Number:** N-2016-1454

**Purpose of Use:** Public Water Supply (PWS), Industrial

**Maximum Grandfathered Use Verified:** 5,867,800 [2014.Jan-Dec Water Production Rpts]

**Requested Amount of Use Annually:** 5,867,800 gallons

**Production Capacity of Well:** 30 gallons per minute

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Board tabled the Grandfathered Use Permit Application for Rio Concho Aviation, Inc. to be presented at next Board meeting.

3. Public Comment on the Grandfathered Use Permit Applications.

Public comment was taken during Board discussion of the individual applications.

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.

Action was taken on Fort Worth Country Day Grandfathered Permit only.

5. Adjourn or continue Grandfathered Use Permit hearing.

Grandfathered Use Permit hearing was adjourned at 2:08 PM.

6. Review the Operating Permit Applications of:

President Laughlin opened the Operating Permit Hearing at 2:08 PM.

**Applicant:** City of Euless

**Location of Well:** 2700 N. Main Street Euless, TX 76039

Latitude: 32° 52' 38.1" N Longitude: -97° 04' 56.0" W



**District Registration Number:** N-2021-0261  
**Purpose of Use:** Public Water System (PWS)  
**Requested Amount of Use Annually:** 525,600,000 gallons  
**Production Capacity of Well:** 1,000 gallons per minute

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Board President asked GM to introduce the City of Euless Operating Permit. GM told the Board the well would be used for a Public Water System and located in the Twin Mountains Aquifer. GM explained that District rules require the Board to approve the replacement well location.

President Laughlin asked the representatives from the City of Euless to introduce themselves before the Board discussion of Operating Permit consideration.

The City currently uses 80% surface water mixed with 20% groundwater, according to Mr. Barker, representing the City of Euless.

After Board discussion, and in accordance with Rule 3.9 (e), President Laughlin called for a motion to approve the Replacement Well Application and Operating Permit for the City of Euless.

Motion to approve by VP Cozart. Secretary Merritt seconded the motion to approve.

President Laughlin called for a vote. Board vote to approve the replacement well location and Operating Permit for the City of Euless was unanimous.

**Applicant:** Pearson 35 Opportunities, I, LLC.  
**Location of Well:** 1925 N. Pearson Lane Westlake, TX 76262  
Latitude: 32° 58' 12.6" N Longitude: -97° 12' 07.6" W  
**District Registration Number:** N-2021-0265  
**Purpose of Use:** Landscape Irrigation  
**Requested Amount of Use Annually:** 9,750,000 gallons  
**Production Capacity of Well:** 60 gallons per minute

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Board President asked GM to introduce the Operating Permit for Pearson 35 Opportunities, I, LLC.

GM informed the Board that this is a replacement well that meets District spacing and will be drilled into the Paluxy Aquifer. The existing well was plugged.

Director Petterson asked for clarification for water usage. The water would not be for construction; used for irrigation of green spaces only.

Board has no additional questions. President Laughlin called for a motion to approve the Operating Permit for Pearson 35 Opportunities, I, LLC.

Secretary Merritt made the motion to approve the Operating Permit for Pearson 35 Opportunities, I, LLC. VP Cozart seconded the motion to approve.

Unanimous vote to approve the Operating Permit for Pearson 35 Opportunities, I, LLC.

**Applicant:** Beltmill Saginaw, LLC  
**Location of Well:** near 7840 Wagley Robertson Road  
Latitude: 32° 52' 59.33" N Longitude: -97° 22' 27.76" W  
**District Registration Number:** N-2022-0014  
**Purpose of Use:** Landscape Irrigation  
**Requested Amount of Use Annually:** 13,000,125 gallons  
**Production Capacity of Well:** 50 gallons per minute

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President Laughlin asked Corey Jones, GM to introduce Beltmill Saginaw, LLC.

GM stated this new well site is located east of North Saginaw Blvd. which is Hwy. 287 and will be drilled in the Paluxy Aquifer. The water will be used for irrigation for a new subdivision.

Director Petterson qualified the water would be used for irrigation only and not for construction water.

President Laughlin called for a motion to approve the Operating Permit for Beltmill Saginaw, LLC.

Director Petterson made the motion to approve the Operating Permit for Beltmill Saginaw, LLC. Director Haster seconded the motion to approve.

Unanimous vote to approve the Operating Permit for Beltmill Saginaw, LLC.

President Laughlin recused himself from the next three (3) Agenda Items for Independence Water, L.P. President Laughlin exited the room, and VP Cozart took the chair position to continue the Board meeting.

VP Cozart requested GM introduce Independence Water, L.P.

**Applicant:** Independence Water, L. P. -IWCT #3-P

**Location of Well:** Roanoke Road near SH 170 Westlake, TX 76401

Latitude: 32° 58' 48.27" N Longitude: -97° 13' 48.85" W

**District Registration Number:** N-2022-0012

**Purpose of Use:** Irrigation for Prairie Restoration Project

**Requested Amount of Use Annually:** 20,000,000 gallons

**Production Capacity of Well:** 59 gallons per minute

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**Applicant:** Independence Water, L. P. -IWCT #4-P

**Location of Well:** Roanoke Road near SH 170 Westlake, TX 76401

Latitude: 32° 58' 58.38" N Longitude: -97° 13' 50.2" W

**District Registration Number:** N-2022-0013

**Purpose of Use:** Irrigation for Prairie Restoration Project

**Requested Amount of Use Annually:** 20,000,000 gallons

**Production Capacity of Well:** 59 gallons per minute

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**Applicant:** Independence Water, L. P. -IWCT #5-P

**Location of Well:** Roanoke Road near SH 170 Westlake, TX 76401

Latitude: 32° 58' 39.05" N Longitude: -97° 13' 55.04" W

**District Registration Number:** N-2022-0011

**Purpose of Use:** Irrigation for Prairie Restoration Project

**Requested Amount of Use Annually:** 20,000,000 gallons

**Production Capacity of Well:** 59 gallons per minute

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GM stated all wells for Independence Water, L.P. (Circle T Ranch) would be located on the same property and completed in the Paluxy Aquifer. The water will be used for "prairie restoration."

VP Cozart called for Board questions. No questions from the Board.

VP Cozart called for a motion to approve the three (3) Operating Permits for Independence Water, L.P.

Director Petterson made the motion to approve the three (3) Operating Permits for Independence Water, L.P. Secretary Merritt seconded the motion.

Unanimous Board vote for approval of three (3) Operating Permits for Independence Water, L.P.

GM stated the Operating Permits approved for District registrations:

- N-2022-0012
- N-2022-0013
- N-2022-0011

7. Public Comment on the Operating Permit Applications.

Public comment was made during the presentation and Board discussion for the Operating Permit Applications listed above.

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

Board action was taken during the discussion of the Operating Permit Applications listed above.

9. Adjourn or continue Operating Permit Applications hearing.

Operating Permit Application hearing was adjourned at 2:30 PM.



10. Review the Operating Permit Application Amendment of:

The Operating Permit Application Amendment was opened at 2:30 PM.

President Laughlin re-entered the meeting room and is chairing the Board meeting.

President Laughlin requested the GM to introduce the Permit Amendment.

**Applicant:** Ridglea Country Club

Location of Well: 4029 Edgehill Road Fort Worth, TX 76116

Latitude: 32° 42' 41.36" N Longitude: -97° 25' 9.38" W

District Registration Number: N-2020-0284

Purpose of Use: Golf Course Irrigation

Permitted Amount of Use Annually: 16,000,000 gallons

**Requested Amended Amount of Use Annually: 25,000,000 gallons**

Production Capacity of Well: 55 gallons per minute

**Requested Amended Production Capacity of Well: 95 gallons per minute**

GM stated Ridglea Country Club is requesting an increase in capacity and usage for Permit # 29.

The well as originally drilled was a replacement well and replaced a well that was 95 GPM.

Director Petterson inquired about the well being in compliance with the 55 GPM currently. GM reported that the well is in compliance with a VFD pump but has the capacity to produce 95 GPM.

The existing well has been plugged.

President Laughlin asked for a motion to approve the Operating Permit Amendment for Ridglea Country Club Well # N-2020-0284 Permit # 29.

VP Cozart made the motion to approve the request to amend Permit # 29 for Ridglea Country Club to increase the capacity and GPM for District well # N-2020-0284.

Secretary Merritt seconded the motion to approve.

Vote was unanimous to approve the Operating Permit Amendment for Ridglea Country Club Well # N-2020-0284 Permit # 29.

President Laughlin requested GM to introduce TM Sweetgrass, LLC.

**Applicant:** TM Sweetgrass, LLC

Location of Well: 801 Blue Mound Road East Haslet, TX 76052

Latitude: 32° 57' 18.85" N Longitude: -97° 19' 51.21" W

District Registration Number: N-2021-0142

Purpose of Use: Construction Water and establish vegetation

Permitted Amount of Use Annually: 19,139,230 gallons

Production Capacity of Well: 74 gallons per minute

**Requested Amended Production Capacity of Well: 125 gallons per minute**

GM introduced and added that this is Permit # 52, a Twin Mountains Aquifer well. The well owner is requesting an increase in GPM only. The location does meet District spacing and a Hydrogeological Report was submitted to the District for review. Intera's review is included in the Board Packet.

Water will be used for commercial construction and irrigation.

Jason Flynt with Barco Well Service, LP, addressed the phases of water usage. Phase 1 will include a holding pond to be filled with well water (9 million gallons a year usage); Phase 2 will include construction water (10 million gallons a year usage); Phase 3 will include a batch plant and erosion control water. Barco will be monitoring the water usage on a daily basis to assure the water usage is in compliance with the allocated Permit amount.

Board President recommended approval based on Permit request for construction water and to establish vegetation, but not ongoing irrigation. President Laughlin asked the Board to consider approval as the Permit is submitted and amendment of Permit # 52 when irrigation usage amounts have been established.

President called for Board Discussion. Board is in agreement with the President's recommendation. President called for a motion.

VP Cozart made the motion to approve the amendment request to increase the GPM for TM Sweetgrass, LLC Permit # 52. Director Petterson seconded the motion to approve amendment request.

Unanimous vote to approve requested amendment to TM Sweetgrass, LLC Permit # 52.

11. Public Comment on the Operating Permit Application Amendment.

Public comment was taken during Board discussion of Operating Permit Amendment.

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

Action was taken during the Board discussion of Operating Permit Amendment request.

13. Adjourn or continue Operating Permit Application Amendment hearing.

Operating Permit Application Amendment hearing was adjourned at 2:40 PM.

### **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.

Northern Trinity GCD Regular Board meeting was called to order at 2:40 PM. Quorum was established, and meeting was opened to the public.

2. Public Comment.

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's 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 October 19, 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.

President Laughlin called for question on the Consent Agenda. VP Cozart asked for an explanation for account balance. Accounts are based on monies to be received for Water Production July-December, 2021 that are due by the end of January, 2022.

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

VP Cozart made the motion to accept the Consent Agenda as presented. Secretary Merritt seconded the motion.

Unanimous vote to accept the Consent Agenda as presented.



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

No items were pulled for further discussion.

**5. Consider and act on updated and revised District Code of Ethics, Travel, Professional Services and Management Policies.**

The District Code of Ethics changes are updates to match Texas House Bill 2013.

President Laughlin called for motion to approve.

Director Petterson made the motion to accept the revised District Code of Ethics, Travel, Professional Services and Management Policies.

VP Cozart seconded the motion to accept.

Motion passed unanimously to accept the revised District Code of Ethics, Travel, Professional Services and Management Policies.

**6. Consider and act on updated and revised District Bylaws.**

President requested GM to give an overview of revisions to the District By Laws.

GM explained the By Laws have a few administrative changes including updating to the 2013 House Bill; increased spending limit for operations.

President called for a motion.

VP Cozart made the motion to accept the changes to the District By Laws.

Director Petterson seconded the motion to approve the changes for the District By Laws.

Motion passed unanimously to accept the changes in the District By Laws.

**7. Consider and act on updated and revised District Investment Policy.**

President Laughlin requested GM give an overview of the revised policy.

GM stated the District Investment Policy was re-written to include all the updated requirements for an Investment Policy as required by the Texas Public Funds Investment Act approved by the Legislature.

The Policy is required to be reviewed annually and Board approved, and a signed Resolution is the best record of compliance with the annual review.

Board President ask for the attorney's assessment of the District's compliance with the regulatory and legal status with the newly revised Investment Policy.

Ty Embrey, attorney for the District informed the Board the updates to the Policy include requirements from the Texas Public Funds Investment Act for governmental entities.

President called for an approval of Resolution 22-001 to adopt a revised Investment Policy for the District.

VP Cozart made the motion to approve Resolution # 22-001.

Secretary Merritt seconded the motion to approve Resolution # 22-001.

Unanimous vote to approve Resolution # 22-001 adopting the revised Investment Policy.

**8. Consider and act on updated and revised Personnel Policy.**

President asked GM to review the revisions to the Personnel Policy.

GM confirmed that Emily Linn with Lloyd Gosselink joined the meeting remotely via telephone. Ms. Linn assisted in the revisions of the Personnel Policy.

Updates reflect legal language required by labor laws and a more overall reflection of District operations.

President Laughlin opened up the discussion of the revised Personnel Policy to the Board. Board had no questions or comments.

President called for a motion to approve the revised Personnel Policy Manual as presented.

VP Cozart made the motion to approve the revised Personnel Policy Manual as presented.

Secretary Merritt seconded the motion to approve.

Unanimous vote to approve revised Personnel Policy Manual as presented.

**9. Discuss possible revisions to District Rules.**

President of the Board asked GM to present the District Rules being considered for possible revisions.

GM reviewed the potential rules revisions presented to the Board for review.

Board President requested the GM to present the rule changes for the next Board meeting in a red line version of the current approved rules.

No action taken.

**10. G M Report**

GM introduced Hi Newby as the new Director of Field Services.

Engagement letter from Boucher, Morgan and Young, CPAs. 2021 Audit review will begin in mid-February 2022.

Water quality summary as required by the Management Plan was performed at the end of 2021.

GM updated:

- GMA 8 activities (possibly updating model)
- Database
- Truck Purchase
- Temporary Employee Data Entry Progress
- Support for 4-H Water Ambassadors Program
- 5-year Business Plan
- TWDB water conservation brochures mailed to new well owners.
- Hydro report reviews – comments from the Board welcomed

Ty Embrey, attorney gave a brief legislative update.

No action by the Board.

**11. Board Reports**

No action by the Board.

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

Director Haster announced he would be moving out of the District and his Board position would require replacement by a new member.

President Laughlin asked Director Haster to contact his Commissioner for a replacement member.

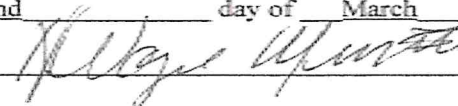
Board set the next meeting for March 22, 2022 at 2:00 PM.

**13. Adjourn.**

President Laughlin adjourned the meeting at 3:35 PM.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF DIRECTORS this

22nd day of March 2022.

Attest: , Secretary of NTGCD Board