

MINUTES
for the
2:00 PM Tuesday, March 22, 2022

PERMIT HEARING on Grandfathered Use Permit and Operating Permit
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 2:05 P.M. A quorum was established, and the meeting was opened to the public.

President Laughlin recognized Will Gladbach prospective new board member representing Precinct 3 in Tarrant County. Mr. Gladbach is a principal with DECorp. He will be continuing the term of former Board member Johan Petterson. Mr. Gladbach was sworn in and signed the necessary statements to serve as a Board member for Northern Trinity GCD. Mr. Gladbach will be an active Board member for the Regular Board of Directors meeting.

Board Members present: President Laughlin
 Vice President Cozart
 Secretary Merritt
 Director Gladbach

Board Member absent: Director Haster

Staff Present: Corey Jones
 Hi Newby
 Laura Schumacher

Members of the Public Present: Jay White, Resident of Bella Flora
Tuan Ngo, Representative for City of North Richland Hills
Joseph McDaniel, General Manager, Granbury location Aqua, TX

2. Review the Grandfathered Use Permit Application of:

President Laughlin requested Corey Jones, GM to introduce the Grandfathered Use Permit. The well is located at Hicks Airfield. GM reviewed the Grandfathered Use Permit for Rio Concho and verified the requested usage was a verified amount.

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

.....

3. Public Comment on the Grandfathered Use Permit Application.

No public comment.

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

President Laughlin called for a motion.

Vice President Cozart made the motion to approve the Grandfathered Use Permit for Rio Concho Aviation, Inc. as presented. Secretary Merritt seconded the motion.

President called for a vote. The vote was unanimous to approve the Grandfathered Use Permit for Rio Concho Aviation, Inc.

5. Adjourn or continue Grandfathered Use Permit hearing.

Grandfathered Use Permit hearing was adjourned at 2:10 PM.

President Laughlin opened the Operating Permit Hearing at 2:10 PM.

6. Review the Operating Permit Application of:

President Laughlin asked GM Jones to introduce the Operating Permit for Undine. This will be a replacement well to improve the availability of water as required by TCEQ for the Public Water Supply.

Applicant: Undine Texas, LLC

Location of Well: 6192 Bear Creek Drive E., Fort Worth, Texas 76126

Latitude: 32° 35' 27.27" N Longitude: -97° 30' 2.67" W

District Registration Number: N-2022-0054

Replacing Existing District Registration Number: N-2016-1455

Purpose of Use: Public Water System (PWS)

Requested Amount of Use Annually: 1,600,000 gallons

Production Capacity of Well: 20 gallons per minute

.....

7. Public Comment on the Operating Permit Applications.

No Public comment.

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.

President asked for a motion.

Vice President Cozart made the motion to approve the Operating Permit Application for Undine Texas, LLC. President Laughlin seconded the motion.

President called for a vote. The vote was unanimous to approve the Operating Permit for Undine Texas, LLC.

9. Adjourn or continue Operating Permit Applications hearing.

President Laughlin adjourned the Operating Permit Hearing at 2:14 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.

President Laughlin called the Regular Board Meeting to order, established a quorum, and opened it to the public at 2:14 P.M.

Newly appointed Board member Will Gladbach was welcomed.

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 January 26, 2022.
- 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 asked the GM if the Consent Agenda required additional discussion. GM Jones recommended the Consent Agenda for approval.

President Laughlin called for any questions. No questions by Board Members.

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

Secretary Merritt made the motion to approve the Consent Agenda as presented. Vice President Cozart seconded the motion for approval.

President Laughlin called for a Board vote to approve the Consent Agenda as presented.

The vote was unanimous to approve the Consent Agenda as presented.

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

No Consent Agenda items were pulled for additional discussion.

5. Discuss, consider, and act on potential violations of District Rules by the following:
- James Dake, Driller

President requested the GM to discuss the potential violation by James Dake, driller. GM explained the well was drilled on an expired application. A new application has been submitted and funded by the driller.

GM discussed the potential violation and major violation penalty schedule. A first major violation is \$500.00 and a second major violation is \$1,000.00.

President Laughlin discussed previous Board actions for first violations. The Board discussed the actions of Mr. Dake and President Laughlin called for a motion.

Vice President Cozart made the motion to call for a first major violation with no monetary penalty. If a second violation occurs within the penalty time, the monetary penalty will be \$1,000.00 for a second violation. Director Gladbach seconded the motion.

President Laughlin called for a vote on the motion and second. The Board vote was unanimous to assess a first violation for James Dake, driller without a monetary penalty.

The Board requested the staff notify James Dake, driller of the Board's ruling of a first violation without a monetary penalty but a second violation shall include a monetary penalty of \$1,000.00.

6. Discuss, consider and act on possible amendments to the District Rules.

President Laughlin asked the GM to review the possible amendments to the District Rules that will be presented for adoption at the next Board meeting.

GM Jones presented the possible amendments to the rules for Board discussion.

The Board discussed the possible amendments extensively and agreed to the possible amendments to the rules being Noticed for the next Board meeting.

7. Legislative Update

Attorney Ty Embrey updated the Board of Directors on the legislative upcoming reviews.

The Board and Attorney had a brief discussion on private property rights and waste of groundwater.

8. G M Report

President Laughlin called for the GM to give his report to the Board.

GM updated the Board on the progress for the 2021 Annual Report and Audit; temporary employee's progress; discussed meetings attended; an update on the District truck and the new truck ordered in October 2021, GMA 8 and DFC; and BWA meetings.

9. Board Reports

No action.

10. Other Business / Setting of next meeting

No other business.

The next board meeting was set for May 24, 2022 at 2:00 P.M.

11. Adjourn.

President Laughlin adjourned the meeting at 3:40 PM.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF DIRECTORS this

24th day of May 2022.

Attest: , Secretary of NTGCD Board