

**MINUTES OF THE MEETING  
OF THE BOARD OF DIRECTORS OF THE  
BRAZORIA COUNTY GROUNDWATER CONSERVATION  
DISTRICT**

April 9, 2010

The Board of Directors of the Brazoria County Groundwater Conservation District met Thursday, the 8<sup>th</sup> day of April, 2010, at 4:00 p.m. in the Brazoria County Groundwater Conservation District Office, 451 N. Velasco Street, 1<sup>st</sup> Floor, Suite 140, Angleton, Texas, within the boundaries of the District and the roll was called of the duly constituted members of the Board, to wit:

John Pyburn	President
Donald R. Mudd	Vice President
Raymond Felder	Secretary
Patrick O'Day	Assistant Secretary
Alan Mueller	Director

All of said Directors were present with the exception of Director Felder, thus constituting a quorum.

Also present for all or part of the meeting were the following: Kent Burkett, Administrative Consultant for the District, Sherry Plentl, Administrative Assistant for the District, Commissioner Pct. 4 Mary Ruth Rhodenbaugh, T. J. Sbrusch and Liz Montoya of the Bar X Ranch Property Owners Association, and representatives from MSR Houston.

The meeting was called to order by Director Pyburn at 4:04 p.m.

**ORDER 10-04-01 APPROVE MINUTES:**

Motion by Director Mueller, Seconded by Director Mudd that the Minutes from the meeting on March 11, 2010 be approved as presented. Motion approved with all present voting aye.

**FINANCIAL REPORT AND BUDGET SUMMARY:**

A financial status report as of April 7, 2010 was reviewed. No action was taken.

**ORDER 10-04-02 APPROVE INVOICES FOR PAYMENT:**

Motion by Director Mueller; Seconded by Director Pyburn, that the invoices presented be approved for payment. Motion approved with all present voting aye.

**ORDER 10-04-03 APPROVE CONTRACT WITH THE BANKS GROUP**

Motion by Director Mueller, Seconded by Director Mudd that the Board approve the agreement with The Banks Group in an amount not to exceed \$8,182.50 for identification of non-exempt wells in Brazoria County, contingent upon clarification of whether addresses of well owners will be provided with the report, clarification of the meaning of the last paragraph on page 4 of the agreement and a favorable reference from one of the entities identified in the agreement as having employed the services of The Banks Group. Further that Kent Burkett be authorized to sign the agreement on behalf of the District at the appropriate time. Motion approved with all present voting aye.

**ORDER 10-04-04 OPEN PUBLIC HEARING REGARDING PERMIT AND RENEWAL APPLICATIONS:**

Motion by Director O'Day; Seconded by Director Mueller that the Board **OPEN** the public hearing regarding applications for permits/renewals received.

1. ALMEDA WATER WELL SERVICE
2. BAR X PROPERTY OWNERS ASSOCIATION
3. BAR X PROPERTY OWNERS ASSN.
4. C.B.L. & ASSOCIATES
5. CAMP KARANKAWA BSA
6. COLUMBIA-BRAZORIA ISD
7. CONOCO PHILLIPS PLANT
8. DOW CHEMICAL CO.
9. FELDER, GLENDA
10. GENES COUNTRY STORE
11. GOODRUM, JANICE
12. GULF COAST PROPERTIES
13. HARVEST PIPELINE
14. HOLIDAY SHORES/MONARCH UTILITIES
15. J M P UTILITIES
16. LUTES MARINE
17. MOTORSPORTS RANCH PROPERTIES, LLC
18. SHADY OAKS MHP
19. SOUTHERN TRAILS
20. SOUTHERN TRAILS RAI
21. STROUHALS TIRE INC
22. VILLAS AT SHADOW CREEK

Motion approved with all present voting aye.

**ORDER 10-04-05 CLOSE PUBLIC HEARING REGARDING PERMIT AND RENEWAL APPLICATIONS:**

Motion by Director Mueller; Seconded by Director O'Day that the public hearing regarding applications for permits/renewals received be **CLOSED**. Motion approved with all present voting aye.

**ORDER 10-04-06 APPROVE PERMIT AND RENEWAL APPLICATIONS:**

Motion by Director Mudd; Seconded by Director O'Day that the permit applications #1 and #15 be approved.

Motion approved with all present voting aye with the exception of Director Pyburn, who abstained.

**ORDER 10-04-07 APPROVE PERMIT AND RENEWAL APPLICATIONS:**

Motion by Director Mueller, Seconded by Director Pyburn that applications numbers 4 . 6, 8 . 14, 16 . 22 be approved with #22 being contingent upon the issue of fees due being resolved. Motion approved with all present voting aye.

No action was taken on item 7 pending resolution of questions regarding the permit status of well being replaced by new well. Items 2 and 3 will be reconsidered at the next meeting, pending settlement of past due fees.

**ORDER 10-04-08 SET HEARING DATE FOR PERMIT APPLICATIONS:**

Motion by Director Pyburn; Seconded by Director O'Day that a public hearing to consider approval of permit and renewal applications be set for the next meeting of the Board of Directors on **Thursday, May 13, 2010 at 4:00 p.m.** in the District Office and that the applicants be duly notified. Motion approved with all present voting aye.

At approximately 4:45 p.m. the Board of Directors entered into a closed session discussion regarding the following:

1. Bar X Property Owners Association
2. Dan Raybion / Texas Tumbleweeds

At 5:20 p.m. the Board resumed the open meeting and the following order was entered.

**ORDER 10-04-09 ACCEPT SETTLEMENT REGARDING DAN RAYBION / TEXAS TUMBLEWEEDS**

Motion by Director Mueller, Seconded by Director Pyburn that the Board accept the settlement from Mr. Dan Raybion / Texas Tumbleweeds with regard to the well drilled at 2220 CR 220 in the amount of \$1,000.00 contingent upon clarification of the current status and future intentions with regard to the well and receipt of payment in full by April 26, 2010. Motion approved with all present voting aye.

The Board presented a response to the counteroffer by the Bar X Property Owners Association with regard to past due fees. No action was taken at this time.

Commissioner Pct. 4 Mary Ruth Rhodenbaugh gave a report to the Board regarding the first meeting of the Brazoria County Water For Our Future Committee and explained the intended mission and goals of the Committee.

**ORDER 10-04-10 ADJOURN:**

As there were no further matters to be had, the motion to adjourn was made by Director Mueller and seconded by Director O'Day. All present voting aye. The meeting was adjourned at 5:50 p.m.

Approved this 13<sup>th</sup> day of May, 2010

*/s/ Raymond D. Felder*  
Raymond D. Felder, Secretary  
Board of Directors