

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

March 12, 2010

The Board of Directors of the Brazoria County Groundwater Conservation District met Thursday, the 11<sup>th</sup> day of March, 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 Directors O'Day and Mudd, 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, Tom Masters of Kennemer, Masters & Lunsford, Trace Hight of Banks Environmental, Liz Montoya and Tommy Sbrusch of the Bar X Subdivision HOA.

The meeting was called to order by Director Pyburn at 4:00 p.m.

**ORDER 10-03-01 APPROVE MINUTES:**

Motion by Director Felder, Seconded by Director Mueller, that the Minutes of the meeting on February 11, 2010 be approved as presented. Motion approved with all present voting aye.

**FORMAL REPORTS & APPEARANCES:**

- A. Trace Hight of Banks Environmental Data gave a presentation to the Board regarding well identification services offered by Banks Environmental Data
- B. Tom Masters of Kennemer, Masters and Lunsford, LLC presented The FY2009 Audit.

## **NEW BUSINESS:**

### **ORDER 10-03-02 ACCEPT FY2009 AUDIT:**

Motion by Director Pyburn, Seconded by Director Mueller to accept the FY 2009 audit as presented by Tom Masters of Kennemer, Masters and Lunsford, LLC. Motion approved with all present voting aye.

### **ORDER 10-03-03: APPROVE LETTER OF ENGAGEMENT FOR FY2010 AUDIT:**

Motion by Director Felder, Seconded by Director Mueller that the Board approve the Letter of Engagement with Kennemer, Masters & Lunsford to perform the FY2010 Audit. Motion approved with all present voting aye.

### **FINANCIAL REPORT AND BUDGET SUMMARY:**

A financial status report as of March 10, 2010 was reviewed. No action was taken.

### **ORDER 10-03-04 APPROVE INVOICES FOR PAYMENT:**

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

### **DISCUSSION REGARDING DISTRICT FEE SCHEDULE:**

The Board discussed the possibility of requiring permittees to pre-pay an annual estimated production fee with an annual report and end of year account reconciliation. No action was taken at this time.

### **ORDER 10-03-05 OPEN PUBLIC HEARING REGARDING PERMIT AND RENEWAL APPLICATIONS:**

Motion by Director Felder; Seconded by Director Pyburn that the Board **OPEN** a public hearing regarding applications for permits/renewals received.

1. BAR X PROPERTY OWNERS ASSOCIATION
2. BAR X PROPERTY OWNERS ASSOCIATION
3. BRAZORIA COUNTY MUD 39
4. BRAZOS RIVER CLUB
5. CITY OF ANGLETON
6. CITY OF WEST COLUMBIA
7. DOW CHEMICAL CO. - BM69
8. GRANT ELECTRIC

9. LYONDELLBASELL/EQUISTAR-CHOCOLATE BAYOU POLYMERS
10. MONSANTO PARK CHOCOLATE BAYOU
11. PT FOOD MART
12. RED OAK 102 CHEVRON
13. SCHLUMBERGER RSRVR CMLPTNS
14. SME Properties, L.L.C.
15. SME Properties, LLC
16. VARNER CREEK UTILITY DISTRICT
17. WILLOW MANOR MOBILE HOME PARK

Motion approved with all present voting aye.

**ORDER 10-03-06 CLOSE PUBLIC HEARING REGARDING PERMIT AND RENEWAL APPLICATIONS:**

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

**ORDER 10-03-07 APPROVE PERMIT AND RENEWAL APPLICATIONS:**

Motion by Director Mueller; Seconded by Director Pyburn that the permit applications be approved as follows: Items 3 through 17 be approved with Items 5, 7 and 13 contingent upon receipt of fees due. Motion approved with all present voting aye.

**ORDER 10-03-08 SET HEARING DATE FOR PERMIT APPLICATIONS:**

Motion by Director Pyburn; Seconded by Director Mueller 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, April 8, 2010 at 4:00 p.m.** in the District Office and that the applicants be duly notified. Motion approved with all present voting aye.

**CLOSED MEETING:**

The Board at this time entered into a closed meeting regarding the following subjects:

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

The Closed session was recessed at 5:30p.m.

**ORDER 10-03-09 ADJOURN:**

As there were no further matters to be had, the motion to adjourn was made by Director Felder and seconded by Director Mueller. All present voting aye. The meeting was adjourned at 5:45 p.m.

Approved this 8<sup>th</sup> day of April, 2010

/s/ Patrick O'Day

Patrick O'Day, Assistant Secretary  
Board of Directors