

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

The Board of Directors of the Brazoria County Groundwater Conservation District met Thursday, the 13<sup>th</sup> day of April, 2017, 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.

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

The roll was called of the duly constituted members of the Board, to wit:

Alan Mueller	President
Dennis Davenport	Vice President
Raymond Felder	Secretary
Ronnie Goolsby	Assistant Secretary
Patrick O'Day	Director

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

Also present for all or part of the meeting were the following: Kent Burkett, General Manager, Sherry Plentl, Sr. Administrative Assistant, David Ellis, District Field Operations Coordinator, Beverly Hopkins, Administrative Assistant, Greg Ellis, General Counsel, Philip Taucer with Freese & Nichols, Inc., and Phyllis Strong.

**APPROVE MINUTES:**

Motion by Director Felder; Seconded by Director O'Day that the Minutes from the meeting on March 9, 2017 be approved as presented. Motion approved with all present voting aye.

**PUBLIC COMMENT:**

Phyllis Strong addressed the Board regarding a notice received from the TCEQ entitled "Notice of Application For Certification Of A Municipal Setting Designation." Ms. Strong requested direction and assistance from the District in regard to this issue. The Board asked the General Manager, Kent Burkett to gather additional information from the TCEQ and affected cities regarding this issue and report back to the Board.

**FINANCIAL & INVESTMENT REPORT AND BUDGET SUMMARY:**

The April, 2017 Statement of Revenues, Expenditures, Changes in Fund Balance and Investment Income was presented for review and a budget status update was given. No action was taken.

**APPROVE INVOICES FOR PAYMENT:**

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

**OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:**

Motion by Director O'Day; Seconded by Director Felder to **OPEN** a public hearing regarding applications for new well permits as follows:

Type	Owner	Address	City	Allocation	Use
A. Permit New	Alvin Independent School District	CR 64 & CR 65	Iowa Colony	1,000,000	Other
B. Permit New	KC's on the Creek RV Park	322 Windward Way	Freeport	1,000,000	Public Supply
C. Permit New	Rod Hamby	5224 CR 48	Rosharon	350,000	Commercial
D. Permit New	AQUA TEXAS INC	3083 CR 855	Alvin	1,000,000	Public Supply
E. Permit New	AQUA TEXAS INC	2832 Covey Ln	Pearland	2,507,000	Public Supply
F. Permit New	Swinscoe's Welding Machine Repair <b>WITHDRAWN</b>	14442 S. Highway 36	Brazoria	500,000	Commercial
G. Permit New	Alvin Brazoria Ventures, LLC	3202 FM 2403 Road	Alvin	250,000	Public Supply

Motion approved with all present voting aye.

**CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:**

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

**APPROVE PERMIT APPLICATIONS:**

Following the public hearing, during which no testimony was received, there was a Motion by Director O'Day; Seconded by Director Mueller that Items A. through E. and G. be approved as presented. Motion approved with all present voting aye.

**SUMMARY OF PERMITS APPROVED**

<b>Total Wells:</b>	<b>6</b>
<b>New Wells:</b>	<b>6</b>
<b>Existing:</b>	<b>0</b>
<b>PWS</b>	<b>4</b>
<b>C/D</b>	<b>1</b>
<b>Other</b>	<b>1</b>
<b>Industrial</b>	<b>0</b>

**DISCUSS OPEN, ABANDONED AND DETERIORATED WELL POLICY:**

The amended draft of the proposed Open, Abandoned, and Deteriorated Well Policy was discussed, including current pending legislation which could possibly affect this issue in the future. The Board requested the amended policy be placed on the agenda for the May 11, 2017 meeting for consideration and potential approval.

**DISCUSS STRATEGIC LONG-TERM INITIATIVES:**

The Board discussed strategic long term initiatives and considered amendments to the Master Agreement for services to be performed by Freese & Nichols, Inc. executed on October 10, 2013. No action was taken.

**DISCUSS POSSIBLE AMENDMENTS TO THE DISTRICT RULES:**

The Board was updated by General Counsel Greg Ellis regarding potential amendments to the District Rules as a result of pending legislation. No action was taken.

#### EXEMPT USE WELL REGISTRATION REPORT:

The Exempt Well Registration Report for March 9 – April 12, 2017 was reviewed. No action was taken.

#### DROUGHT MONITOR REPORT:

The U.S. Drought Monitor map for the State of Texas for April, 2017 was presented for review. No action was taken.

#### SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director Felder; Seconded by Director O'Day that a public hearing to consider approval of permit applications or amendments or cancelations be set for the next meeting of the Board of Directors on **Thursday, May 11, 2017 at 4:00 p.m.** in the District Office and that the applicants be notified. Motion approved with all present voting aye.

#### CONSULTATION WITH GENERAL COUNSEL ON RECENT LITIGATION ON GROUNDWATER ISSUES:

General Counsel, Greg Ellis updated the Board regarding *City of Conroe, et al v. Lone Star Groundwater Conservation District, et al* (9<sup>th</sup> Court of Appeals). No action was taken.

#### LEGISLATIVE UPDATE:

The Board received a legislative update from General Counsel Greg Ellis regarding recent legislation related to groundwater issues. No action was taken.

#### POSSIBLE FUTURE AGENDA ITEMS:

- A. Possible Public Hearing regarding amendments to District Rules

#### CLOSED MEETING:

At 5:20 p.m. the meeting was adjourned to allow the Board of Directors to conduct a closed meeting under the following section of V.T.C.A. government code, Chapter 551, subchapter D.

- A. Texas Government Code 551.074  
Personnel Matters: (1) deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of District employees or (2) to hear a complaint or charge

against an employee, unless the employee who is the subject of the deliberation or hearing requests a public hearing.

**RECONVENE OPEN SESSION:**

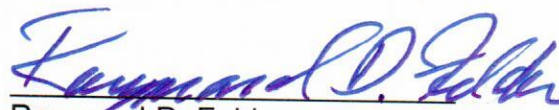
At 5:50 p.m. the Board reconvened in Open Session and took the following action:

Motion by Director Mueller; Seconded by Director O'Day to appoint Directors Davenport and O'Day to a committee to establish job requirements and expectations for District employees and contractors in support of future evaluations. Motion approved with all present voting aye.

**ADJOURN:**

As there were no further matters to be heard, the motion to adjourn was made by Director O'Day and seconded by Director Felder. Motion approved with all present voting aye. The meeting was adjourned at 5:55 p.m.

Approved this 18<sup>th</sup> day of May, 2017



Raymond D. Felder  
Secretary, Board of Directors