

**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 8th day of June, 2017, at 4:00 p.m. in the Brazoria County Groundwater Conservation District Office, 451 N. Velasco Street, 1st 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 Directors Felder and 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 and Jason Afinowicz and Philip Taucer of Freese & Nichols, Inc. The visitor sign in sheet is attached.

APPROVE MINUTES:

Motion by Director O'Day; Seconded by Director Goolsby that the Minutes from the meeting on May 18, 2017 be approved as presented. Motion approved with all present voting aye.

FORMAL REPORTS AND PRESENTATIONS:

Mark Kasmarek, Groundwater Hydrologist with United States Geological Survey gave a presentation regarding the 2016 Water Resource Investigation.

FINANCIAL & INVESTMENT REPORT AND BUDGET SUMMARY:

The June, 2017 Statement of Revenues, Expenditures and Changes in Fund Balance, which includes investment status, was presented for review and a budget status update was given. No action was taken.

APPROVE INVOICES FOR PAYMENT:

Motion by Director O'Day; Seconded by Director Goolsby 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 Goolsby to **OPEN** a public hearing regarding applications for permits and permit amendments as follows:

Type	Owner	Address	City	Allocation	Use
1. Permit	Restwood Memorial	1038 W. Plantation	Clute	100,000	Other / Existing
2. Permit	CHA INC.	603 CR 227A	Freeport	250,000	Comm./ Existing
3. Permit	Allegheny Petroleum	22614 N. SH 288B	Angleton	100,000	Comm./ Existing
4. Permit	Hall's Bayou Bait Camp	11721 Landrum Road	Santa Fe	1,000,000	Public Supply /Existing
5. Permit Amend.	BASF Freeport	602 Copper Road	Freeport	31,000,000	Industrial

Motion approved with all present voting aye.

CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Following the public hearing, during which no testimony was received, Motion by Director O'Day; Seconded by Director Mueller that the public hearing regarding applications for permits received be **CLOSED**. Motion approved with all present voting aye.

APPROVE PERMIT APPLICATIONS:

Motion by Director Mueller; Seconded by Director O'Day that Items 1, 3 & 5 be approved as presented and Items 2 & 4 be approved contingent upon

payment in full of an approved Settlement Agreement equal to all fees due during the period of violation and verification of meter installment on each well. Motion approved with all present voting aye.

SUMMARY OF PERMITS APPROVED	
Total Wells:	7
New Wells:	0
Existing:	7
PWS	1
C/D	4
Other	1
Industrial	1

CONSIDERATION AND POSSIBLE ACTION REGARDING EXISTING UNPERMITTED WELLS:

Motion by Director O’Day; Seconded by Director Mueller to waive the late fees for the past years fees for the existing unpermitted well at the Jones Creek Volunteer Fire Department facility and hold the department responsible only for the annual permit and minimum production fees due for the five (5) years the well should have been permitted. Directors O’Day and Mueller voted aye and Director Goolsby voted no. The motion failed. Having taken no action, this item was continued to the next available Board meeting.

APPROVE PROPOSAL WITH FREESE & NICHOLS, INC. REGARDING THE GROUNDWATER MANAGEMENT PLAN

Motion by Director Mueller; Seconded by Director O’Day to approve the proposal from Freese & Nichols, Inc. to update the Groundwater Management Plan for a fee not to exceed \$8,300.00. Motion approved with all present voting aye.

APPROVE LETTER OF ENGAGEMENT WITH KENNEMER, MASTERS & LUNSFORD, LLC

Motion by Director Mueller; Seconded by Director O’Day to approve the Letter of Engagement from Kennemer, Masters & Lunsford, LLC to perform the the FY2017 Audit in an amount not to exceed \$8,625.00. Motion approved with all present voting aye.

APPROVE OPEN, ABANDONED AND DETERIORATED WELL POLICY

Motion by Director Mueller; Seconded by Director O'Day to approve the policy governing Open, Abandoned and Deteriorated wells within the boundaries of the District. Motion approved with all present voting aye.

EXEMPT USE WELL REGISTRATION REPORT:

The Exempt Well Registration Report for May/June, 2017 was reviewed. No action was taken.

DROUGHT MONITOR REPORT:

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

SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director O'Day; Seconded by Director Mueller that a public hearing to consider approval of well permit applications, permit amendments or permit cancelations be set for the next meeting of the Board of Directors on **Thursday, July 13, 2017 at 4:00 p.m.** in the District Office and that all applicants be notified. Motion approved with all present voting aye.

CONSULTATION WITH ATTORNEY:

The District's General Counsel, Greg Ellis updated the Board on recent litigation regarding groundwater issues:

- A. ***City of Conroe, et al, v. Lone Star Groundwater Conservation District, et al*** (9th Court of Appeals).

LEGISLATIVE UPDATE:

The District's General Counsel, Greg Ellis presented an update to the Board regarding recent legislative action.

CLOSED MEETING:

At 5:30 p.m. the open meeting was adjourned to allow the Board of Directors to conduct a closed meeting under the following section of the 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 5:42 p.m. the Board reconvened in Open Session. No action was taken.

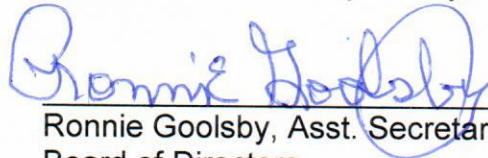
POSSIBLE FUTURE AGENDA ITEMS:

1. Set public hearing regarding Groundwater Management Plan
2. Consider amendments to District Rules and consider date for public hearing
3. Possible Workshop setting to discuss and consider open, abandoned or deteriorated well policy implementation procedures

ADJOURN:

As there were no further matters to be heard, the motion to adjourn was made by Director Mueller and seconded by Director O'Day. All present voting aye. The meeting was adjourned at 5:44 p.m.

Approved this 13th day of July, 2017


Ronnie Goolsby, Asst. Secretary
Board of Directors