

**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 13th day of August, 2020, via virtual meeting, at 4:00 p.m. and 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 O'Day at 4:02 p.m.

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

Patrick O'Day	President
Dennis Davenport	Vice President
Robert Purnell	Secretary
Keith Ordeneaux	Assistant Secretary
Ronnie Goolsby	Director

All of said Directors were present thus constituting a quorum.

Also present for all or part of the meeting, were the following: Beverly Hopkins, General Manager, Sherry Plentl, Administrative Consultant, Michael White, Field Operations Coordinator, Jodie Still, Administrative Assistant, Philip Taucer and Jason Afinowicz with Freese and Nichols and Greg Ellis, General Counsel.

APPROVE MINUTES:

Motion by Director O'Day, Second by Director Ordineaux, that the Minutes from the meeting on July 9, 2020, be approved as presented. Motion approved with all present voting aye.

OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Motion by Director Ordineaux, Seconded by Director O'Day, to **OPEN** a public hearing regarding applications for permits. Motion approved with all present voting aye.

Type	Owner	Address	City	Allocation	Use
a. Permit New	Native Texas Holding, LLC	4646 CR 181	Alvin	2,000,000	Commercial

b. Permit Exist	Shady Pine RV Park	6830 Hwy 35	Alvin	1,000,000	Public Supply
c. Permit New	Wheel Speed Garage	6376 FM 2403	Alvin	1,000,000	Commercial
d. Permit Exist	River City RV / Ashley Business	121 CR 814	Brazoria	1,000,000	Commercial
e. Permit New	Midtown Property Management	327 Greenhouse Road	Alvin	1,000,000	Commercial
f. Permit New	Rahim FM 522 Property Inc.	8375 Farm-To-Market Rd. 1459	Spring	1,000,000	Public Supply
g. Permit Exist	Waterstone Ranch	14614 CR 820	Rosharon	1,000,000	Commercial
h. Permit Exist	Waterstone Ranch	14614 CR 820	Rosharon	1,000,000	Commercial

CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Following the public hearing, at which time no testimony was given, there was a Motion by Director Ordeneaux, Seconded by Director Davenport, that the public hearing regarding applications for permits received be **CLOSED**. Motion approved with all present voting aye.

APPROVE PERMIT APPLICATIONS:

Motion by Director Davenport, Seconded by Director Goolsby, that Items b, d, e, g and h be approved as presented and items a, c and f be approved contingent upon payment of fees due or resolution of any pending issues. Motion approved with all present voting aye.

APPROVE TASK AUTHORIZATION ANNUAL REPORT FY2020:

Motion by Director Davenport; Second by Director Goolsby to approve the Master Professional Services Task Agreement with Freese and Nichols for Development of BCGCD FY2020 Annual Report. Motion approved with all present voting aye.

EXEMPT USE WELL REGISTRATION REPORT:

The Exempt Well Registration Report for the current period was reviewed. No action was taken.

DROUGHT MONITOR REPORT:

The U.S. Drought Monitor map for the State of Texas for August 2020 was presented for review. No action was taken.

SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director O'Day, Second by Director Purnell that a public hearing to consider approval of permit applications, amendments, or cancellations be set for the next meeting of the Board of Directors on **Thursday, September 10, 2020, at 4:00 p.m.** in the District Office and that the applicants be notified. Motion approved with all present voting aye.

FINANCIAL, INVESTMENT, & BUDGET STATUS REPORT:

The August 2020 Financial, Investment, & Budget Status Report was presented for review and an analysis and budget status update was given. No action was taken.

APPROVE INVOICES FOR PAYMENT:

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

APPROVE FY2020 BUDGET AMENDMENT:

Motion by Director O'Day, Seconded by Director Davenport to approve the budget amendment for FY2020. Motion approved with all present voting aye.

GENERAL MANAGER'S REPORT:

Michael White updated the Board on the vehicle purchase for BCGCD.

CONSULTATION WITH GENERAL COUNSEL:

General Counsel Greg Ellis updated the Board regarding current groundwater related litigation and briefed the Board regarding Legislative issues.

A. Litigation Update:

1. Fazzino v Brazos Valley Groundwater Conservation District (*5th Circuit Court of Appeals*)
2. Cockrell Investment Partners, Ltd. v Middle Pecos Groundwater Conservation District (*Pecos County District Court*)

3. Mountain Pure TX LLC v. Neches Valley Groundwater Conservation District (*Texas Supreme Court*)

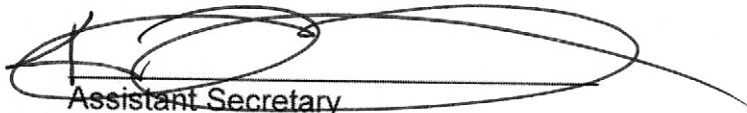
B. Legislative Update:

1. Discuss HNR Submission Request and consider possible future action.

ADJOURN:

With no further matters to be heard, the motion to adjourn was made by Director O'Day and Seconded by Director Goolsby. All present voting aye. The meeting was adjourned at 4:41 p.m.

Approved this 10th day of September, 2020



Assistant Secretary
Board of Directors