

**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 12th day of March, 2020, 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 O'Day at 4:08 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, except Directors Ordeneaux and Purnell thus constituting a quorum.

Also present for all or part of the meeting, were the following: Beverly Hopkins, General Manager, Elise Hollistier, Administrative Assistant, and Sherry Plentl, Administrative Consultant.

APPROVE MINUTES:

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

OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Motion by Director O'Day, Second by Director Davenport, 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	Raul & Maria Leyva	2735 California Street	Fresno	1,000,000	Commercial

b. Permit New	Holiday Shores / Southwest Water	3101 Bernard Oaks St.	Brazoria	17,000,000	Public Supply
c. Permit Exist.	Boxcar Bar	5603 CR 288	Angleton	1,000,000	Commercial
d. Permit Exist.	John Benkenstein	15100 SH 6	Rosharon	200,000	Commercial
e. Permit Exist.	Fidel Alaniz	3433 CR 159	Alvin	750,000	Public Supply
f. Permit Exist.	Iglesia De Cristo Adulam	2337 Park Ave.	Pearland	1,000,000	Commercial
g. Permit New	CenterPoint Energy Houston Electric, LLC	17309 CR 831	Pearland	100,000	Commercial
h. Permit New	Barry Milner	2114 Roland Rue St.	Pearland	10,000	Other
i. Permit New	Ski Texas Home Owners' Association Phase II, Inc.	6403 Ski Texas Lane	Rosharon	1,000,000	Other
j. Permit New	Pulice Construction	19028 CR 10	Damon	250,000	Commercial
k. Permit New	Rise Communities, GR-M1-LTD.	End of Gilbert Road	Rosharon	20,000,000	Other
l. Permit New	Xcess Security Services	3907 Old Chocolate Bayou Road	Manvel	250,000	Commercial

CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

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

APPROVE PERMIT APPLICATIONS:

Motion by Director O'Day, Second by Director Davenport, that Items a, b, c & f-l be approved as presented and items d & e be approved contingent upon payment of fees due or resolution of any pending issues. Motion approved with all present voting aye.

CANCEL MAY 2020 GENERAL ELECTION:

Motion by Director Davenport, Second by Director O'Day, that the May 2, 2020 Election for the expiring Board of Directors positions be cancelled due to the incumbent members who filed for re-election having no opponents file for their positions and that the incumbent Directors as follows are declared elected for the terms as stated:

Pct. 1	Robert Purnell	May 2024	
Pct. 3	Keith Ordeneaux	May 2022	(Special Election)
Pct. 4	Ronnie Goolsby	May 2024	
At-Large	Patrick O'Day	May 2024	

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 maps for the State of Texas for February and March 2020 were presented for review. No action was taken.

SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director O'Day, Second by Director Davenport 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, April 9, 2020, at 4:00 p.m.** in the District Office and that the applicants be notified. Motion approved with all present voting aye.

APPROVE ANNUAL AUDIT FY 2019:

Motion by Director O'Day, Second by Director Davenport to approve the annual audit for FY 2019. Motion approved with all present voting aye.

APPROVE LETTER OF ENGAGEMENT WITH KM&L:

Motion by Director O'Day, Second by Director Goolsby, that the letter of engagement with KM&L to conduct the FY 2020 audit be approved. Motion approved with all present voting aye.

FINANCIAL, INVESTMENT & BUDGET STATUS REPORT:

The March 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, Second by Director Davenport, that the invoices presented be approved for payment. Motion approved with all present voting aye.

GENERAL MANAGER'S REPORT:

Beverly Hopkins briefed the Board regarding ESX updates to the BCGCD website and a future meeting with engineers to discuss possible office renovations. Beverly Hopkins also updated the Board regarding the new Field Operations Coordinator for BCGCD.

Sherry Plentl briefed the Board regarding the May 2020 Election and a discussion followed.

FUTURE AGENDA ITEMS:

1. April 9, 2020 – Receive information from U.S.G.S. and reconsider 2020 Joint Funding Agreement.
2. May 14, 2020 – Statements and Oaths for re-elected Directors and conduct election of officers.

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*)

ADJOURN:

With no further matters to be heard, the motion to adjourn was made by Director Davenport and Second by Director Goolsby. All present voting aye. The meeting was adjourned at 4:55 p.m.

Approved this 11th day of June, 2020



Keith Ordeneaux, Asst. Secretary
Board of Directors