

**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 April, 2021, 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 4:04 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
Robby 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, Michael White, Field Operations Coordinator, Jodie Still, Administrative Assistant, Wade Whitlow with KM&L, Philip Taucer with Freese and Nichols and Greg Ellis, General Counsel.

FORMAL PRESENTATIONS:

Wade Whitlow with KM&L presented the 2020 Audit.

APPROVE MINUTES:

Motion by Director O'Day, Second by Director Ordeneaux, that the Minutes from the meeting on March 11, 2021, be approved as presented. Motion approved with all present voting aye.

OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Motion by Director Davenport, Second by Director Ordeneaux, 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	Wilfredo Rivera	127 County Road 605 #2	Angleton	1,000,000	Commercial
b. Permit Existing	Hermonos Flores Tire Service	14110 HWY 6	Rosharon	1,000,000	Commercial
c. Permit Existing	Rossi Properties, LLC	6219 Masters	Manvel	1,000,000	Commercial
d. Permit Existing	Rossi Properties, LLC	4819 Old Chocolate Bayou Road	Manvel	1,000,000	Commercial
e. Permit Existing	David Auto Repair	2219 Frio Drive	Rosharon	1,000,000	Commercial
f. Permit Existing	Martinez Tire Shop	5910 Martha Drive	Rosharon	1,000,000	Commercial
g. Permit New	Levi Jordan Plantation-THC	10510 FM 524	Brazoria	1,000,000	Other
h. Permit New	Trey Wenzel	3177 CR 520	Brazoria	1,000,000	Public Supply
i. Permit New	Pomona HOA	4063-4002 Big Island Drive	Manvel	10,000,000	Other
j. Permit Existing	ALATAS Americas, Inc.	22015 South Freeway	Manvel	1,000,000	Commercial
k. Permit New	Mark One Generating LLC	25225 CR 48	Angleton	1,000,000	Industrial
l. Permit Existing	Integribeas, LLC	230/220 CR 402	Danbury	1,000,000	Commercial
m. Permit New	Dorsett Concrete	8201 Industrial Drive	Pearland	8,000,000	Industrial

n. Permit New	Fuel Maxx, Inc.	8375 FM 1459	Sweeny	1,000,000	Other
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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 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 Ordeneaux, Second by Director Davenport, that items b, c, d, e, f, j and i be approved as presented, and items a, g, h, k, l and m approved contingent upon payment of fees due or resolution of any pending issues. Motion approved with all present voting aye.

HGSD AMENDMENT TO INTERLOCAL AGREEMENT:

Motion by Director Ordeneaux, Second by Director O'Day, that the HGSD Amendment to Interlocal Agreement be approved. 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 April 2021 was presented for review. No action was taken.

SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director Ordeneaux, 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, May 13, 2021, at 4:00 p.m.** in the District Office or by virtual meeting and that the applicants be notified. Motion approved with all present voting aye.

FINANCIAL, INVESTMENT, & BUDGET STATUS REPORT:

The April 2021 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 Purnell, Second by Director Davenport, that the invoices presented be approved for payment. Motion approved with all present voting aye.

POSSIBLE FUTURE AGENDA ITEMS:

Discuss possible well plugging program.

GENERAL MANAGERS REPORT:

- A. The Field Operations Coordinator's Report for the month of March, 2021 was presented for review.

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 O'Day and Second by Director Davenport. All present voting aye. The meeting was adjourned at 4:42 p.m.

Approved this 13th day of May, 2021



Asst. Secretary
Board of Directors