

**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 May, 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 4:23 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 except Director Purnell and Director Goolsby, 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, Sherry Plentl, Administrative Consultant, Philip Taucer with Freese and Nichols and Greg Ellis, General Counsel.

FORMAL PRESENTATIONS:

None

APPROVE MINUTES:

Motion by Director O'Day, Second by Director Ordeneaux, that the Minutes from the meeting on April 8, 2021, 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	Metro Ready Mix	6420 Brookside Rd	Pearland	1,000,000	Commercial
b. Permit Exist	JRH Engineering & Environmental Services, Inc.	6520 FM 1128	Manvel	1,000,000	Commercial
c. Permit New	Rahim FM 522 Property Inc.	8375 FM 1459	Sweeny	4,000,000	Public Supply
d. Permit New	Carl Gehring	9735 Masters Road	Manvel	1,000,000	Other
e. Permit Exist	Willie Joe's Auto Sales	5015 HWY 288B	Richwood	1,000,000	Commercial
f. Permit Exist	Feed Store & More LLC	4228 CR 507	Brazoria	1,000,000	Commercial
g. Permit New	Bobby Jo Newell	302 Magnolia Street	Brazoria	1,000,000	Other
h. Permit Exist	Houston Memorial Gardens	2426 Cullen Parkway	Pearland	1,000,000	Commercial
i. Permit Exist	E. Z. Aldon	20803 FM 521 Road	Rosharon	1,000,000	Commercial
j. Permit New	A & Z housing & management	23216 W. Highway 6	Alvin	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 O'Day, Second by Director Ordeneaux, 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, Second by Director O'Day, that items b, e, f, h, and i be approved as presented, and items a, c, d, g, and j approved contingent upon payment of fees due or resolution of any pending issues. Motion approved with all present voting aye.

APPROVE 2020 ANNUAL AUDIT:

Motion by Director O'Day, Second by Director Ordeneaux, that the annual 2020 audit 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 May 2021 was presented for review. No action was taken.

SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director Davenport, Second by Director Ordeneaux, 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, June 10, 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 May 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 Ordeneaux, Second by Director O'Day, that the invoices presented be approved for payment. Motion approved with all present voting aye.

POSSIBLE FUTURE AGENDA ITEMS:

None

GENERAL MANAGERS REPORT:

- A. The Field Operations Coordinator's Report for the month of April, 2021 was presented for review.
- B. General Manager gave a GMA 14 DFC Process update.

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 10th day of June, 2021


Asst. Secretary
Board of Directors