

**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 14th day of January, 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 4:03 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 Ordeneaux and Director Purnell 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 with Freese and Nichols and Greg Ellis, General Counsel.

APPROVE MINUTES:

Motion by Director O'Day, Second by Director Davenport, that the Minutes from the meeting on December 10, 2020, be approved as presented. Motion approved with all present voting aye.

OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Motion by Director O'Day, Seconded 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	Diamond J Investors	4322 CR 48	Rosharon	500,000	Public Supply
b. Permit Existing	Harvest for the Hungry, Inc.	4302 FM 523, Road A	Freeport	1,000,000	Other
c. Permit New (T)	Live Action	CR 23 & Hwy 36	Damon	21,000,000	Other
d. Permit New (T)	Live Action	CR 23 & Hwy 36	Damon	21,000,000	Other
e. Permit New (T)	Cade Forest	17821 CR 127	Pearland	100,000	Commercial
f. Permit New (T)	MUD 44	County Rd. 51 (500' east of CR 46)	Rosharon	38,000,000	Public Supply
g. Permit Existing	Johnston Polymer Co.	7116 Bissell Rd	Manvel	1,000,000	Industrial
h. Permit Existing	SH 35 RV Park	10212 SH-35	Liverpool	1,500,000	Public Supply
i. Permit Existing	Manvel Development	19422 HWY 6	Manvel	1,000,000	Commercial
j. Permit New (T)	Angleton ISD	1201 E. Henderson Rd.	Angleton	1,000,000	Other
k. Permit New (T)	Alvin ISD	7230 School Road	Manvel	2,000,000	Other

CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Following the public hearing, at which time no testimony was given, there was a Motion by Director Davenport, Seconded by Director O'Day, 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, Seconded by Director Davenport, that Items g, h and i be approved as presented, and items a, b, c, d, e, f, j and k, contingent upon payment of fees due or resolution of any pending issues. 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 November and December 2020 and January 2021 was 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, February 11, 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 January 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 Davenport, Seconded by Director Goolsby, that the invoices presented be approved for payment. Motion approved with all present voting aye.

POSSIBLE FUTURE AGENDA ITEMS:

- A. Reconsider Consultant Contract and/or terms.

GENERAL MANAGERS REPORT:

- A. The Field Operations Coordinator's Report for the month of December, 2020 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 Seconded by Director Davenport. All present voting aye. The meeting was adjourned at 4:27 p.m.

Approved this 11th day of February, 2021



Secretary
Board of Directors