

**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 11<sup>th</sup> day of April, 2019, at 4:00 p.m. in the Brazoria County Groundwater Conservation District Office, 451 N. Velasco Street, 1<sup>st</sup> Floor, Suite 140, Angleton, Texas.

The meeting was called to order by Director Mueller at 4:00 p.m.

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

Alan Mueller	President
Patrick O'Day	Vice President
Raymond Felder	Secretary
Dennis Davenport	Assistant Secretary
Ronnie Goolsby	Director

All of said Directors were present with the exception of Director Davenport thus constituting a quorum.

Also present for all or part of the meeting, were the following: Sherry Plentl, General Manager, Beverly Hopkins, Office Manager, David Ellis, Field Operations Coordinator, Gregory M. Ellis, General Counsel, Keith Ordeneaux and Robert Purnell, Director Candidates, and a representative from the Wild Peach Volunteer Fire Department.

**APPROVE MINUTES:**

Motion by Director Goolsby, Seconded by Director O'Day, that the Minutes from the meeting on March 14, 2019, be approved as presented. Motion approved with all present voting aye.

**FINANCIAL, INVESTMENT & BUDGET STATUS REPORT:**

The April 2019 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 Mueller, that the invoices presented be approved for payment. Motion approved with all present voting aye.

**APPROVE RESIGNATION OF DIRECTOR ALAN MUELLER**

Motion by Director Mueller, Seconded by Director O'Day, to approve the resignation of Director Alan Mueller, Pct. 3 from the Board of Directors. Motion reluctantly approved with all present voting aye.

**APPROVE RESOLUTION IN RECOGNITION OF ALAN MUELLER:**

Motion by Director O'Day, Seconded by Director Felder, to approve the Resolution in recognition of Alan Mueller's contributions and service to the District. Motion approved with all present voting aye.

**APPROVE APPOINTMENT OF KEITH ORDENEAX**

Motion by Director O'Day, Seconded by Director Mueller, to approve the appointment of Keith Ordeneaux to the position of Director Pct. 3 to serve the unexpired term of Alan Mueller until the next scheduled election in May 2020. Motion approved with all present voting aye.

**APPROVE APPOINTMENT OF ROBERT PURNELL**

Motion by Director O'Day, Seconded by Director Felder, to approve the appointment of Robert Purnell to the position of Director Pct. 1 to serve the unexpired term of Raymond Felder until the next scheduled election in May 2020. Motion approved with all present voting aye.

**OATHS AND STATEMENTS OF APPOINTED OFFICIALS:**

The Statements of Officers were taken and the Oaths of Office administered to the newly appointed Directors Ordeneaux and Purnell. At that time the new Directors became active in the business of the Board.

**ELECT OFFICERS OF THE BOARD OF DIRECTORS:**

Motion by Director Ordeneaux, Seconded by Director O'Day, to approve the nominees as follows to serve as officers of the Board of Directors:

President:	Patrick O'Day
Vice-President:	Dennis Davenport
Secretary:	Robert Purnell
Asst. Secretary	Keith Ordeneaux

Motion approved with all present voting aye.

**OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:**

Motion by Director Ordeneaux, Seconded by Director O'Day, to **OPEN** a public hearing regarding applications for permits:

Type	Owner	Address	City	Allocation	Use
a. Permit Exist.	Wild Peach VFD	4172 CR 353	Brazoria	100,000	Commercial
b. Permit Exist.	Wild Peach VFD	4172 CR 353	Brazoria	100,000	Commercial
c. Permit Exist.	West Brazos Golf Center	4199 CR 507	Brazoria	1,000,000	Commercial
d. Permit New	Brazosport Water Authority	233 FM 2004	Lake Jackson	103,680,000	Public Supply
e. Permit New	Boardwalk Louisiana Midstream, LLC	6360 FM 523	Angleton	180,000	Commercial
f. Permit Exist.	Way Station RV Park	14462 HWY 36	Brazoria	1,000,000	Public Supply
g. Permit Exist.	Soliz, Pete	6109 FM 1462	Rosharon	100,000	Commercial
h. Permit Exist.	Texas Parks and Wildlife-Justin Hurst	6233 HWY 36	Freeport	500,000	Commercial
i. Permit Exist.	D & L Propane, Inc.	1336 FM 521	Brazoria	100,000	Commercial

Motion approved with all present voting aye.

**CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:**

Following the public hearing, during which a discussion was had between the Board and the representative for the Wild Peach VFD regarding past year's fees for an existing, unpermitted non-exempt well, there was a Motion by Director O'Day, Seconded 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 O'Day, Seconded by Director Ordeneaux, that Items d, e. and g. be approved as presented and Items a., b., c., f., h. and i. be approved contingent upon resolution of pending fees and other issues. Motion approved with all present voting aye.

#### **CONSIDER RESOLUTION TO THE LEGISLATURE:**

Motion by Director O'Day, Seconded by Director Ordeneaux, to approve the Resolution providing the Legislature comments on SB 851 and HB 2125. 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 the current period was presented for review. No action was taken.

#### **SET HEARING DATE FOR PERMIT APPLICATIONS:**

Motion by Director Ordeneaux, Seconded by Director Purnell, that a public hearing to consider approval of permit applications, permit amendments, or cancelations be set for the next meeting of the Board of Directors on **Thursday, May 9, 2019 at 4:00 p.m.** in the District Office and that the applicants be notified. Motion approved with all present voting aye.

#### **GENERAL MANAGER'S REPORT**

- Information was presented regarding the GMA-14 Meeting held on March 27, 2019, and comments were made by Greg Ellis.
- Status update on Freese & Nichols, Inc. project – *Analysis of Water Level Change and Subsidence*.

#### **CONSULTATION WITH GENERAL COUNSEL**

General Counsel Greg Ellis presented an update on current litigation regarding groundwater issues and gave a Legislative update.

##### A. Litigation Update:

1. Fazzino v Brazos Valley Groundwater Conservation District (5<sup>th</sup> Circuit Court of Appeals)
2. Recharge Texas (End Op) v Environmental Stewardship (3<sup>rd</sup> Court of Appeals)
3. Cockrell Investment Partners, Ltd. v Middle Pecos Groundwater Conservation District (Pecos County District Court)
4. Uvalde County Underground Water Conservation District v Edwards Aquifer Authority (Uvalde County District Court)

B. Legislative Update:

1. SB 1010

**POSSIBLE FUTURE AGENDA ITEMS:**

- Review Rules for DFC compliance

**ADJOURN:**

As there were no further matters to be heard, the motion to adjourn was made by Director O'Day and seconded by Director Purnell. All present voting aye. The meeting was adjourned at 5:36 p.m.

Approved this 9<sup>th</sup> day of May, 2019



Robert Purnell, Secretary  
Board of Directors