

**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 12<sup>th</sup> day of July, 2018, 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
Dennis Davenport	Vice President
Raymond Felder	Secretary
Ronnie Goolsby	Assistant Secretary
Patrick O'Day	Director

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

Also present for all or part of the meeting, were the following: Sherilyn Plentl, General Manager, Beverly Hopkins, Sr. Administrative Assistant, Kent Burkett, Administrative Consultant, Greg Ellis - General Counsel and Philip Taucer of Freese & Nichols, Inc.

**APPROVE MINUTES:**

Motion by Director Mueller; Seconded by Director O'Day that the Minutes from the meeting on June 6, 2018 be approved as presented. Motion approved with all present voting aye.

**FORMAL PRESENTATIONS:**

- A. Presentation by Philip Taucer of Freese & Nichols, Inc. regarding the use of MAG peak factors for Cycle 5 of the Regional Water Plan development.

**FINANCIAL & INVESTMENT REPORT AND BUDGET SUMMARY:**

The July, 2018 Statement of Revenues, Expenditures and Changes in Fund Balance and Investment Report was presented for review. Kent Burkett



presented an analysis and a budget status update to the Board. No action was taken.

**APPROVE INVOICES FOR PAYMENT:**

Motion by Director Felder; Seconded by Director O'Day that the invoices presented be approved for payment. Motion approved with all present voting aye.

**OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:**

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

Type	Owner	Address	City	Allocation	Use
a. Permit	Coastline RV Park	9715 FM 523	Freeport	1,000,000	Commercial
b. Permit	LJ Mobile Home Park & RV	4719 CR 288	Angleton	1,000,000	Public Supply
c. Permit	Wayne Williams	135 Mistletoe	Lake Jackson	100,000	Other
d. Permit	Brent Reimschissel	24837 CR 48	Angleton	1,000,000	Other
e. Permit	Robert Brem	704 Oleander	Lake Jackson	250,000	Other
f. Permit	Kevin's Boat & Motor Repair	8302 Brookside Rd.	Pearland	1,000,000	Commercial
g. Permit	Allied Petrochemical, LLC	2330 FM 2917	Alvin	1,000,000	Commercial
h. Permit	Manvel Terrace Utilities	2834 Ash Road	Pearland	1,000,000	Public Supply
i. Permit	Doubletime RV Park	FM 2004 & 2917	Liverpool	8,000,000	Public Supply
j. Permit	Brazoria County Fresh Water District #1	3718 Brazos Street	Damon	1,000,000	Public Supply
k. Permit	Brazoria County Fresh Water District #1	3617 Brazos Street	Damon	20,000,000	Public Supply
l. Permit	Phillips 66 Company	8189 Old FM 524	Sweeny	50,000	Industrial
m. Permit	Third Coast Packaging	18410 Dace Rd	Alvin	10,000,000	Commercial
n. Permit	Phillips 66 Company	8189 Old FM 524	Sweeny	40,000,000	Industrial
o. Permit	Brazoria County Pct. 4	1211 CR 468	West Columbia	1,000,000	Industrial
p. Permit	J C Caldwell Partners, LLC	4774 FM 2004	Freeport	1,000,000	Commercial



q. Permit	Manvel Terrace Utilities	2834 Ash Road	Pearland	15,000,000	Public Supply
r. Permit	Spilman Holdings	18114 CR 132	Pearland	1,000,000	Commercial
s. Permit	Bluewater Resort Inc.	1511 Bluewater Hwy.	Freeport	2,000,000	Commercial
t. Permit	Stonecrest Properties LLC	14078 S. SH 288B	Angleton	5,000	Other
u. Permit	Centerpoint Energy	700 E. FM 1462	Rosharon	500,000	Public Supply
v. Permit	Centerpoint Energy	700 E. FM 1462	Rosharon	500,000	Public Supply

Motion approved with all present voting aye.

**CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:**

Following the public hearing, during which no testimony was given, the the Motion was made by Director O'Day; Seconded 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 O'Day; Seconded by Director Davenport that Items a, b, c, d, f, h, i, j, k, m, o, q, r, u & v be approved as presented, and Items e, g, l, n, p, s & t be approved contingent upon resolution of pending issues and payment of fees due as indicated. Motion approved with all present voting aye.

**APPROVE PROFESSIONAL WORK ORDER WITH ESX, INC.:**

Motion by Director Davenport; Seconded by Director O'Day to approve the Professional Work Order with ESX, Inc. for email hosting for the District. Motion approved with all present voting aye.

**APPROVE USE OF PEAK FACTORS FOR 5<sup>TH</sup> CYCLE REGIONAL WATER PLAN DEVELOPMENT:**

Motion by Director Davenport; Seconded by Director Mueller to approve the use of peak factors at the proposed 140.87% where deemed appropriate to make the regional planning process consistent with the District's regulations and patterns of permitted and exempt water use for the 5<sup>th</sup> Cycle of the Regional Water Plan development. Motion approved with all present voting aye.



**APPROVE THE PROPOSED INTERLOCAL FUNDING AGREEMENT FOR GMA 14 JOINT PLANNING:**

Motion by Director Mueller; Seconded by Director O'Day to approve the proposed Interlocal Agreement For Governmental Functions and Services Related To Joint Planning in GMA 14, in the contribution amount not to exceed \$35,000.00 and; further that said payment of said funding to be included in the FY2018 budget. Motion approved with all present voting aye.

**EXEMPT 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 Mueller; Seconded by Director O'Day that a public hearing to consider approval of permit applications, permit amendments or cancellations be set for the next meeting of the Board of Directors on **Thursday, August 9, 2018 at 4:00 p.m.** in the District Office and that the applicants be notified. Motion approved with all present voting aye.

**CONSULTATION WITH GENERAL COUNSEL:**

General Counsel Greg Ellis updated the Board on recent actions related to the following:

A. Litigation Update:

1. Fazzino v Brazos Valley Groundwater Conservation District (U.S. District Court for the Western District of Texas, Waco Division)
2. Recharge Texas (End Op) v Environmental Stewardship (3rd 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)
5. Lone Star Groundwater Conservation District v. City of Conroe et al (Montgomery County District Court)

6. Texas v Harrison (and Yellow-Top Ranch, Inc., H.E. Cattle Co. and BHP Billiton Petroleum) (Travis County District Court)

**GENERAL MANAGER'S REPORT**

The Board was updated on the status of Heights RV Park permit issue and briefed on the purchase of tablets for their use for District related matters and emails.

**POSSIBLE FUTURE AGENDA ITEMS:**

- Presentation regarding report on identified subsidence in Brazoria County by Mike Turco, General Manager, HGSD
- FY 2019 Draft Budget
- Closed Session regarding salary discussions

**ADJOURN:**

As there were no further matters to be heard, the motion to adjourn was made by Director Mueller and seconded by Director O'Day. Motion approved with all present voting aye. The meeting was adjourned at 5:35 p.m.

Approved this 9<sup>th</sup> day of August, 2018



Dennis Davenport  
Assistant Secretary, Board of Directors