

**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 10th day January, 2019, at 4:00 p.m. 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 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 Directors Goolsby and Felder 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, and Clay Forister from the Brazoria County Engineering Department.

APPROVE MINUTES:

Motion by Director O'Day, Seconded by Director Mueller that the Minutes from the meeting on December 13, 2018, be approved as presented. Motion approved with all present voting aye.

FINANCIAL & INVESTMENT REPORT AND BUDGET SUMMARY:

The January, 2019 Statement of Revenues, Expenditures and Changes in Fund Balance and Investment Report was presented for review and a brief analysis of the current budget status was given. No action was taken.

APPROVE INVOICES FOR PAYMENT:

Motion by Director Davenport, Seconded by Director Davenport, 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 Davenport, to **OPEN** a public hearing regarding applications for permits:

Type	Owner	Address	City	Allocation	Use
a. Permit New well	Brazoria County Weigh Facility	SH 288	Angleton	1,000,000	Commercial
b. Permit Exist. well	Brazoria Telephone Company	6403 CR 659	Brazoria	100,000	Commercial
c. Permit Exist. Well	Santiago Aguilera	1906 O'Day Rd. Unit 24 Lot #4	Pearland	200,000	Other

Motion approved with all present voting aye.

CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Following the public hearing, during which no testimony was received, there was a Motion by Director Mueller, 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 Davenport, Seconded by Director O'Day that Items a. – c. be approved as presented. Motion approved with all present voting aye.

REVIEW DISTRICT RULES FOR DFC COMPLIANCE

The Board of Directors deferred the discussion regarding this item pending possible legislative changes resulting from the current legislative session.

DISCUSSION REGARDING THE COLLECTION OF PAST YEARS FEES FOR IDENTIFIED EXISTING NON-EXEMPT WELLS

The Board and staff discussed and considered potential approaches and options for the collection of past years' fees for identified existing wells that are non-exempt and are not permitted. No action was taken and the issue will be revisited at the next meeting of the Board on February 14, 2019.

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 Davenport, Seconded by Director Mueller, 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, February 14, 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

- PAM expansion report was given by David Ellis.
- Upcoming TAGD Business meeting to be held on January 22, 2019 in Austin will be attended by the General Manager
- GMA-14 Meeting on January 30, 2019 to be attended by General Manager
- Texas Tribune presentation with newly elected Speaker of the House Dennis Bonnen on January 11, 2019 at the Dow Academic Center to be attended by the General Manager on behalf of the District

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 (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)

B. Legislative Update

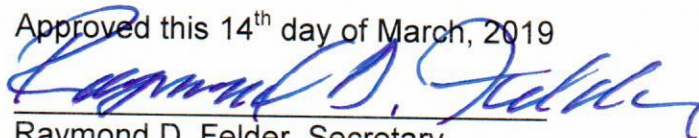
POSSIBLE FUTURE AGENDA ITEMS:

- Accept resignation of Director Alan Mueller
- Appointment to the position of Director, Pct. 3 to serve the unexpired term of Alan Mueller.
- Consider Freese & Nichols, Inc. proposal for evaluating DFC progress and subsidence (March, 2019)
- Regional Planning presentation by Freese & Nichols, Inc. (March, 2019)

ADJOURN:

As there were no further matters to be heard, the motion to adjourn was made by Director Davenport and seconded by Director Mueller. All present voting aye. The meeting was adjourned at 5:05 p.m.

Approved this 14th day of March, 2019



Raymond D. Felder, Secretary
Board of Directors