

**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 March, 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 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, Jason Afinowicz and Philip Taucer of Freese & Nichols, Inc., and Kaysie Stewart of Kennemer, Masters and Lunsford, LLC.

APPROVE MINUTES:

Motion by Director O'Day, Seconded by Director Felder that the Minutes from the meeting on January 10, 2019, 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.

FORMAL PRESENTATIONS:

The FY2018 Audit performed by Kennemer, Masters & Lunsford, LLC was presented to the Board of Directors by Kaysie Stewart.

APPROVE FY2018 AUDIT:

Motion by Director Felder, Seconded by Director Mueller, to accept the FY2018 Audit as presented. Motion approved with all present voting aye.

FINANCIAL, INVESTMENT & BUDGET STATUS REPORT:

The March 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 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 New well	Dollar General	3322 FM 2611	Brazoria	500,000	Public Supply
b. Permit New well	Dow Chemical Company	1 Bayou Rd	Lake Jackson	1,000,000	Commercial
c. Permit New well	Dollar General	1824 CR 99	Alvin	500,000	Public Supply
d. Permit New well	Peltier Custom Builders	733 Spur 28	Danbury	1,000,000	Commercial
e. Permit New well	Southview Baptist Church	23003 SH 288 S	Rosharon	1,000,000	Public Supply
f. Permit New well	McKeever Ventures, LLC	6509 McKeever Rd	Pearland	900,000	Commercial
g. Permit New well	Dream Light Real Estate LLC	FM 521 and CR 56	Alvin	500,000	Public Supply
h. Permit Exist. well	Able Self Storage	17215 Pearland Sites Rd.	Pearland	1,000,000	Commercial
i. Permit	Davie McCaskill	4038 CR 335	Brazoria	100,000	Other

Exist. well					
j. Permit New well	Cemex Construction Matls.	1130 Fenn Road	Rosharon	600,000	Commercial
k. Permit Exist. well	James Brown	4003 CR 227	Freeport	250,000	Commercial
l. Permit Exist. well	Sri Meenakshi	17130 McLean Rd	Pearland	100,000	Commercial
m. Permit Exist well	Sri Meenakshi	17130 McLean Rd	Pearland	100,000	Other
n. Permit Exist. well	Sri Meenakshi	17130 McLean Rd	Pearland	100,000	Commercial
o. Permit Exist. well	Sri Meenakshi	17130 McLean Rd	Pearland	100,000	Commercial
p. Permit Exist. well	Ramirez Tamales	18063 CR 463	Brazoria	1,000,000	Commercial
q. Permit Exist. well	U S Fish & Wildlife Service	24907 FM 2004	Angleton	1,000,000	Commercial
r. Permit Exist. well	U S Fish & Wildlife Service	305 CR 476	Freeport	1,000,000	Commercial
s. Permit Exist. well	U S Fish & Wildlife Service	2022 CR 227	Freeport	1,000,000	Commercial
t. Permit Exist. well	Texas Parks and Wildlife	2317 CR 316	Brazoria	100,000	Commercial
u. Permit Exist. well	U S Fish & Wildlife Service	2457 CR 316	Brazoria	1,000,000	Commercial
v. Permit Exist. well	U S Fish & Wildlife Service	6801 CR 306	Brazoria	1,000,000	Commercial

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 O'Day, Seconded by Director Mueller, that the public hearing regarding applications for permits received be **CLOSED**. Motion approved with all present voting aye.

APPROVE PERMIT APPLICATIONS:

Motion by Director Felder, Seconded by Director Mueller that Items a, b, c, d, e, f, g, h, i, j & p be approved as presented and Items k, l-o, q, r, s, t, u & v be approved contingent upon resolution of pending fees and other issues. Motion approved with all present voting aye.

CONSIDER PROPOSAL FROM FREESE & NICHOLS, INC. FOR EXAMINATION OF WATER LEVEL CHANGES AND SUBSIDENCE DATA

Motion by Director Mueller, Seconded by Director Goolsby, to approve the proposal presented for the Analysis of Water Level Change and Subsidence with Freese & Nichols, Inc. 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 Mueller, Seconded by Director O'Day, 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, April 11, 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

- A P.A.M. expansion report was given by David Ellis.
- Information gained from the TAGD Business meeting held on January 22, 2019 in Austin was presented.
- Information was presented regarding the GMA-14 Meeting held on January 30, 2019 and comments were made by Greg Ellis and Jason Afinowicz.

ACCEPT RESIGNATION OF DIRECTOR RAYMOND FELDER

Motion by Director O'Day, Seconded by Director Mueller, to accept the resignation tendered by Director Raymond Felder from the Board of Directors for the District. Motion reluctantly approved with all present voting aye.

CONSIDER RECOMMENDATION FOR APPOINTMENT TO SERVE THE REMAINING TERM FOR THE POSITION OF DIRECTOR, PCT. 1

The recommended candidate to serve the remaining term of Director, Pct. 1 was presented by Director Felder to the Board for their consideration. Formal

appointment of candidate will be scheduled for the April 11, 2019 meeting of the Board of Directors.

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 (5th Circuit Court of Appeals)
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)

B. Legislative Update

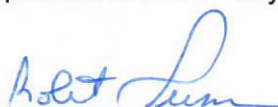
POSSIBLE FUTURE AGENDA ITEMS:

- Appointments to the positions of Director, Pct. 1 and Director, Pct. 3 to serve the unexpired terms of resigned Directors Raymond Felder and Alan Mueller.
- Administration of Oaths of Office to newly appointed Directors
- Elect officers of the Board of Directors
- Review Rules for DFC compliance
- Consider participation in the Texas 4-H Water Ambassadors Program

ADJOURN:

As there were no further matters to be heard, the motion to adjourn was made by Director Felder and seconded by Director Mueller. All present voting aye. The meeting was adjourned at 5:20 p.m.

Approved this 11th day of April, 2019


Robert Purnell, Secretary
Board of Directors