

**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 11th day of July, 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 O'Day at 4:05 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
Ronnie Goolsby	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: Sherry Plentl, General Manager, Beverly Hopkins, Office Manager, David Ellis, Field Operations Coordinator, Gregory M. Ellis, General Counsel, Philip Taucer of Freese & Nichols, Inc. Also present was James Thompson of Ski Texas Phase II.

APPROVE MINUTES:

Motion by Director Ordeneaux, Second by Director Davenport, that the Minutes from the meeting on June 13, 2019, be approved as presented. Motion approved with all present voting aye.

FORMAL PRESENTATION:

Philip Taucer of Freese & Nichols, Inc., presented the draft report on the *Analysis of Water Level Change and Subsidence* and answered questions from the Board.

FINANCIAL, INVESTMENT & BUDGET STATUS REPORT:

The July 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 Purnell, Second by Director O'Day, that the invoices presented be approved for payment. Motion approved with all present voting aye.

APPROVE TASK AUTHORIZATION:

Motion by Director Davenport, Second by Director Ordeneaux, to approve the Engagement Letter with Freese & Nichols, Inc. to develop and present the 2019 Annual Report to the Board. Motion approved with all present voting aye.

OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

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

Type	Owner	Address	City	Allocation	Use
a. Permit Exist.	Dooling Machine Products	225 CR 792	Freeport	250,000	Commercial
b. Permit Exist	Waste Connections	10310 FM 523	Angleton	200,000	Commercial
c. Permit Exist.	Waste Connections	10310 FM 523	Angleton	1,000,000	Commercial
d. Permit Exist.	Ski Texas HOA	6714 Spray Lane	Rosharon	1,000,000	Other
e. Permit Exist.	Ski Texas HOA	6714 Spray Lane	Rosharon	7,000,000	Other
f. Permit Exist.	Ski Texas Phase II	6620 CR 121	Rosharon	7,000,000	Other
g. Permit Exist.	Ski Texas Water Assn.	6714 Spray Lane	Rosharon	3,000,000	Other
h. Permit Exist.	Pearland Regional Airport	17622 Airfield Ln.	Pearland	1,000,000	Public Supply
i. Permit Exist.	Rex Terry	320 CR 54	Rosharon	1,000,000	Commercial
j. Permit New	Praxair Inc.	8985 West CR 359	Sweeny	900,000	Industrial

k. Permit Exist.	Ski Texas Phase II	6620 CR 121	Rosharon	7,000,000	Other
l. Permit New	RES Construction	2186 CR 546	Damon	60,000	Other

Motion approved with all present voting aye.

CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Following the public hearing, at which time Mr. James Thompson addressed the Board regarding the past years' fees due on the existing, 6" unpermitted well on the agenda, asking for relief from the fees due calculated by the District's standard formula. The Board offered that Mr. Thompson could utilize the services of Freese & Nichols, Inc. to analyze available electric bills and meter readings for that well if he so desired, at his expense for their services. Upon conclusion of this discussion, there was a Motion by Director O'Day, Second 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 Ordeneaux, Second by Director O'Day, that Items a, b, c, h, i, j and l be approved as presented and Items d, e & f, g and k be approved contingent upon resolution of pending fees and other 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 the current period was presented for review. No action was taken.

SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director Davenport, Second 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 8, 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 GMA-14 meeting report was given by the General Manager
- The Board was informed that the District is now able to accept payment by credit card

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. Cockrell Investment Partners, Ltd. v Middle Pecos Groundwater Conservation District (Pecos County District Court)
3. Uvalde County Underground Water Conservation District v Edwards Aquifer Authority (Uvalde County District Court)

POSSIBLE FUTURE AGENDA ITEMS:

- Set a public hearing on August 8, 2019 at 4:00 p.m. in the District office to consider proposed amendments to the District Rules.
- Discuss and consider future implementation of additional water sampling and analysis.

ADJOURN:

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

Approved this 8th day of August, 2019



Dennis Davenport, Secretary
Board of Directors