

**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 13th day of June, 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 Davenport at 4:07 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 Directors O'Day and Purnell, 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 Philip Taucer of Freese & Nichols, Inc.

APPROVE MINUTES:

Motion by Director Ordeneaux, Seconded by Director Davenport, that the Minutes from the meeting on May 9, 2019, be approved as presented. Motion approved with all present voting aye.

FORMAL PRESENTATION:

Philip Taucer of Freese & Nichols, Inc., presented a progress report on the *Analysis of Water Level Change and Subsidence* study in progress. The final report should be ready for presentation at the July meeting.

FINANCIAL, INVESTMENT & BUDGET STATUS REPORT:

The June 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 Davenport, Seconded by Director Ordeneaux, that the invoices presented be approved for payment. Motion approved with all present voting aye.

APPROVE ENGAGEMENT LETTER WITH KENNEMER, MASTERS & LUNSFORD – FY 2019 AUDIT:

Motion by Director Goolsby, Seconded by Director Ordeneaux, to approve the Engagement Letter with Kennemer, Masters & Lunsford to conduct the FY2019 Audit as presented. Motion approved with all present voting aye.

APPROVE RENEWAL OF TWCA LIABILITY POLICY:

Motion by Director Davenport, Seconded by Director Ordeneaux, to approve the renewal of the TWCA Risk Management Fund liability insurance policy for 2019-2020 as presented. Motion approved with all present voting aye.

OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

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

Type	Owner	Address	City	Allocation	Use
a. Permit Exist.	Martin Serrano	7230 Bailey Road	Pearland	250,000	Commercial
b. Permit Exist.	Marlin Marina Water System	140 Garth Street	Freeport	200,000	Public Supply
c. Permit Exist.	United States Postal Service	1810 E. FM 1462	Rosharon	250,000	Commercial
d. Permit Exist.	NBT Enterprises	803 E FM 1462	Rosharon	250,000	Commercial
e. Permit New	Phillips 66 Company	County Road 488A	Sweeny	8,400,000	Industrial
f. Permit New	Habitat For Horses	6060 Habitat For Horses Lane	Alvin	500,000	Commercial
g. Permit Exist.	Treaty Creek Investments	6111 Jan Dr.	Rosharon	100,000	Commercial

h. Permit Exist.	Sandila Holdings, LLC.	5515 CR 100	Pearland	500,000	Commercial
i. Permit Exist.	Smart Choice Northwest, LLC.	17323 Herridge Rd CR 827	Pearland	500,000	Commercial
j. Permit New	Coastline RV Park	9731 FM 523	Freeport	500,000	Public Supply
k. Permit New	Phillips 66 Company	8189 Old FM 524	Sweeny	3,000,000	Public Supply

Motion approved with all present voting aye.

CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Following the public hearing, at which time no testimony was given, there was a Motion by Director Goolsby, 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 Ordeneaux, Seconded by Director Davenport, that Items a, b, e, f, h, i, j and k be approved as presented and Items c, d & g 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, Seconded by Director Goolsby, 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, July 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:

- David Ellis updated the Board regarding the status of the installation of the new PAM units.

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)

B. Legislative Update:


POSSIBLE FUTURE AGENDA ITEMS:

- July 11, 2019 – Director's Training Session
- Set public hearing to update District Rules to reflect legislative changes

ADJOURN:

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

Approved this 11th day of July, 2019


Keith Ordeneaux, Assistant Secretary
Board of Directors