

**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 November, 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 Purnell 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 O'Day and 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, and Philip Taucer of Freese & Nichols, Inc.

APPROVE MINUTES:

Motion by Director Goolsby, Second by Director Purnell, that the Minutes from the meeting on October 10, 2019, and the Workshop on October 28, 2019 be approved as presented. Motion approved with all present voting aye.

OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

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

Motion approved with all present voting aye.

Type	Owner	Address	City	Allocation	Use
a. Permit New	Cullen RV Resort, LLC.	3794 CR 102	Pearland	1,000,000	Public Supply
b. Permit Exist.	Ali, Baskat	20020 Hwy 35	Alvin	250,000	Commercial
c. Permit New (T)	Kurjee Enterprise, Inc.	FM 1462 & SH 288	Rosharon	100,000	Public Supply
d. Permit New (T)	RockCrete Ready Mix	125 CR 770	Rosharon	2,000,000	Industrial
e. Permit New	Carlos De La Cerda	6419 CR 168	Alvin	200,000	Other
f. Permit New	Mahedi Arish Fortune LLC	12922 SH 35	West Columbia	1,000,000	Public Supply
g. Permit New	Oak Creek Home Center	23290 State Hwy 6	Alvin	320,000	Commercial
h. Permit New (T)	Still Waters Ranch	2352 CR 165	Alvin	15,000	Commercial
i. Permit Exist.	BW Services	1100 Wayne Drive	Angleton	4,000,000	Commercial
j. Permit New	Platinum Opportunities, LLC	20388 Hwy 35	Sweeny	1,000,000	Public Supply
k. Permit Exist.	McKirchy	1925 CR 252	Pearland	1,000,000	Commercial

CLOSE PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

Following the public hearing, at which time no testimony was given, there was a Motion by Director Ordeneaux, Second by Director Purnell, 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 Purnell, that Items a, c, d, e, f, g, h, j and k be approved as presented and Items b and i be approved contingent upon resolution of pending fees and other issues. Motion approved with all present voting aye.

Director O'Day arrived at 4:10 p.m.

STATUS UPDATE BY FREESE & NICHOLS, INC.:

Philip Taucer of Freese & Nichols, presented the draft 2019 Annual Report. The final report will be presented for approval at the December meeting. No action was taken at this time.

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 Ordeneaux, Second 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 **Tuesday, December 10, 2019 at 4:00 p.m.** in the District Office and that the applicants be notified. Motion approved with all present voting aye.

FINANCIAL, INVESTMENT & BUDGET STATUS REPORT:

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

GENERAL MANAGER'S REPORT:

- Sherry Plentl gave a report and status update regarding the GMA 14 meeting on Wednesday, November 13, 2019 at the Harris-Galveston Subsidence District and updated the Board on the status of the pending outreach proposal.

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. Neches and Trinity Valley Groundwater Conservation District v Mountain Pure LLC (12th Court of Appeals)

Also discussed was the recent legislative action amending the public comment period requirements for a public meeting and the related pending Attorney General Opinion request, along with an update regarding current pending legal actions by the District.

CLOSED MEETING:

At 4:52 p.m. the Board of Directors conducted a closed meeting under the following section of V.T.C.A. government code, Chapter 551, subchapter D.

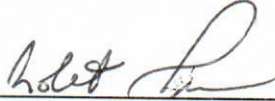
- A. Texas Government Code 551.074
Personnel Matters: (1) deliberation regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of District employees or (2) to hear a complaint or charge against an employee, unless the employee who is the subject of the deliberation or hearing requests a public hearing.

At 5:17 p.m. the Board reconvened in open session and no formal action was taken regarding the closed session discussion. An employment application review and evaluation committee of Directors Ordeneaux and Purnell was appointed.

ADJOURN:

As there were no further matters to be heard, the motion to adjourn was made by Director O'Day and Second by Director Purnell. All present voting aye. The meeting was adjourned at 5:19 p.m.

Approved this 10th day of December, 2019



Robert Purnell, Secretary
Board of Directors