

**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 Tuesday, the 17th day of September, 2019, at 2:00 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 2:00 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 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 O'Day, Second by Director Ordeneaux, that the Minutes from the meeting on August 8, 2019, be approved as presented. Motion approved with all present voting aye.

OPEN PUBLIC HEARING REGARDING PERMIT APPLICATIONS:

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

Motion approved with all present voting aye.

Type	Owner	Address	City	Allocation	Use
a. Permit Exist. well	Pico Propane	3619 FM 2403	Alvin	250,000	Commercial
b. Permit New well	Brazosport Water Authority	233 FM 2004	Lake Jackson	10,000,000	Public Supply
c. Permit Exist. well	Paul Kamas	1155 CR 281	Alvin	100,000	Commercial
d. Permit Exist. well	Carboline Premium Cutting Tools, Inc.	1914 Kincade CR 894	Rosharon	1,000,000	Industrial
e. Permit New well (R)	Pearland Airport Industrial Park	17825 CR 127	Pearland	273,800	Commercial
f. Permit Exist. well	Hames, Sarah	721 Moore Road	Alvin	250,000	Commercial
g. Permit Exist. well	Chocolate Bayou Worship Center	831 FM 2917	Alvin	250,000	Commercial
h. Permit New well	Cross Development Acquisition, LLC.	SH 6	Rosharon	100,000	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 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 O'Day, Second by Director Goolsby, that Items b, e, f, g & h be approved as presented and Items a, c, and d, be approved contingent upon resolution of pending fees and other issues. Motion approved with all present voting aye.

APPROVE LEGISLATIVE REPRESENTATION SERVICES AGREEMENT:

Motion by Director Davenport, Second by Director Ordeneaux, to approve the Legislative Representation Services Agreement with Gregory M. Ellis to provide legislative representation for the District per the terms listed. Motion approved with all present voting aye.

CONSIDER AMENDED SETTLEMENT AGREEMENT WITH SKI TEXAS PHASE II:

Motion by Director O'Day; Second by Director Ordeneaux to approve the amended settlement agreement with Ski Texas Phase II for past years fees on an existing, unpermitted, non-exempt well as presented. 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 O'Day, Second by Director Ordeneaux, 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, October 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 September 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 Davenport, that the invoices presented be approved for payment. Motion approved with all present voting aye.

CLOSED MEETING:

At 2:45 p.m. the Board of Directors recessed the public meeting to conduct a closed meeting under Sec. 551.074, Government Code, to deliberate issues related to personnel matters.

RECONVENE IN OPEN SESSION

At 3:30 p.m. the Board reconvened in open session; no action was taken during the closed meeting.

APPROVE FY2020 BUDGET

Motion by Director O'Day, Second by Director Ordeneaux to approve the FY2020 Budget as presented. Motion approved with all present voting aye.

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)

GENERAL MANAGER'S REPORT:

- Status update on current projects and deliverables by Freese & Nichols, Inc.
- GMA 14 Update and status of Joint Planning Process
- TAGD Summit report
- Discuss notification campaign

POSSIBLE FUTURE AGENDA ITEMS:

1. October 10, 2019 Workshop following regular meeting.

ADJOURN:

As there were no further matters to be heard, the motion to adjourn was made by Director O'Day and Second by Director Ordeneaux. All present voting aye. The meeting was adjourned at 3:55 p.m.

Approved this 10th day of October, 2019



Robert Purnell, Secretary
Board of Directors