

MINUTES OF REGULAR MEETING
BRAZORIA COUNTY GROUNDWATER
CONSERVATION DISTRICT

December 14, 2006

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

The Board of Directors of Brazoria County Groundwater Conservation District met in Regular Session, on the 14th day of December, 2006, at the Brazoria County Courthouse West Annex, 451 N. Velasco Street, 1st Floor Conference Room, Angleton, Texas, within the boundaries of the District and the roll was called of the duly constituted officers and members of the Board, to wit:

Dennis R. Ferguson	President
John Pyburn	Vice-President
Raymond Felder	Secretary
Donald R. Mudd	Assistant Secretary

and all of said Directors were present, thus constituting a quorum.

Also present for all or part of the meeting were the following: Kent Burkett, Chief Administrator of the Office of the County Judge, Sherry Plentl of the Office of the County Judge, Rob Balcells of URS Corporation; Stephen M. Robinson of Allen Boone Humphries Robinson LLP; and persons listed on the attached attendance sheet.

The meeting was called to order by Director Ferguson.

RECEIVE PUBLIC COMMENTS:

Director Ferguson opened the meeting to receive public comments. No comments were made.

APPROVE MINUTES:

The Board next considered approving the minutes of the November 16, 2006 meeting. Upon motion by Director Pyburn and seconded by Director Felder, the minutes were unanimously approved as presented.

CONFLICT OF INTEREST DISCLOSURE:

Mr. Robinson reviewed with the Board new legislation enacting Chapter 176 of the Texas Government Code, which requires directors and consultants to disclose certain conflicts of interest. He reviewed with the Board the forms adopted by the Texas Ethics Commission for making disclosures under Chapter 176 and noted that the forms are required to be filed with the records administrator for the District beginning January 1, 2006, and will need to be filed thereafter within seven days of a disclosable conflict arising. He explained that failure to make a disclosure required under Chapter 176 is a Class C misdemeanor. He encouraged the Board to contact ABHR if assistance is needed in determining whether a conflict requires disclosure or in making a required disclosure. No action was taken by the Board.

DISCUSS OPEN MEETINGS ACT AND PUBLIC INFORMATION ACT TRAINING REQUIREMENTS:

Mr. Robinson reported that legislation passed during the 79th Regular Session of the Texas Legislature requires each elected or appointed public official to complete a course of training of not less than one and not more than two hours regarding the responsibilities of the governmental body and its members under the Texas Open Meetings Act, Chapter 5521, Government Code. He stated that newly elected directors must complete the requisite training within 90 days of taking the oath of office. He stated that the Texas Attorney General provides the requisite training on its website or by a DVD at no charge.

DISCUSS MISSION, OBJECTIVES, FEES, ADMINISTRATION, REVIEW AND APPROVE PAYMENT OF INVOICES AND RECEIVE UPDATE ON BRAZORIA COUNTY COMMISSIONERS' COURT ACTIONS RELATED TO ADMINISTRATIVE SERVICES AND FINANCIAL ASSISTANCE:

Mr. Balcells spoke regarding the permit applications that have been received and reviewed and stated that upon receipt, the applications have had 24 hour turnaround. He also stated that the forms need updating. Beginning in 2007, URS will begin the process of turning over data entry to the District and familiarizing District personnel with the data entry process. Mr. Balcells also updated the Board regarding the estimated cost for making the District's website interactive. He informed the Board that it should not be an expensive undertaking and should be relatively easy to accomplish.

The Board inquired of Mr. Robinson the possibility of follow-up letters being mailed out to public water systems regarding the registration deadline. Director Felder made a motion, which was seconded by Director Mudd to authorize ABHR to send follow-up letters. The motion was unanimously approved.

An invoice in the amount of \$277.50 from Victory Insurance for Public Official Bonds for new directors was presented for approval. Director Felder made the motion to

approve the invoice for payment. Director Pyburn seconded the motion which was unanimously approved.

With regard to the anticipated opening of the District's office beginning January 2, 2007, Director Felder made the motion to appoint a committee for the consideration and purchase of office equipment, furniture and supplies, and further authorize an expenditure in an amount not to exceed \$10,000. The motion was seconded by Commissioner Pyburn and was unanimously approved. Director Felder, Director Mudd and Sherry Plentl were appointed to serve on this Committee.

AUTHORIZE EXECUTION OF INTERLOCAL AGREEMENT FOR ELECTORAL SERVICES WITH BRAZORIA COUNTY:

Mr. Burkett reviewed with the Board the Interlocal Agreement between the District and Brazoria County for electoral services. Following review and discussion, Director Felder made the motion, which was seconded by Director Mudd to approve the Interlocal Agreement with Brazoria County for the final amount and to defer payment in the amount of \$50,349.64 until funds are available, pursuant to an agreement with Brazoria County to such terms. The motion was unanimously approved.

REVIEW AND ADOPT REVISED PERMITTING AND REGISTRATION FORMS:

The Board discussed issues regarding the District's well permitting and registration forms. Mr. Balcells agreed that the forms need to be updated and stated that he is in the process of addressing those issues, however the updates were not ready for the Board to take action on at this time. Director Pyburn made the suggestion that the forms used by Harris and Fort Bend counties be reviewed for informational purposes and stated that he would like to see the forms simplified and more user friendly.

REVIEW AND ADOPT AMENDED ORDER ESTABLISHING FEES, CHARGES AND PENALTIES:

During a brief discussion regarding the Order Establishing Fees, Charges and Penalties, Director Pyburn identified an error in the export fee. Mr. Robinson will revise the section to correct the misprint and in addition will add the rules for the unified system.

DISCUSS BUDGET AND ADOPT AMENDED BUDGET FOR THE DISTRICT:

Director Felder made the motion to table this item. The motion was seconded by Director Pyburn with all voting in favor.

DISCUSS CURRENT WATER ISSUES AFFECTING BRAZORIA COUNTY:

The Board received an update on the Chocolate Bayou Water Company application for amendment to Certificate of Adjudication No. 12-5322. The public meeting to be held on Thursday, January 25, 2007 by the TCEQ was discussed. Director Felder made a motion to request Mr. Balcells attend the meeting and make a presentation at the hearing. Director Mudd seconded the motion which was unanimously approved. The Board will preview the presentation at the next meeting.

DISCUSS GMA 14 JOINT PLANNING GROUP MEETING:

Mr. Balcells spoke in regard to the GMA 14 Joint Planning Group and discussion followed.

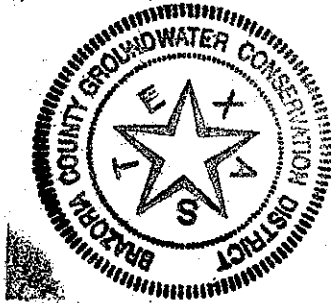
RECEIVE REPORTS FROM DIRECTORS:

No reports from Directors were presented.

DISCUSS MEETING SCHEDULE AND AUTHORIZE APPROPRIATE ACTION:

The Board concurred to hold the next regular meeting on January 11, 2007 at the regularly scheduled time and location.

As there were no further matters to be had, upon motion by Director Felder and seconded by Director Mudd, the Board voted unanimously to adjourn.



Raymond D. Felder
Secretary, Board of Directors