

**MINUTES OF THE REGULAR MEETING
OF THE
BRAZORIA COUNTY GROUNDWATER CONSERVATION
DISTRICT**

February 8, 2007

The Board of Directors of the Brazoria County Groundwater Conservation District met in Regular Session on the 8th day of February, 2007, at 2:00 p.m. in the Brazoria County Groundwater Conservation District Office, 451 N. Velasco Street, 2nd Floor, Suite 290, Angleton, Texas, within the boundaries of the District and the roll was called of the duly constituted members of the Board, to wit:

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

All of said Directors were present, thus constituting a quorum.

Also present for all or part of the meeting were the following: Kent Burkett, Administrative Consultant for the District and Sherry Plentl, Administrative Assistant for the District.

The meeting was called to order by Director Ferguson.

1. RECEIVE PUBLIC COMMENTS:

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

2. APPROVE MINUTES:

Motion by Director Pyburn, Seconded by Director Felder that the Minutes for the BCGCD Board of Directors meetings for December, 2006 and January, 2007 be approved as presented. All present voting aye. **BCGCD ORDER #07-02-01**

3. REPORT BY ADMINISTRATIVE CONSULTANT:

Kent Burkett, Administrative Consultant to the District gave an update to the Board regarding recent meetings with County Commissioner Mary Ruth Rhodenbaugh; the GMA-14 meeting on 1/23/07; the TCEQ Public Meeting regarding the Chocolate Bayou Water Company issue on 1/25/07; meeting with County Judge Joe King on 1/29/07; the Swearing-In Ceremony for State Representative Mike O'Day on 2/1/07; and the Region H meeting on 2/8/07; also advised the Board in regard to upcoming meetings and events and pending drafting of proposed revisions to HB 3602. A review was made by Mr. Burkett regarding the FY 2007 financial report and related items; along with an overview of agenda items to be considered.

- 4. DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT OF A DIRECTOR TO THE BOARD:**
Motion by Director Mudd, Seconded by Director Ferguson to table this item. All present voting aye. **BCGDC ORDER #07-02-02**
- 5. DISCUSSION AND POSSIBLE ACTION REGARDING FINANCIAL REPORT AND FY 2007 BUDGET:**
Motion by Director Felder, Seconded by Director Mudd that the Board approve the Revised BCGCD 2007 Budget and Financial Report for February, 2007 as presented. All present voting aye. **BCGCD ORDER#07-02-03**
- 6. DISCUSSION AND POSSIBLE ACTION REGARDING INVOICES:**
Motion by Director Felder, Seconded by Director Pyburn that the Board approve the invoices presented for payment. All present voting aye. **BCGCD ORDER #07-02-04**
- 7. DISCUSSION AND POSSIBLE ACTION REGARDING BCGCD WEBPAGE:**
Motion by Director Ferguson, Seconded by Director Felder that the Board approve Option #3 as proposed by URS Corporation for an interactive website implementation. All present voting aye. **BCGCD ORDER #07-02-05**
- 8. DISCUSSION AND POSSIBLE ACTION REGARDING INTERLOCAL AGREEMENT WITH GMA #14 IN REGARD TO ENGINEERING SERVICES:**
Motion by Director Mudd, Seconded by Director Felder that the Interlocal Agreement with Groundwater Management Area #14 in regard to engineering services be approved in an amount not to exceed \$5,500.00. Motion by Director Pyburn, Seconded by Director Mudd to amend the order to approve the Interlocal Agreement contingent upon the use of the latest numbers available (including 2005 census numbers) by TCB, Inc., and that they agree to work closely with URS Corporation on this project. All present voting aye. **BCGCD ORDER #07-02-06**
- 9. DISCUSSION AND POSSIBLE ACTION REGARDING CHOCOLATE BAYOU RESOLUTION:**
Motion by Director Felder, Seconded by Director Mudd that the Board approve the Resolution opposing the Chocolate Bayou Water Company's proposed amendment to Certificate of Adjudication No. 12-5322 to add a diversion point on the Brazos that is currently being processed by the Texas Commission on Environmental Quality. Further, that copies of said Resolution be sent to the TCEQ, State Representative Dennis Bonnen, State Representative Mike O'Day and Brazoria County Judge E.J. King. All present voting aye. **BCGCD ORDER #07-02-07**

- 10. DISCUSSION AND POSSIBLE ACTION REGARDING THE ENGAGEMENT OF KENNEMER, MASTERS & LUNSFORD:**
Motion by Director Felder, Seconded by Director Pyburn that the Board approve the engagement of Kennemer, Masters & Lunsford, LLC, in an amount not to exceed \$5,000.00 for the purpose of conducting the FY2006 audit. All present voting aye. **BCGCD ORDER #07-02-08**
- 11. DISCUSSION AND POSSIBLE ACTION REGARDING NEW WELL REGISTRATION FOR MAMMOTH PROPERTIES:**
The Board reviewed the New Well Registration for Mammoth Properties, LLC and a motion was made by Director Felder, Seconded by Director Mudd that a letter be drafted to Mark Neal, attorney for Mammoth Properties, LLC, to advise that the subject well does not meet the criteria for non-exempt wells and that appropriate permits and fees will be required. All present voting aye.
BCGCD ORDER #07-02-09
- 12. DISCUSSION AND POSSIBLE ACTION REGARDING PERMIT AND REGISTRATION FORMS:**
The Board took no formal action in regard to this item. The District Administrative Assistant will forward sample documents provided by Director Pyburn to Rob Balcells of URS Corporation pending implementation of Website Option #3.
- 13. DISCUSSION AND POSSIBLE ACTION REGARDING THE SCHEDULING OF BOARD OF DIRECTORS' MEETINGS:**
Motion by Director Mudd, Seconded by Director Felder that the attached schedule of meeting dates for the Brazoria County Groundwater Conservation Board of Directors for calendar year 2007 be approved. All present voting aye.
BCGCD ORDER #07-02-10
- 14. REPORTS BY DIRECTORS:**
Director Pyburn brought up the feasibility of allowing those whose monthly production fees are less than \$100.00 total to pay on a quarterly; semi-annual or annual basis. He would like to gather information and advice from other Districts and consultants and bring this matter up at a later date for consideration by the Board.
- 15. ADJOURN:**
As there were no further matters to be had, Director Ferguson made the motion to adjourn. The motion was seconded by Director Mudd. All present voting aye. The meeting was adjourned **BCGCD ORDER #07-02-11**

Raymond D. Felder, Secretary
Board of Directors

