

MINUTES OF REGULAR MEETING
OF
BRAZORIA COUNTY GROUNDWATER CONSERVATION DISTRICT

January 12, 2006

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

The Board of Directors of Brazoria County Groundwater Conservation District, met in regular session, open to the public, on the 12th day of January, 2006, at the Brazoria County Courthouse, 451 N. Velasco Street, 2nd Floor Conference Room 249, Angleton, Texas, inside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Dennis Davenport	President
Michael O'Day	Vice President
Raymond Felder	Secretary
John Pyburn	Assistant Secretary
Leo Mikeska	Director

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

Also present at the meeting were the following: John Willy, Brazoria County Judge; Kent Burkett, Chief Administrator of the Office of the Brazoria County Judge; Craig D. Pedersen, Robert Balcells, and David Lingle of URS Corporation ("URS"); and Steve Robinson and Justine M. Cherne of Allen Boone Humphries Robinson LLP ("ABHR").

Director O'Day called the meeting to order.

DISCUSS AND ADOPT POLICY ON PUBLIC COMMENT PERIOD

Mr. Robinson discussed with the Board developing a policy for a public comment period. He reviewed policies adopted by other public entities and provisions of the Open Meetings Act. He stated that the Board cannot deliberate or take action on items not included on the agenda. He stated that he will distribute a proposed policy prior to the next meeting of the Board. No action was taken by the Board.

RECEIVE PUBLIC COMMENTS

Director O'Day opened the meeting to receive public comments. No public comments were made.

APPROVE MINUTES

The Board next considered approving the minutes of the November 16, 2005, meeting of the Board of Directors. Upon a motion made by Director Pyburn and seconded by Director Felder, the Board unanimously approved the minutes of the November 16, 2005, meeting of the Board of Directors as written.

REVIEW AND APPROVE PAYMENT OF INVOICES

Mr. Robinson reported that ABHR's fees for legal services were in excess of the allocated budget. He reviewed an invoice in the amount of \$3,937.87, a copy of which is attached. He stated that no payment is expected at this time.

Mr. Pederson stated that a record of accumulated fees for work being performed by URS is being maintained. No action was taken by the Board.

APPROVE SWORN STATEMENT, OFFICIAL BOND AND OATH OF OFFICE OF NEWLY ELECTED DIRECTOR

The Sworn Statement, Official Bond, and Oath of Office for Director Mikeska were presented to the Board for review, copies of which are attached. Mr. Robinson stated that each Director must execute an individual Official Bond and Oath of Office that states that he/she will execute the duties of Director and will, to the best of his/her ability, preserve, protect, and defend the Constitution and laws of the United States. After discussion, Director Felder moved that the Board of Directors approve the newly elected Director's Sworn Statement, Official Bond and Oath of Office, and direct that they be filed and retained in the District's official records and that the Oath of Office and Official Bond be filed with the Secretary of State of the State of Texas. The motion was seconded by Director Pyburn, which carried unanimously.

CONFLICT OF INTEREST DISCLOSURE

Mr. Robinson next 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. The Board authorized ABHR to maintain a list of the District's Board Members and make that list available to the public and to contractors who may be required to file a questionnaire under Chapter 176.

DISCUSS MISSION, OBJECTIVES AND BUDGET

Mr. Pedersen introduced Mr. Lingle of URS's Houston office to the Board. He presented an overview of the District's authorities and responsibilities. Mr. Balcells reviewed summaries of interviews with four groundwater conservation districts and the Harris-Galveston Coastal Subsidence District. Discussion ensued regarding determining the actions to be taken by the Board, a proposed scope of services, developing a budget, and determining the amount of time needed to define the District's mission and objectives and begin planning and implementation.

Mr. Robinson next reviewed funding options for the District. Discussion ensued regarding exploring whether the Harris-Galveston Subsidence District would be a good option for performing the administrative functions for the District. Judge Willy stated that Brazoria County continues to support the District and will need budget information to consider entering into an interlocal agreement for interim funding for the District. Following discussion, the Board requested ABHR and URS to develop draft initial rules, fees and a budget for review at the February meeting. The Board concurred that Board members would discuss administrative options with the Harris-Galveston Subsidence District, the Coastal Bend Groundwater Conservation District, and the Coastal Plains Groundwater Conservation District.

RECEIVE REPORTS FROM DIRECTORS

Director O'Day reported that the next Groundwater Management Area 14 ("GMA 14") meeting is scheduled on February 28, 2006, at the offices of Lone Star Groundwater Conservation District in Conroe, Texas. Following discussion, Director Felder moved that the Board appoint Director O'Day as the District's representative and Director Davenport as the alternate representative for the GMA 14 meetings. Director Pyburn seconded the motion, which was approved by unanimous vote. The Board concurred that a representative of URS should initially attend the GMA 14 meetings.

Upon a motion made by Director Felder and seconded by Director Mikeska, the Board adjourned.

[SIGNATURE PAGE FOLLOWS]

(SEAL)



A handwritten signature in cursive script, appearing to read "R. D. Felder", written in black ink over a horizontal line.

Secretary, Board of Directors

LIST OF ATTACHMENTS TO MINUTES

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