

**MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF THE
BRAZORIA COUNTY GROUNDWATER CONSERVATION DISTRICT**

November 17, 2009

The Board of Directors of the Brazoria County Groundwater Conservation District met Thursday, the 12th day of November, 2009, at 4:00 p.m. in the Brazoria County Groundwater Conservation District Office, 451 N. Velasco Street, 1st Floor, Suite 140, Angleton, Texas, within the boundaries of the District and the roll was called of the duly constituted members of the Board, to wit:

John Pyburn	President
Donald R. Mudd	Vice President
Raymond Felder	Secretary
Patrick O'Day	Assistant Secretary
Alan Mueller	Director

All of said Directors were present with the exception of Director Mueller, thus constituting a quorum.

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

The meeting was called to order by Director at 4:05 p.m.

The meeting was opened to receive public comments. There were no persons present wishing to speak.

ORDER 09-11-01 APPROVE MINUTES:

Motion by Director O'Day, Seconded by Director Felder that the Minutes from the meeting of October 8, 2009 be approved as presented. Motion approved with all present voting aye.

FINANCIAL REPORT AND BUDGET SUMMARY:

A financial status report as of November 10, 2009 was reviewed. No action was taken.

ORDER 09-11-02 APPROVE INVOICES FOR PAYMENT:

Motion by Director Felder; Seconded by Director Mudd that the invoices presented be approved for payment. Motion approved with all present voting aye.

ORDER 09-11-03 OPEN PUBLIC HEARING REGARDING PERMIT AND RENEWAL APPLICATIONS:

Motion by Director Felder; Seconded by Director Pyburn that the Board **OPEN** the public hearing regarding applications for permits/renewals received and declared administratively complete.

ANGLETON CHEVRON	MEADOWVIEW II
ARK VILLAGE PARK HOMES	MORELAND SUBDIVISION 1 & 2
ASHLEY OAKS MOBILE HOME COM.	MORELAND SUBDIVISION 3 & 4
BASF FREEPORT	NATIONAL CONV. STORES/VALERO
BEHAVIOR TRAINING RESEARCH	OAK BEND ESTATES
BERNARD ACRES	PALMETTO SUBDIVISION 1
C & E CORPORATION	PALMETTO SUBDIVISION 2
CALICO FARMS SUBDIVISION	PLEASANT MEADOWS SUBDIVISION
CEMEX CONSTRUCTION MATLS	PLEASANTDALE SUBDIVISION
CENTENNIAL PLACE	QUAIL MEADOWS I
CITY OF DANBURY	QUAIL MEADOWS II
CITY OF MANVEL	RANGEN INC
COOTER BROWNS PLACE	RIVER RUN WATER SYSTEM
COUNTRY CREEK ESTATES	SANDY RIDGE SUBDIVISION
DIXON, JAMES & BARBARA	SHARONDALE SUBDIVISION
DOW CHEMICAL CO	SHINTECH
FLORA 6	SOUTH MEADOWS
FLORA 7	STERLING ESTATES I
GREATER MT. ZION CHURCH	STERLING ESTATES II
HASTINGS HMWRS WATER SYS	TEXAS DOW EMPLOYEES CREDIT UN
HEIGHTS COUNTRY I	TOWN OF HOLIDAY LAKES
HEIGHTS COUNTRY II	TURTLE COVE LOT OWNERS ASSN
INEOS USA LLC	TWIN LAKES CLUB
LAS PLAYAS	VILLAGE TRACE WTR SYS
LUTES MARINE	WELLBORN ACRES
MEADOWLAND SUBD	WESTWOOD SUBDIVISION
MEADOWLARK I	WEYBRIDGE SUBD WTR SYS
MEADOWLARK II	WILD PEACH BAPTIST CHURCH
MEADOWVIEW I	WINDSONG SUBDIVISION I
	WINDSONG SUBDIVISION II
	WOLFE AIR PARK

Motion approved with all present voting aye.

ORDER 09-11-04 CLOSE PUBLIC HEARING REGARDING PERMIT AND RENEWAL APPLICATIONS:

Motion by Director O'Day; Seconded by Director Felder that the public hearing regarding applications for permits/renewals received be **CLOSED**. Motion approved with all present voting aye.

ORDER 09-11-05 APPROVE PERMIT AND RENEWAL APPLICATIONS:

Motion by Director Felder; Seconded by Director O'Day that the permit applications as listed below be approved.

ANGLETON CHEVRON	MEADOWVIEW II
ARK VILLAGE PARK HOMES	MORELAND SUBDIVISION 1 & 2
ASHLEY OAKS MOBILE HOME COM.	MORELAND SUBDIVISION 3 & 4
BASF FREEPORT	NATIONAL CONV. STORES/VALERO
BEHAVIOR TRAINING RESEARCH	OAK BEND ESTATES
BERNARD ACRES	PALMETTO SUBDIVISION 1
C & E CORPORATION	PALMETTO SUBDIVISION 2
CALICO FARMS SUBDIVISION	PLEASANT MEADOWS SUBDIVISION
CEMEX CONSTRUCTION MATLS	PLEASANTDALE SUBDIVISION
CENTENNIAL PLACE	QUAIL MEADOWS I
CITY OF DANBURY	QUAIL MEADOWS II
CITY OF MANVEL	RANGEN INC
COOTER BROWNS PLACE	RIVER RUN WATER SYSTEM
COUNTRY CREEK ESTATES	SANDY RIDGE SUBDIVISION
DIXON, JAMES & BARBARA	SHARONDALE SUVDIVISION
	SHINTECH
FLORA 6	SOUTH MEADOWS
FLORA 7	STERLING ESTATES I
GREATER MT. ZION CHURCH	STERLING ESTATES II
HASTINGS HMWRS WATER SYS	
HEIGHTS COUNTRY I	TOWN OF HOLIDAY LAKES
HEIGHTS COUNTRY II	TURTLE COVE LOT OWNERS ASSN
INEOS USA LLC	TWIN LAKES CLUB
LAS PLAYAS	VILLAGE TRACE WTR SYS
LUTES MARINE	WELLBORN ACRES
MEADOWLAND SUBD	WESTWOOD SUBDIVISION
MEADOWLARK I	WEYBRIDGE SUBD WTR SYS
MEADOWLARK II	WILD PEACH BAPTIST CHURCH
MEADOWVIEWI	WINDSONG SUBDIVISION I
	WINDSONG SUBDIVISION II
	WOLFE AIR PARK

Further that no action be taken on the application for a new well permit for the Dow Chemical Company and that the renewal application for the Texas Dow Employees Credit Union be denied at this time pending compliance with the requirements of the District with regard to their existing wells.

Motion approved with all present voting aye.

ORDER 09-11-06 SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director O'Day; Seconded by Director Felder that a public hearing to consider approval of permit and renewal applications be set for the next meeting of the Board of Directors on **Thursday, December 10, 2009 at 4:00 p.m.** in the District Office and that the applicants be duly notified. Motion approved with all present voting aye.

ORDER 09-11-07 APPROVE ACTIONS REGARDING EMERGENCY PERMITS

Motion by Director O'Day, Seconded by Director Pyburn that the District's fee schedule be amended to include the following language:

The General Manager may rule on any application for an Emergency Permit without notice, hearing, or further action by the Board, or without such notice and hearing as the General Manager deems practical and necessary under the circumstances. The General Manager may deny any application for an Emergency Permit on any reasonable ground, including, but not limited to, a determination that the applicant is currently in violation of these Rules or Chapter 36, Texas Water Code, that the applicant has a previously unresolved violation on record with the District, or that the application does not meet the requirements of this Rule.

Motion approved with all present voting aye.

At this time the Board of Directors entered into Closed Session pursuant to Texas Government Code, Section 551.071, for the purpose of discussion of the following:

1. Brazoria County Groundwater Conservation District v. Dan Raybion.

At 5:25 p.m. a motion was made by Director O'Day, Seconded by Director Pyburn that the Board reconvene in open session, and that the following order be entered:

**ORDER 09-11-08 BRAZORIA COUNTY GROUNDWATER CONSERVATION
DISTRICT V. DAN RAYBION**

Motion by Director Felder, Seconded by Director Pyburn that the Board approve the drafting of a letter by the attorney for the District to the Texas Commission on Environmental Quality in opposition to the variance requested by Dan Raybion, and authorize the attorney to file suit at the appropriate time.

Motion approved with all present voting aye.

ORDER 09-11-09 ADJOURN:

As there were no further matters to be had, the motion to adjourn was made by Director Mudd and seconded by Director Felder. All present voting aye. The meeting was adjourned at 5:30 p.m.

Approved this 10th day of December, 2009

/s/ Raymond D. Felder

Raymond D. Felder, Secretary
Board of Directors