

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

September 29, 2008

The Board of Directors of the Brazoria County Groundwater Conservation District met Thursday, the 25th day of September, 2008, at 4:00 p.m. in the Brazoria County Groundwater Conservation District Office, 451 N. Velasco Street, 2nd 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:

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

All of said Directors were present, with the exception of Directors Ferguson and Mudd 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 Pyburn at 4:00 p.m.

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

ORDER 08-09-01 APPROVE MINUTES:

Motion by Director Felder, Seconded by Director Pyburn that the Minutes from the meeting on August 14, 2008 be approved as presented. Motion approved with all present voting aye.

ORDER 08-09-02 APPROVE INVOICES FOR PAYMENT:

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

FINANCIAL REPORT AND BUDGET SUMMARY:

The Statement of Revenues and Expenditures as of September 24, 2008 was reviewed. No action was taken.

ORDER 08-09-03 APPROVE FY2009 BUDGET:

Motion by Director Felder; Seconded by Director Pyburn that the Board approve the FY2009 Budget as presented. The motion was approved with all present voting aye.

ORDER 08-09-04 APPROVE ORDER CANCELING ELECTION:

Motion by Director O'Day; Seconded by Director Felder that the Board approve an Order of Canceling the election scheduled to be held on November 4, 2008 in accordance with Section 2.053 (a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

John Altus Pyburn	Director, Pct. 2
Michael Patrick O'Day	Director, Pct. 3

Motion approved with all present voting aye.

ORDER 08-09-05 APPROVE REQUEST FOR STATEMENT OF QUALIFICATIONS FOR INDEPENDENT AUDITOR SERVICES

Motion by Director Pyburn; Seconded by Director Felder that approve the Request For Statement of Qualifications for Independent Auditor Services and authorize the General Manager to enter into negotiations with qualified firms. Motion approved with all present voting aye.

ORDER 08-09-06 APPROVE INTERLOCAL AGREEMENT:

Motion by Director O'Day; Seconded by Director Pyburn that the Board approve an Interlocal Agreement for Governmental Functions And Services Related To Joint Planning In GMA-14 and authorize a joint participation contribution of an amount equal to the District's pro rata share of the shortfall in an amount not to exceed \$7,000.00. Motion approved with all present voting aye.

ORDER 08-09-07 APPROVE POLICY REGARDING SERVICES PERFORMED BY CONTRACT FIELD INSPECTOR IN RELATION TO COLLECTION ACTIVITIES BY OTHER PARTIES:

Motion by Director Pyburn, Seconded by Director Felder that the Board approve a policy regarding services performed by contract field inspector in relation to collection activities by other parties as follows:

Contractor agrees to perform services requested by District, including but not limited to identifying certain entities with past due fees, educating said entities about District, completion of registration and permit applications by said entity, and reporting the results of such activities to District. Contractor agrees to perform such services under the terms and conditions set forth in contract.

The entities identified by Contractor shall have a maximum of thirty (30) days to comply with the rules and fees of the District. After which time, these entities shall be referred to collection agency.

After these entities are referred to collection agency, District shall pay Contractor a commission in the amount of thirty percent (30%) of certain past due fees collected by the District from these entities.

Motion approved with all present voting aye.

ORDER 08-09-08 APPROVE AMENDMENT TO FEE SCHEDULE:

Motion by Director O'Day, Seconded by Director Felder that the Board approve the Fifth Amended Order Establishing Fees, Charges and Penalties to establish a penalty in the amount of \$250.00 to be assessed in addition to the standard permit fee for failure to permit a non-exempt well prior to drilling. Motion approved with all present voting aye.

ORDER 08-09-09 APPROVE PERMIT AMENDMENT:

Motion by Director Felder, Seconded by Director O'Day that the Board approve the request for a permit amendment to change the ownership of Well #194 from Rhodia, Inc., to Perstorp Coatings, Inc. Motion approved with all present voting aye.

ORDER 08-09-10 SET HEARING DATE FOR PERMIT APPLICATIONS:

Motion by Director Felder; Seconded by Director Pyburn that a public hearing to consider approval of permit applications be set for the next meeting of the Board of Directors on **Thursday, October 9, 2008 at 4:00 p.m.** in the District Office and that the applicants be duly notified. Motion approved with all present voting aye.

ORDER 08-09-11 ADJOURN:

As there were no further matters to be had, the motion to adjourn was made by Director Felder and seconded by Director Pyburn. All present voting aye. The meeting was adjourned at 4:45 p.m.

Approved this 23rd day of October, 2008

Raymond D. Felder

Raymond D. Felder, Secretary
Board of Directors