

MINUTES OF REGULAR MEETING
OF
BRAZORIA COUNTY GROUNDWATER CONSERVATION DISTRICT

November 16, 2005

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 16th day of November, 2005, at the Brazoria County Courthouse Annex Building, 451 North Velasco, Suite 144, 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 Directors Davenport and Mikeska, thus constituting a quorum.

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

Director O'Day called the meeting to order.

APPROVE MINUTES

The Board first considered approving the minutes of the July 26, 2005, meeting of the Board of Directors. Upon a motion made by Director Felder and seconded by Director Pyburn, the Board unanimously approved the minutes of the July 26, 2005, meeting of the Board of Directors as written.

REVIEW AND APPROVE PAYMENT OF INVOICES

Mr. Pederson reviewed an invoice from URS Corporation in the amount of \$6,169.76, a copy of which is attached. He stated that charges in the approximate

amount of \$500.00 are outstanding. The Board requested that additional details be included on future invoices.

Mr. Robinson reported that ABHR's fees for legal services were in excess of the allocated budget. He reviewed three invoices in the total amount of \$18,402.97, copies of which are attached. He stated that no payment is expected at this time.

Following review and discussion, Director Felder moved that the Board approve the invoice submitted by URS Corporation. Director Pyburn seconded the motion, which was approved by unanimous vote.

ADOPT ORDER CANVASSING RETURNS AND DECLARING RESULTS OF CONFIRMATION AND INITIAL DIRECTORS ELECTION

The Board reviewed the results of the November 8, 2005, Confirmation and Initial Directors Election: 15,942 votes for and 12,351 votes against the creation of the District, and the following persons received the following number of votes cast for Initial Directors of the District:

Dennis Davenport	15,571 votes
Raymond D. Felder	3,070 votes
John Pyburn	4,264 votes
Mike O'Day	3,899 votes
Leo G. Mikeska	4,314 votes
Mary Ruth Rhodenbaugh	2 votes

The Board declared that Brazoria County Groundwater Conservation District was duly and lawfully created in Brazoria County, Texas, and that said election has resulted in the election of five (5) Initial Directors for the District, to wit: Dennis Davenport, Raymond D. Felder, John Pyburn, Mike O'Day, and Leo G. Mikeska to serve a term until a Directors Election is held on November 7, 2006, as provided in Section 10 of House Bill 3602, 78th Regular Texas Legislature. Following review and discussion, Director Pyburn moved that the Board adopt the Order Canvassing Returns and Declaring Results of Confirmation and Initial Directors Election. Director Felder seconded the motion, which passed by unanimous vote. A copy of the Order is attached.

APPROVE SWORN STATEMENTS, OFFICIAL BONDS AND OATHS OF OFFICE OF NEWLY ELECTED DIRECTORS

The Sworn Statements, Official Bonds, and Oaths of Office for Directors O'Day, Pyburn and Felder 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 Pyburn moved that the Board of Directors approve the newly elected Directors' Sworn Statements, Official Bonds and Oaths of Office, and direct that they be filed and retained in the District's official records and that the Oaths of Office and Official Bonds be filed with the Secretary of State of the State of Texas. The motion was seconded by Director Felder, which carried unanimously.

REORGANIZE THE BOARD OF DIRECTORS

Mr. Robinson reviewed the current officers of the Board of Directors. Following review and discussion, Director Pyburn moved that the slate of officers remain as currently established. Director Felder seconded the motion, which was approved by unanimous vote.

AUTHORIZE EXECUTION AND FILING OF DISTRICT REGISTRATION FORM

The Board next considered approving a District Registration Form for Board Members of Water Districts and Authorities in Texas. Mr. Robinson explained that the Registration Form would be filed with the Texas Commission on Environmental Quality to record the Directors' terms and the organization of the Board. After discussion, Director Felder moved that the Board authorize the execution and filing of the District Registration Form. Director Pyburn seconded the motion, which was approved by unanimous vote. A copy of the District Registration Form is attached.

DISCUSS FUTURE ACTIONS OF THE BOARD

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. Pedersen stated that an outline of the regulatory functions of other groundwater conservation districts within Texas will be developed. Following discussion, the Board concurred to establish the second Thursday of each month at 6:00 p.m. at the current meeting location as the regular meeting date and time. The Board concurred not to hold a meeting in December and to hold the next meeting on January 12, 2006.

Upon a motion made by Director O'Day and seconded by Director Felder, the Board adjourned.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE FOR THE MINUTES OF THE NOVEMBER 16, 2005 BOARD MEETING]

(SEAL)



Raymond Felder
Secretary, Board of Directors

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