



**MINUTES
BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT**

**Special Session of the Board of Directors
April 7, 2009 at 1:30 p.m.
Brazos Valley Groundwater Conservation District Office
112 West Third Street
Hearne, Texas 77859**

1. Call meeting to order.

Board Chairman Kent Watson called the meeting to order at 1:30 p.m.

Directors present: Kent Watson, Chairman
 Pete Brien, Vice Chairman
 John Hicks, Director
 Dan Kyle, Director
 David Stratta, Director
 Tom McDonald, Director
 Wayne Wilson, Director

Directors Absent: Dave Coleman, Director

Staff present: Ralph Crum, Assistant General Manager
 Monique Norman, Attorney
 Cynthia Lopez, Administrative Assistant

2. Pledge of Allegiance.

3. Closed Session: Government Code 551.071 – Consultation with Attorney regarding: C.A. Skiles Family Partnership, Ltd., and Cliff A. Skiles, Jr., D.V.M. v. Brazos Valley Groundwater Conservation District, Cause No. 09-03-18339CV, in the District Court of Robertson County, Texas, 82nd Judicial District. **Pete Brien recused himself from participating in the closed session meeting.**

The board convened into Closed Session at 2:30 p.m.

4. Discussion and possible action on retaining legal counsel to represent the Brazos Valley Groundwater Conservation District in C.A. Skiles Family Partnership, Ltd., and Cliff A. Skiles, Jr., D.V.M. v. Brazos Valley Groundwater Conservation District, Cause No. 09-03-18339CV, in the District Court of Robertson County, Texas, 82nd Judicial District. **A motion from John Hicks was made to retain legal council from Chamberlain Hrdlicka Attorneys at Law to assist Monique Norman and Renea Hicks in representation of the lawsuit, second by Wayne Wilson. The motion carried, with David Stratta voting against.**

5. Closed Session: Government Code 551.071 – Consultation with Attorney regarding: C.A. Skiles Family Partnership Ltd. and Cliff Skiles, Jr., D.V.M. contested case hearing before the Brazos Valley Groundwater Conservation District; and Brazos Barton Farming Partnership, et al. v. Brazos Valley Groundwater Conservation District, et al., Cause No. CI-08L-103, in the District Court of Deaf Smith County, Texas, 222nd Judicial District.

The board convened into closed session at 3:28 p.m.

6. Discussion and possible action on possible mediation in C.A. Skiles Family Partnership Ltd. and Cliff Skiles, Jr., D.V.M. contest case hearing before the Brazos Valley Groundwater Conservation District.

Jim Mathews and Jimmy McCullough presented their opinions on possible mediation. No further discussion or action was taken by the board.

7. Adjourn at 3:32 p.m.

Signed this 8th, day April, 2009

Cynthia Lopez
Administrative Assistant

The Board of Directors may meet in closed session, pursuant to the Texas Open Meetings Act, Texas Government Code §§ 551.071-551.076, to:

- (1) consult with attorney;
- (2) deliberate regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (3) deliberate a negotiated contract for a prospective gift or donation to the District if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (4) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a Board member or District employee
- (5) to receive information from employees or question employees, but not deliberate public business or agency policy that affects public business; and
- (6) to deliberate the deployment or specific occasions for implementation of security personnel or devices.

The Board may also meet in open session on these matters as required by the Texas Open Meetings Act, Texas Government Code § 551.102.

** Agenda items may be taken out of order at the discretion of the Board Chairman