



**MINUTES
BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT**

Public Hearing and Regular Board Meeting
December 10, 2009, 3:00 p.m.

**Brazos County Administration Office
200 South Texas Avenue, Suite 106
Bryan, TX 77803**

1. Call meeting to order.

Board Chairman Kent Watson called the meeting to order at 3:00 p.m.

Directors present:	Kent Watson,	Chairman
	Steve Beachy,	Director
	Dan Kyle,	Director
	David Stratta,	Director
	Wayne Wilson,	Director

Director absent:	Pete Brien,	Vice-President
	Tom McDonald,	Director

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

2. Pledge of Allegiance.

3. Discussion and possible action on the Minutes from the November 5, 2009 Public Hearing and Regular Board Meeting, and the November 23, 2009 Special Meeting of the Board of Directors. **A motion was made by John Hicks, second by Wayne Wilson to accept the Minutes from the November 5, 2009 Public Hearing and Regular Board Meeting as presented. The motion carried unanimously. A motion by David Stratta, second by Dan Kyle to table the Minutes from November 23, 2009 in order to provide him time to review the minutes. The motion carried unanimously.**

4. Review and Authorization of payments made for services rendered during the month of November 2009. **A motion was made by John Hicks, second by Wayne Wilson that expenses for the month of November 2009 be approved as presented. The motion carried unanimously.**

5. Public Hearing for the purpose of taking Public comment on the following **Operating Permit Applications:**

A. One (1) well for Frank N. Epps. The well is located at 11615 South Hickory Loop, Calvert, TX. for a total of 30 acre/feet per year for agricultural irrigation. The well produces from the Simsboro Aquifer.

B. One (1) well for John L. Perrone. The well is located at the intersection of FM 50 and FM 1687, Bryan, TX., between the rail road tracks to the West, and FM 50 to the East for a total of 40 acre/feet per year for agricultural irrigation. The well produces from the Brazos River Alluvium Aquifer.

6. Public Hearing for the purpose of taking Public comment on the following **Drilling/Operating Permit Application:**
 - A. One (1) new well for the Terrell Farm. The well will be located at 7855 Terrell St., Navasota, TX. for a total of 650 acre/feet per year for agricultural irrigation. The well will produce from the Brazos River Alluvium
7. Discussion and possible action on the following Operating and Drilling/Operating Permit Applications:
Operating Permit Applications:
 - A. One (1) existing well for Frank N. Epps. The well is located at 11615 South Hickory Loop, Calvert, TX., for a total of 30 acre/feet per year for agricultural irrigation. The well produces from the Simsboro Aquifer. **A motion was made by John Hicks, second by Wayne Wilson to approve the Operating Permit application for Frank N. Epps as presented. The motion carried unanimously.**
 - B. One (1) existing well for John L. Perrone. The well is located at the intersection of FM 50 and FM 1687, Bryan, TX., between the rail road tracks to the West, and FM 50 to the East for a total of 40 acre/feet per year for agricultural irrigation. The well produces from the Brazos River Alluvium Aquifer. **A motion was made by Wayne Wilson, second by Dan Kyle to approve the Operating Permit application for John L. Perrone as presented. The motion carried unanimously.**

Drilling/Operating Permit Application:

- A. One (1) new well for the Terrell Farm. The well will be located at 7855 Terrell St., Navasota, TX., for a total of 650 acre/feet per year for agricultural irrigation. The well will produce from the Brazos River Alluvium Aquifer. **A motion was made by Wayne Wilson, second by Steve Beachy to approve the Drilling/Operating Permit application for the Terrell Farm as presented. The motion carried unanimously.**
8. Presentation, discussion and possible action on the Audit findings for fiscal year 2008 by Russell Armagost, of Durst, Milberger, Nesbitt & Ask, LLP.
 9. Discussion and possible action on contracting with the Accounting firm of Durst, Milberger, Nesbitt & Ask, in the amount of \$3,465.00 for conducting the Districts annual financial audit for fiscal year 2009. **A motion by Kent Watson, second by Dan Kyle that the Durst, Milberger, Nesbitt & Ask, LLP proposal of \$3,465.00 for conducting the audit for 2009 be approved, with the stipulation that the audit be completed by July 31, 2010. The motion carried unanimously.**
 10. Discussion on revisions to the District's fee schedule.

Kent Watson, Chairman, requested that David Stratta and Wayne Wilson discuss among themselves as to which way they would like to proceed. If wanting to hold hearings or, if they want to appoint a committee to consider possible revisions to the District's fee schedule, since they both are the agriculture representatives.

11. Discussion and possible action on allowing the Calvert Country Club to delay the installation of flow meters on their recently permitted wells until February of 2010. **A motion by Steve Beachy, second by David Stratta on allowing the Calvert Country Club to delay the installation of flow meters until February 2010. The motion carried unanimously.**

12. Presidents Report

- Appointment of Directors to consider nomination of officers for 2010
Kent Watson, Chairman appointed David Stratta and Steve Beachy to consider the nomination of officers for 2010, and make recommendations.
- Update on the General Managers position
Kent Watson, Chairman stated that after the first of the year a committee will be appointed to review the resumes and make recommendations to the board for the General Managers position.

13. Assistant General Manager's Report

- Financial Reports
Assistant General Manager presented the Board with the financial reports for the month of November 2009.

Kent Watson, Chairman requested that staff post the Open Meeting of the Budget Committee for Wednesday, December 16, 2009 at 9:00 a.m.

14. Legal Report

15. Hear Visitors

Jayson Barfknecht, with Bryan Water Services Department wanted to introduce the City Manager of Bryan, Tx., Mr. David Watkins. Kent Watson, Chairman welcomed and thanked Mr. Watkins for attending our board meeting.

16. Kent Watson, adjourned the meeting at 3:59 p.m.

Signed this 11th, day of December, 2009

Cynthia Lopez
Administrative Assistant


Board Secretary

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