



MINUTES

**Brazos Valley Groundwater Conservation District
Public Hearing and Regular Board Meeting**

July 16, 2008 at 3:00 p.m.

Brazos Valley Groundwater Conservation District Office
112 West Third Street
Hearne, TX 77859

1. Call meeting to order.

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

Directors present:

Kent Watson,	President
Pete Brien,	Vice, President
Dale Johnson,	Secretary
Carl Cotropia,	Treasurer
Dave Coleman,	Director
Tom McDonald,	Director
Wayne Wilson,	Director

Directors absent: Steve Lazarus, Director

Staff present:

Bill Riley,	General Manager
Monique Norman,	Attorney
Ralph Crum,	Assistant General Manager
Cynthia Lopez,	Administrative Assistant

Public Hearing Visitors: See attached list

2. Pledge of Allegiance.
3. Discussion and possible action on the Minutes from the May 1st, 2008 Public Hearing and Regular Board Meeting. **A motion was made by Tom McDonald, and second by Wayne Wilson to approve the Minutes from the May 1st, 2008 Board Meeting. The motion carried unanimously.**
4. Review and Authorization of payments made for services rendered during the months of May and June, 2008. **A motion was made by Wayne Wilson, second by Pete Brien. To accept the payments made during the month of May and June, 2008. The motion carried unanimously.**

5. Public Hearing on the District's Denial of the following Operating Permit Application, including the Applicants Request for a Motion of Rehearing and Contested Case Hearing.

A. Four (4) wells for C.A. Skiles family Partnership, Ltd., the wells are located at 4026 North FM 1644, Hearne, TX, fro a total of 8300-acre/feet per year for agriculture irrigation and 8,509 acres. The wells are located in the Simsboro Aquifer.

Discussion: Pee Wee Drake, City Manager, of Hearne, TX voiced his support to deny the application, citing his concern of a negative impact on Hearne's water supply.

6. Discussion and possible action on the District's Denial of the above Operating Permit Application, including the Applicant's Request for a Motion of Rehearing and Contested Case Hearing. **A motion was made by Wayne Wilson, to grant the request for a rehearing and contested case hearing so that each side may fully disclose their concerns that were raised in the application. Second by Dale Johnson. The motion carried unanimously.**

7. Public Hearing on the District's amendment and inclusion in a contested case hearing of the following Historic Use Permits.

A. Eight (8) wells for the C.A. Skiles Family Partnership, Ltd. Two (2) wells are located at Brazos Barton Farms, 4026 FM 1644, Hearne, TX., and Six (6) wells are located at Goodland/ Harlan Farms, North of FM 485, and West of Hwy 6 extending East of the Brazos River, Hearne, TX. All eight wells are in the Simsboro Aquifer and total 20,481 acre/feet per year for agricultural irrigation on 8,509 acres.

B. Fifty-five (55) wells for Cliff A. Skiles, Jr., D.V.M. Fifteen (15) wells are located at Brazos Barton Farms, 4026 FM 1644, Hearne, TX., and Forty (40) wells are located at Goodland/Harlan Farms, North of FM 485, and West of Hwy 6 extending East of the Brazos River, Hearne, TX., for agricultural irrigation. All Fifty-five (55) wells are in the Brazos River Alluvium Aquifer, and total 27,481 acre/feet per year for agricultural irrigation on 8,509 acres.

Discussion: Mr. Doug Caroom, Attorney, representing Dr. C.A. Skiles, objected to the inclusion of these issues as part of the contested case hearing.

8. Discussion and possible action on the District's amendment and inclusion in a contested case hearing of the above listed Historic Use Permits. **A motion was made by Wayne Wilson and second by Dave Coleman to amend the contested case hearing to include the Historic Use permits previously issued. The motion was approved with Pete Brien voting against.**

9. Public Hearing on the following Drilling/Operating Permit Application
 - A. One (1) well for Edward Gregurek, well located at Tract 6, River ridge, Hearne, TX for a total of 26 acre/feet per year for agricultural use (irrigation of hay field). The well will be located in the Calvert Bluff Aquifer.

10. Discussion and possible action on the above Drilling/Operating Permit Application. **Vice President Brien abstained from voting due to a professional relationship with the land owner. A motion was made by Tom McDonald to approve the Drilling/Operating permit, second by, Dale Johnson. The motion carried unanimously.**

11. Update by John Siefert of LBG-Guyton and Associates on the Depletion Management Zone Study, and Water Availability Goals. **A Presentation was made by Mr. John Siefert, providing an update on the progress of the DMZ Study currently being conducted on Simsboro and Sparta Aquifers. (Presentation Attached)**

12. Discussion and possible action on the Depletion Management Zone Study, and Water Availability Goals. **Discussion ensued, however no action was taken.**

13. Discussion and possible action on a contribution to the Texas Water Foundation Educational Program. **Ralph Crum, Assistant General Manager, discussed the purpose of the TWFEF contribution of \$1,100.00 for our district to cover Robertson and Brazos counties. Dale Johnson made a motion to approve, second by Wayne Wilson. The motion carried unanimously.**

14. Discussion and possible action on utilizing budgeted "Contingency: Funds" to supplement the Engineering and Hydrology budget over the remaining fiscal year. **A motion was made by Wayne Wilson, authorizing contingency funds to supplement the engineering and hydrology budget second by Dave Coleman. The motion carried unanimously.**

15. Discussion and possible action on authorization of funds in the amount of \$11,200.00 for LBG-Guyton to perform a Hydrological study for Wickson Creek Specialty Utility District. A motion made by Pete Brien that the district authorizes LBG-Guyton to perform the study and be reimbursed by Wickson for a total of \$11,200.00, second by Dale Johnson. The motion carried unanimously.

16. Discussion and possible action on financial participation in a study to determine Desired Future Conditions for Groundwater Management Area 14. BVGCD was asked by GMA14 to contribute \$4,475.00 to a (DFC) study. Because BVGCD has a minimal area within GMA14, Board President Kent Watson and Vice President Pete Brien recommended a \$1,500.00 contribution verses \$4,475.00. A motion was made to participate at the \$1,500.00 dollar level by Wayne Wilson, second by Pete Brien. The motion carried unanimously.

17. General Managers Report :
Bill Riley, General Manager reported financial statements showing the income for May and June, which was a total of \$80,077.00. Balance sheet for May and June showing current assets of \$661,332.00 that includes \$500,000.00 in invested CD's. Introduction of Cynthia Lopez, our new Administrative Assistant.

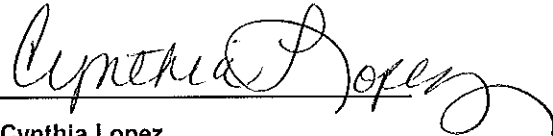
18. Legal Report:
Monique Norman had nothing to report at this time.

19. Hear Visitors:
Mr. Jerry Fannin, from Madisonville, Texas, was at the meeting to voice his concern over a proposed gas plant project in Madison County, stating that the well will produce 5 million gallons of water per day, out of the Wilcox formation.

20. Adjourn:

Mr. Kent Watson, Board President adjourned the meeting at 4:34 p.m.

Signed this day of August 4, 2008



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 an attorney to seek advice about pending or contemplated litigation or a settlement offer;
- (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.

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