

MINUTES

BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT
112 West Third Street
Hearne, TX 77859

Public Hearing and Regular Board Meeting
Thursday, October 13, 2011 at 3:00 p.m.

1. Call meeting to order.
Board Chairman Pete Brien called the meeting to order at 3:00 p.m.

Directors presented:

Pete Brien,	Chairman
Tom McDonald,	Vice-Chairman
John Hicks,	Treasurer
Steve Beachy,	Secretary
David Stratta,	Director
Bryan Russ, Jr.,	Director
Kent Watson,	Director
Wayne Wilson.	Director

Staff present:

Ralph Crum,	General Manager
Cynthia Lopez,	Office Manager
Monique Norman,	Attorney

2. Pledge of Allegiance
3. Discussion and possible action on the Minutes from the September 1, 2011 Public Hearing and Regular Board Meeting. **A motion was made by Wayne Wilson., second by John Hicks, to approve the Minutes from the September 1, 2011 Public Hearing and Regular Board Meeting as presented. The motion carried unanimously.**
4. Review and authorization of payments made for services rendered for the month of September 2011. **A motion was made by John Hicks, second by Tom McDonald, to approve the expenses for the month of September 2011 as presented. The motion carried unanimously.**
5. Drilling/Operating Permit Applications
No action at this time until the November 3, 2011 Public Hearing and Regular Board Meeting.
6. Operating Permit Amendments
No action at this time until the November 3, 2011 Public Hearing and Regular Board Meeting.
7. Presentation by Russell Armagost of Durst, Millburger and Ask, LLP on findings of the audit for fiscal year 2010. Followed by discussion and possible action by the Board. **No action at this time until the November 3, 2011 Public Hearing and Regular Board Meeting.**

8. Update by the Management Plan Committee on the results of the September 15th committee meeting, which met to review "permitted vs. produced" water within the District, and how to permit future requests under newly enacted laws in Chapter 36 of the Texas Water Code, including §36.1132 of the Texas Water Code. Followed by discussion and possible action by the Board. **A motion was made by Bryan Russ, Jr., second by Steve Beachy to accept the recommendation made by Director, John Hicks to table this agenda item. The motion carried with David Stratta, opposing.**
9. Update by the Rules Committee on the results of the September 15th committee meeting to review District Rules, including amending the Rules to comply with newly enacted laws in Chapter 360 of the Texas Water Code, including §36.1132 of the Texas Water Code. Followed by discussion and possible action by the Board. **A motion was made by Bryan Russ, Jr., second by Judge McDonald to table this agenda item. The motion carried with David Stratta, opposing.**

David Stratta moved to take the (agenda items 8 & 9), off the table. Motion died due to lack of second.

10. Closed Session: Government Code 551.071 - .076 – To deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a Board member or District employee. (Discussion on payment of unused vacation/sick days to former employee Carlton Smith).
11. Discussion and possible action regarding matters discussed in Closed Session. (Discussion on payment of unused vacation/sick days to former employee Carlton Smith) **A motion was made by Kent Watson, second by Steve Beachy to compensate Carlton Smith for his unused vacation time and to be a total sum of \$1,000.00 dollars and that also includes a monetary amount for a secure release from any further action. The motion carried with Director, Wayne Wilson opposing.**

12. General Managers Report

- Financial Reports
- Palmer Drought Severity, Crop Moisture, and Additional Precipitation Needed indexes
- Number of wells monitored for the month of September 2011
- Results of a request to recognize the existence of natural spring flows on the Lightsey Ranch

General Manager Ralph Crum, presented the Board with the Districts Financial Reports for the month of October 2011. He also provided the status of the PDSI, Drought Severity and Crop Moisture indexes, additional precipitation needed, and the nine (9) wells monitored for the month of October in Robertson County. He also made a presentation on the Lightsey Ranch artesian well and springs that occur on the property.

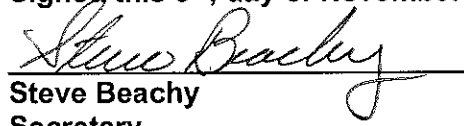
13. Legal Report

- Discussion on pending issues within Groundwater Management Area 12 (GMA 12).

Monique Norman, updated the board on the Groundwater Management Area 12 (GMA 12) petition process.

14. Adjourn

Signed this 3rd, day of November 2011


Steve Beachy
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