



MINUTES

BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

City of College Station
City Hall Council Chambers
1101 Texas Ave.
College Station, TX 77840

Public Hearing and Regular Board Meeting Thursday, December 15, 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 present: Pete Brien, Chairman
 Tom McDonald, Vice-Chairman
 Steve Beachy, Secretary
 Stephen A. Boykin, Director
 David Stratta, Director
 Bryan Russ, Jr., Director
 Kent Watson, Director

Directors absent: Wayne Wilson, Director

Staff present: Ralph Crum, General Manager
 Monique Norman, Attorney

2. Pledge of Allegiance
3. Discussion and possible action on the Minutes from the November 3, 2011 Public Hearing and Regular Board Meeting, and Special Board Meeting for November 16, 2011. **A motion was made by Bryan Russ, Jr., second by David Stratta, to approve the Minutes from both meetings. After discussion on a question from David Stratta regarding the November 16, 2011 Special Board Meeting Minutes, David Stratta stated that he had concern's on Knife River, and didn't recall the "subject to changing the District's Management Plan and Rules, to abide by new state law 737 effective September 1st. attachment". After additional discussion, Bryan Russ, Jr., modified his motion to approve the November 3, 2011 Minutes only, second by David Stratta. Chairman, Pete Brien noted for the record that Director, Wayne Wilson was not present. The motion passed unanimously. Action on the Minutes for the November 16th, 2011 Special Board Meeting was postponed until the next meeting, so the General Manager could listen to the audio and confirm whether or not the attachment was inappropriately included.**
4. Review and authorization of payments made for services rendered for the month of November 2011. **A motion was made by Judge Tom McDonald, second by Bryan Russ, Jr., to approve the expenses for the month of November 2011 as presented. The motion passed unanimously.**
5. Discussion and possible action on accepting the 2010 irrigated acreage numbers. **After discussion a motion was made by David Stratta, to accept the Robertson County data, and forward to the Texas Water Development Board. Additional discussion resulted in a request to postpone action on the Brazos County data until Wayne Wilson can provide comment. Second by Stephen Boykin. The motion passed unanimously.**

6. Discussion and possible action on approving a methodology for the general manager to use when assisting land owners in determining the appropriate number of acre feet to request on an agricultural application. **A motion was made by David Stratta, second by Bryan Russ, Jr., for the General Manager to use Director, David Stratta's formula as a primary tool in evaluating irrigation applications. After much discussion, Director David Stratta amended his motion to read "to be used as one of the tools to assist an applicant on determining acre feet on their usage". The motion passed unanimously. (see attached)**

Chairman Pete Brien, recused himself from discussion on agenda items # 7 AB & # 8 D, and turned the meeting over to Vice President, Judge Tom McDonald.

7. Discussion and possible action on the following
Drilling/Operating Permit Applications:
 - A. One (1) new well for Dale Carpenter. The well will be located on Dunns Fort Road, Hearne, TX., for a total of 183 acre/feet per year for agricultural irrigation on a 200 acre tract. The well will produce from the Queen City Aquifer. **A motion was made by David Stratta, second by Bryan Russ, Jr., to approve the Drilling/Operating Permit application for Dale Carpenter as presented. The motion passed with six (6) directors. Chairman, Pete Brien, recused from voting.**
 - B. One (1) new well for Inguran, LLC, DBA Sexing Technologies. The well will be located at 22897 FM 2154, Millican, TX., for a total of 280 acre/feet per year for agricultural irrigation on a 140 acre tract. The well will produce from the Brazos River Alluvium Aquifer. **A motion was made by Kent Watson, second by David Stratta to approve the Drilling/Operating Permit application for Inguran, LLC, DBS Sexing Technologies as presented. The motion passed with six (6) directors. Chairman, Pete Brien, recused from voting.**
8. Discussion and possible action on the following
Operating Permit Applications:

Vice-President Tom McDonald turned the meeting back to Chairman, Pete Brien

 - C. One (1) existing well for Preston J. Ruffino, III. The well is located on FM 2223 between Tabor & OSR Road, Bryan, TX., for a total of 111 acre/feet per year for livestock & agricultural irrigation on a 72 acre tract. The well produces from the Sparta Aquifer. **A motion was made by Bryan Russ, Jr., second by David Stratta to approve the Operating Permit application for Preston J. Ruffino, III as presented. The motion passed unanimously.**
 - D. Two (2) existing wells for Nelda C. Calhoun. The wells are located at 7528 Old Hearne Road, Hearne, TX., for a total of 233.75 acre/feet per year for agricultural irrigation on a 100 acre tract. The wells produce from the Brazos River Alluvium Aquifer. **A motion was made by Bryan Russ, Jr., second by Kent Watson to approve the Operating Permit application for Nelda C. Calhoun as presented. The motion passed with six (6) directors. Chairman, Pete Brien, recused from voting.**
9. Discussion and possible action on appointing a committee by the Board President to make recommendations for officers for 2012. **Chairman Pete Brien, appointed himself and Kent Watson to help with nominations for the upcoming 2012 officers and stated that the Board would have the prerogative of considering their recommendations or naming their own.**
10. Discussion and possible action regarding aggregation of new and existing wells. **No action was taken on this agenda item.**

11. Discussion and possible action on reducing the current production fee that owners of Non-Exempt and Steam Electric Generation wells within the District pay. **Chairman Pete Brien, appointed a committee to look into reducing the current production fees and bring back to the Board for recommendations. Appointed to chair the committee, Steve Beachy, with the assistance of Bryan Russ, Jr., Kent Watson, and Stephen Boykin.**
12. Discussion and possible action on the 2012 Operating Budget, and salary increases for District staff. **A motion was made in three (3) parts by Bryan Russ, Jr., and second by Stephen Boykin, to: add to the public education line item \$25,000.00 for the 2012 Budget, approve the 2012 Budget under those conditions, and approve the requested salary increases. The motion passed unanimously. (see attached 2012 Budget for the District).**
13. Discussion and Possible action on adopting a District Personnel Policy. **A motion was made by Judge Tom McDonald, second by Bryan Russ, Jr., to adopt the District Personnel Policy with the exclusion of the nondisclosure of information and confidentiality agreement on pages 13 and 14 which were discussed. The motion passed unanimously.**
14. Presentation by the City of Bryan on their supply and demand evaluation. Followed by discussion by the Board. **A presentation by the City of Bryan (see attached).**
15. General Managers Report
 - Financial Reports
 - Palmer Drought Severity, Crop Moisture, and Additional Precipitation Needed indexes
 - Number of wells monitored for the month of November 2011
 - Update to the Board on Texas Alliance of Groundwater Districts (TAG) fourth quarter conference

Ralph Crum, General Manager, presented to the Board the financial reports, Palmer Drought Severity, Crop Moisture, and Additional Precipitation Needed indexes, and number of wells monitored for the month of November 2011.

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

Monique Norman, stated that she is still working on Groundwater Management Area 12 (GMA 12), She informed the Board that they had met with Casma, the hydrologists and lawyers in GMA 12. They don't have a date for the hearing, anticipating February, and will keep the Board informed.

17. Hear Visitors
18. Adjourn

Signed this 5th, day of January, 2012


David Stratta, 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**