

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

Public Hearing and Regular Board Meeting
Thursday, December 2, 2010 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
	Dan Kyle,	Director
	David Stratta,	Director
	Kent Watson,	Director
	Wayne Wilson,	Director

Absent:	Steve Beachy,	Secretary
	Kent Watson,	Director

Staff present:	Ralph Crum,	General Manager
	Cynthia Lopez,	Office Manager
	Carlton Smith	Field Technician
	Monique Norman,	Attorney

2. Pledge of Allegiance

3. Discussion and possible action on the Minutes from the November 4, 2010 Public Hearing and Regular Board Meeting. **A motion was made by John Hicks, second by Wayne Wilson, to approve the Minutes as presented. The motion carried unanimously.**

4. Review and Authorization of payments made for services rendered during the month of November 2010. **A motion was made by Wayne Wilson, second by Tom McDonald to approve the expenses for the month of November 2010 as presented. The motion carried unanimously.**

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

A. One (1) new well for Priscilla Botello. The well will be located at 1200 Steamboat Run, Bryan, TX., for a total of 80 acre/feet per year for hay field irrigation on a 40 acre tract utilizing a hose reel irrigation device. The well will produce from the Sparta Aquifer.

6. Public Hearing for the purpose of taking Public comment on the following **Permit Amendments:**

A. Increase capacity for the City of Franklin's new well #5, an additional 700 GPM, for a maximum capacity of 1000 GPM for retail water supply. The well will produce from the Simsboro Aquifer.

B. Aggregate production for the City of Franklin's existing wells # 2,3,4 and new well # 5, to a maximum annual aggregated production of 474 acre feet per year. All four wells produce from the Simsboro Aquifer.

7. Discussion and possible action on the following **Drilling/Operating Permit Application:**
 - A. One (1) new well for Priscilla Botello. The well will be located at 1200 Steamboat Run, Bryan, TX., for a total of 80 acre/feet per year for hay field irrigation on a 40 acre tract utilizing a hose reel irrigation device. The well will produce from the Sparta Aquifer. **A motion by Wayne Wilson, second by Tom McDonald to approve the Drilling/Operating Permit application for Priscilla Botello as presented. The motion carried unanimously.**

8. Discussion and possible action on the following **Permit Amendments:**
 - A. Increase capacity for the City of Franklin's new well #5, an additional 700 GPM, for a maximum capacity of 1000 GPM for retail water supply. The well will produce from the Simsboro Aquifer. **A motion by John Hicks, second by Wayne Wilson to approve the permit amendments for the City of Franklin as presented. The motion carried unanimously.**
 - B. Aggregate production for the City of Franklin's existing wells # 2,3,4 and new well # 5, to a maximum annual aggregated production of 474 acre feet per year. All four wells produce from the Simsboro Aquifer. **A motion by Wayne Wilson, second by David Stratta to approve the permit amendment to aggregate the City of Franklin wells as presented. The motion carried unanimously.**

9. Discussion and possible action on allocation of water available for permitting under Rule 7.1 (2), Permitting Goal. **After discussion by the Board reaffirming that the intent of the rule was to leave the available water for permitting as a pool of water to draw from, and not allocate to a specific aquifer, a motion was made by John Hicks, second by David Stratta not to take action on this agenda item at this time. The motion carried unanimously.**

10. Discussion and possible action on adopting a water conservation plan for the District. **A motion was made by John Hicks, second by Wayne Wilson to Adopt a Water Conservation Plan for the District. The motion carried unanimously.**

11. Update by Director Stratta on the recent meeting he attended with State Comptroller Susan Combs and Agricultural Commissioner Todd Staples, related to the correction of stated irrigated acreage numbers provided by the State.

12. Discussion and possible action on the permitting of water wells associated with oil and gas related flooding and fracking operations. **After much discussion by the Board it was determined that water supply wells associated with oil and gas exploration and used for fracturing operations are exempt, specific to the rig the well supplies water to. As a result a motion was made by John Hicks, second by David Stratta recognizing this fact.**

13. Discussion and possible action on appointing a committee by the Board President to make recommendations of officers for 2011. **Board President Pete Brien appointed John Hicks and Kent Watson to make recommendations for officers for 2011. He also mentioned to John Hicks to consider themselves for recommendation.**

14. Discussion and possible action on the 2011 Operating Budget. **A motion was made by John Hicks, second by Tom McDonald to approve the 2011 Operating Budget as presented. The motion carried unanimously.**

15. General Managers Report

- Financial Reports
- Palmer Drought Index Status and Map
- Number of Wells Monitored in November

General Manager Ralph Crum presented the Board with the financial reports for the month of November 2010. He updated the board on the number of wells monitored in November, and the current PDSI Status.

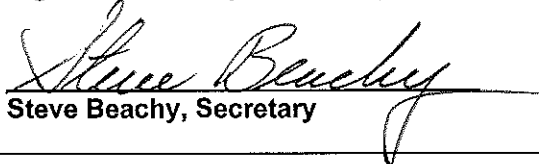
16. Legal Report

Monique Norman, Attorney did not have anything to report at this time.

17. Hear Visitors

18. Adjourn meeting at 4:12 p.m.

Signed this 6th day, of January 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**