



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

Public Hearing and Regular Board Meeting
Thursday, February 4, 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
	Steve Beachy,	Secretary
	John Hicks,	Treasurer
	Dan Kyle,	Director
	David Stratta,	Director
	Kent Watson,	Director
	Wayne Wilson,	Director

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

2. Pledge of Allegiance.

3. Discussion and possible action on the Minutes from the January 7, 2010 Public Hearing and Regular Board Meeting. **A motion was made by John Hicks, second by Tom McDonald, to approve the Minutes as presented. The motion carried unanimously.**

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

5. Public Hearing for the purpose of taking public comment on the following.
Historic Use Permit Applications:

- A. Two (2) wells for Lee Fazzino Sr. The wells are located on the Carter Farm which is on Carter Lane, off of FM 50 North, Valley Junction, TX., for a total of 348 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer.
- B. One (1) well for Lee Fazzino Sr. The well is located on the Westbrook Farm, off of FM 50 North, Hearne, TX., for a total of 248 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:

Chairman Pete Brien, recused himself from discussion on item #6A

- A. One (1) new well for Vince Corpora. The well will be located on the Hail Farm, off of FM 1644 and Providence Baptist Church Rd. Hearne, TX., for a total of 600 acre/feet per year for agricultural irrigation. The well will produce from the Simsboro Aquifer

7. Discussion and possible action on the following Operating and Drilling/Operating Permit Applications:

Historic Use Permit Applications:

- A. Two (2) wells for Lee Fazzino Sr. The wells are located on the Carter Farm which is on Carter Lane, off of FM 50 North, Valley Junction, TX., for a total of 348 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer.
- B. One (1) well for Lee Fazzino Sr. The well is located on the Westbrook Farm, off of FM 50 North, Hearne, TX., for a total of 248 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 Steve Beachy to approve items #7 A&B for Historic Use Permit applications as presented for Lee Fazzino, Sr. The motion carried unanimously.**

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

- A. One (1) new well for Vince Corpora. The well will be located on the Hall Farm, off of FM 1644 and Providence Baptist Church Rd. Hearne, TX., for a total of 600 acre/feet per year for agricultural irrigation. The well will produce from the Simsboro Aquifer. **A motion was made by John Hicks, second by Wayne Wilson, to approve contingent on the state's approval of the Management Plan Vince Corpora's Drilling/Operating Permit application with 600 acre/feet as presented. Tom McDonald clarified that if the management plan is approved, Mr. Corpora would be granted the 600 acre/ft. with-out any other action. The motion carried with Pete Brien recusing himself from voting.**
8. Presentation by Sabrina Brown, the District's legislative consultant, on her role representing Water District's during legislative sessions. **(see attached presentation materials presented by Sabrina Brown)**
9. Presidents Report
- Committee Reports
 - RFP and Resume Review Committee Update

Kent Watson, Chair for the RFP Committee (request for proposals), and the resume review committee gave the board a brief update about what happened at the workshop held on Wednesday, February 3, 2010. The committee looked at their professional services contracts, and said they would request the board to go out for an RFP for general council during the March meeting. He also said they would request the board approve retaining the legislative consultant, auditor and hydrogeologist. Kent Watson also stated that the committee has reviewed several applications for the general manager position. He said they would begin interviewing three candidates in the second week of March and would possibly have a suggestion for the board during the April 2010 board meeting. Kent Watson thanked the committee for their time.

- Management Plan Committee Update
John Hicks, Chair for the management plan committee said the state sent back the management plan with a few suggestions. He said they made changes they felt appropriate and resubmitted the plan. He said it would probably be three to four weeks before they heard a decision from the Texas Water Development Board.

10. Discussion and possible action on establishing a rotating meeting schedule for calendar year 2010, between Robertson and Brazos counties. **(This agenda item was tabled at the January 7, 2010 Board Meeting). A motion was made by Wayne Wilson, second by Dan Kyle to take the item off the table in order to take action on item #10. The motion carried unanimously.**

In addition to the discussion of establishing a rotating meeting schedule for Robertson and Brazos Counties, discussion was also held on establishing a special meeting schedule to report to each of the commissioners courts in Robertson and Brazos Counties. The purpose would be to report twice a year on important issues such as the Management Plan, Desired Future Conditions (DFC's) etc. within the district. This discussion resulted in a motion by Steve Beachy, second by John Hicks to establish a special meeting schedule. The motion passed unanimously.

Discussion was held on establishing a rotating meeting schedule between Robertson and Brazos counties. A motion by Kent Watson, second by Wayne Wilson to hold quarterly Board meetings in Brazos county for calendar year 2010. The schedule will be reviewed in January 2011. The motion carried with Directors, Kent Watson, Tom McDonald, Wayne Wilson, and Steve Beachy voting for, and Directors, David Stratta, Dan Kyle, and Pete Brien voting against.

11. Discussion and possible action on amending the District By-Laws.

During discussion of agenda item #10 Director, Steve Beachy made a motion to amend the District By-Laws to establish that the current office, located at 112 West 3rd Street in Hearne, Robertson County, TX., is the permanent location of the District. The motion was second by Dan Kyle, and passed unanimously.

12. Assistant General Managers Report:

- Financial Reports

Assistant General Manager presented the Board with the financial reports for the month of January 2010.

- DFC Conference Report

Assistant General Manager reported that he had attended the Desired Future Conditions (DFC) conference, and that it was very informative.

- GMA 12 Update

Assistant General Manager updated the Board on an upcoming GMA 12 meeting to be held at Post Oak Savannah on Thursday, February 11, at 10:00 a.m.

13. Legal Report

- Report on the status of the Carrizo Wilcox Aquifer Study conducted by the Bureau of Economic Geology at the University of Texas at Austin.

Monique Norman, updated the Board on the Carrizo-Wilcox Aquifer Study that Senator Ogden has proposed, resulting from a bill that had this study in it's last session, which outlined the criteria for a study of the aquifer. The bill actually didn't pass, but a rider in the budget did pass. The Texas Commission on Environmental Quality (TCEQ) is doing the study, and they've contracted with the Bureau of Economic Geology, to conduct the study.

14. Hear Visitors

Resident listed below voiced his concern on meeting schedules between Robertson and Brazos County.

Leon Deena, Resident Brazos County

Individuals who registered to address the Board.

Keith Pettitt, District 1, Robertson County Commissioner, Agenda Item #10

John Melvin, Robertson County Newspaper, Agenda Item #10 & 11

Jess McCrory, Brazos Barton Farms, Agenda Item #6

Dave Coleman, City of College Station, Water Services Director, Agenda Item #12

15. Chairman, Pete Brien adjourned the meeting at 4:10 p.m.

Passed, Approved and Adopted this 4th, day of March, 2010



Steve Beachy, 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**