



**MINUTES**  
**BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT**

**Public Hearing and Regular Board Meeting**  
**Thursday, March 4, 2010 at 3:00 p.m.**

**Meeting Location:**  
**Brazos County Administration Building**  
**200 South Texas Avenue, Suite 106**  
**Bryan, Texas 77803**

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  
                                   David Stratta,                     Director  
                                   Kent Watson,                     Director  
                                   Wayne Wilson,                     Director  
  
Directors Absent:     Dan Kyle,                     Director  
  
Staff present:     Ralph Crum,                     Assistant General Manager  
                                   Monique Norman,                     Attorney
2. Pledge of Allegiance.
3. Discussion and possible action on the Minutes from the February 4, 2010 Public Hearing and Regular Board Meeting. **A motion was made by Kent Watson 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 February 2010. **A motion was made by Wayne Wilson, second by John Hicks, to approve the expenses for the month of February 2010 as presented. The motion carried unanimously.**
5. Public Hearing for the purpose of taking public comment on the following  
**Operating Permit Applications:**
  - A. Two (2) existing wells for Anthony Scamardo. The wells are located on the Amels Farm which is on County Road 203, in Mumford, TX., for a total of 440 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer.
  - B. Twenty-two (22) existing wells for Higginbottom Farms. The farm office is located at 8373 HH Moore Farm Road, Navasota, TX., for a total of 5,642 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer.

- C. One (1) existing well for A & G Turf Farms. The well is located at the intersection of Hwy 79 & FM 1644, Hearne, TX., for a total of 200 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 Applications:**
- A. One (1) new well for Anthony Scamardo. The well will be located on the Amels Farm which is on County Road 203, Mumford, TX., for a total of 220 acre/feet per year for agricultural irrigation. The well will produce from the Brazos River Alluvium Aquifer.
- B. One (1) new well for Messina Hoff Winery. The well will be located at 4545 Old Reliance Road, Bryan, TX., for a total of 80 acre/feet per year for agricultural irrigation. The well will produce from the Yegua-Jackson Aquifer.
7. Discussion and possible action on the following Operating Permit and Drilling/ Operating Permit Applications:  
**Operating Permit Applications:**

**Chairman, Pete Brien recused himself from item #7A, (Drilling/Operating) and asked Vice-President Tom McDonald to preside over the meeting until item #7A was addressed.**

- A. Two (2) existing wells for Anthony Scamardo. The wells are located on the Amels Farm which is on County Road 203, in Mumford, TX., for a total of 440 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer. **A motion was made by John Hicks, second by Wayne Wilson to approve the Operating Permit application for 2 existing wells for Anthony Scamardo for a total of 440 acre/feet as presented. The motion carried unanimously.**
- B. Twenty-two (22) existing wells for Higginbottom Farms. The farm office is located at 8373 Moore Farm Road, Navasota, TX., for a total of 5,642 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer. **A motion was made by Wayne Wilson, second by Steve Beachy to approve the Operating Permit application for 22 existing wells for Higginbottom Farms for a total of 5,642 acre/feet as presented. The motion carried unanimously.**
- C. One (1) existing well for A&G Turf Farms. The well is located at the intersection of Hwy 79 & FM 1644, Hearne, TX., for a total of 200 acre/feet per year for agricultural irrigation. The well produces from the Brazos River Alluvium Aquifer. **A motion was made by David Stratta, second by Steve Beachy to approve the Operating Permit application for 1 existing well for A&G Turf Farms for a total of 200 acre/feet per year as presented. The motion carried unanimously.**

#### **Drilling/Operating Permit Applications:**

- A. One (1) new well for Anthony Scamardo. The well will be located on the Amels Farm which is on County Road 203, Mumford, TX., for a total of 220 acre/feet per year for agricultural irrigation. The well will produce from the Brazos River Alluvium Aquifer. **A motion was made by Wayne Wilson, second by John Hicks to approve the Drilling/Operating Permit for Anthony Scamardo as presented. The motion carried with Chairman, Pete Brien recusing himself from this item.**
  
- B. One (1) new well for Messina Hoff Winery. The well will be located at 4545 Old Reliance Road, Bryan, TX., for a total of 80 acre/feet per year for agricultural irrigation. The well will produce from the Yegua-Jackson Aquifer. **A motion was made by Wayne Wilson, second by John Hicks to approve the Drilling/Operating Permit application for Messina Hoff Winery for 80 acre/feet per year as presented. The motion carried unanimously.**
  
8. Discussion and possible action on proceeding with sending out a Request for Proposal, (RFP) for General Counsel of the District. **A motion was made by Kent Watson, chair of the committee to proceed with sending out Requests for Proposals (RFP) for General Counsel of the District. Second by David Stratta. Tom McDonald then moved to table the motion made by Kent Watson, which was second by Wayne Wilson. The motion to table carried, with Directors Steve Beachy, Tom McDonald, John Hicks, and Wayne Wilson voting for, and Directors Kent Watson, David Stratta and Pete Brien voting against.**
  
9. Discussion and possible action on renewing a Certificate of Deposit. **A motion was made by Wayne Wilson, second by Tom McDonald to approve Assistant General Manager, Ralph Crum's recommendation to renew a Certificate of Deposit for \$150,000.00 with First Victoria Bank and take out a new Certificate of Deposit for \$150,000.00 with Robertson County Bank. The motion carried with John Hicks recusing himself from this item.**
  
10. Discussion and possible action on authorizing the General Manager to have check signing authority for recurring monthly expenses. **A motion by John Hicks, second by Wayne Wilson to authorize the General Manager to have check signing authority for recurring monthly expenses up to \$500.00 for the purpose of paying bills. The motion carried unanimously.**
  
11. Discussion and possible action on approving Wickson Creek's production request of 500 acre/feet per year for well #5, which produces from the Sparta Aquifer. **A motion was made by Wayne Wilson, second by Tom McDonald to approve Wickson Creek's production request of 500 acre/feet per year from the Sparta Aquifer. The motion carried with Director Kent Watson recusing himself from this item.**
  
12. Discussion and possible action on approving pending production requests from the Simsboro Aquifer, upon approval of the District's Management Plan by the Texas Water Development Board (TWDB), for the following entities: City of College Station well #8, 2500 acre/feet per year; City of Franklin well #5, 126 acre/feet per year; Dr. Cliff Skiles, (Cobb Farm) well, 289 acre/feet per year. **After much lively discussion, no action was taken by the Board on this item.**

13. Assistant General Manager Report:

- Financial Reports  
**Assistant General Manager presented the Board with the financial reports for the month of February 2010.**
- Update on Oak Grove and Calvert Country Club meter installations  
**Oak Grove Country Club's meter has been installed, and is operational. Calvert Country Club's meters are on order but have not arrived yet. They will be installed as soon as they arrive.**
- Update on the status of District's revised Management Plan  
**Assistant General Manager gave the board an update on the Management Plan from the Texas Water Development Board, expecting to have the Management Plan to the District with feed back in about 3-4 weeks.**

14. Legal Report:

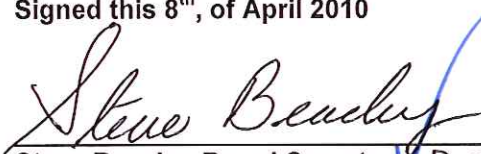
**Nothing to report.**

15. Hear Visitors

**Dave Coleman, City of College Station, Water Services Director, received an email from the Brazos G Water Planning Group, soliciting nominations for two (2) vacancies representing 'Counties' within the Brazos G Regional Water Planning Area. Mr. Coleman Wanted to make the Board aware of the vacancies.**

16. Chairman, Pete Brien adjourned the meeting.

Signed this 8<sup>th</sup>, of April 2010

  
**Steve Beachy, Board Secretary** ~~President~~

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