

MINUTES

BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

112 West Third Street

Hearne, TX 77859

Public Hearing and Regular Board Meeting Thursday, April 12, 2012 at 3:00 p.m.

1. Call meeting to order

Board Chairman Steve Beachy called the meeting to order at 3:12 p.m.

Directors present:

Steve Beachy,	President
Bryan Russ, Jr.,	Vice-President
David Stratta,	Secretary
Stephen A. Boykin,	Director
Pete Brien,	Director
Tom McDonald,	Director

Absent:

Kent Watson,	Treasurer
Wayne Wilson,	Director

Staff present:

Ralph Crum,	General Manager
Cynthia Lopez,	Office Manager
Monique Norman,	Attorney
Carlos Rodriguez,	Field Technician

2. Pledge of Allegiance

3. Discussion and possible action on the Minutes from March 1, 2012 Public Hearing and Regular Board Meeting. **A motion was made by Tom McDonald, second by Stephen Boykin, to approve the Minutes as presented. The motion passed unanimously.**

4. Review and authorization of payments made for services rendered for the months of March 2012. **A motion was made by Pete Brien, second by Bryan Russ, Jr., to approve the expenses for the month of April 2012 as presented. The motion passed unanimously.**

5. Presentation by Jeff Skelton on the Server replacement process, suggestions for disaster recovery, and computing hardware replacement programs. Followed by discussion by the Board. **Jeff Skelton briefed the Board on the District Server, suggestions for disaster recovery and computing hardware replacement programs.**

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

No action at this time until the May 10th, 2012 Public Hearing and Regular Board Meeting.

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

No action at this time until the May 10th, 2012 Public Hearing and Regular Board Meeting.

8. Discussion and possible action on the Board meeting schedule for the remainder of 2012, and distribution of Board packets. **A motion was made by Tom McDonald, second by Bryan Russ, Jr., to move Board meetings to the second Thursday of the month until further Board action. After further discussion, Pete Brien amended the motion, second by Bryan Russ, Jr., to include Steve Beachy's recommendation to move the posting and have Board packets delivered by Thursday afternoon one week before the scheduled meetings. The motion passed unanimously.**
9. Discussion and possible action on revising District By-Law 2.7 (A), to reflect that a meeting that has 4 Board members present will be posted in compliance with the Texas Open Meetings Act. **A motion was made by Pete Brien, second by David Stratta, to postpone action on this agenda item until appropriate wording can be coordinated. The motion passed unanimously.**
10. Discussion and possible action on approval to reimburse Judge Tom McDonald for travel expenses in the amount of \$728.61, incurred while attending a water law conference, (The Changing Face of Water Rights). **A motion was made by Pete Brien, second by Bryan Russ, Jr., to approve the reimbursement of travel expenses for Tom McDonald. The motion passed unanimously.**
11. Discussion and possible action on approval to reimburse Ralph Crum for expenses incurred in February and March 2012 while conducting District business in the amount of \$1,068.13. **A motion was made by Bryan Russ Jr., second by Pete Brien, to approve the reimbursement of expenses incurred by Ralph Crum. The motion passed unanimously.**
12. Discussion and possible action on the District's historic, current, and future permitting processes, including but not limited to the: administrative complete determination of permits, permit application and permit language, Board review of permits prior to board action, issuance of permits after Board action, and status of permit issuance. **After discussion and concurrence of the Board, the Audit and Finance Committee will be asked to review the permitting procedure and the Permit and Plan Review Committee to look at the permitting process and language to maybe come back and be discussed at a later date. No action taken by the Board.**
13. General Managers Report
 - Financial Reports
 - **Status report on 2011 water production reporting**
 - Palmer Drought Severity, Crop Moisture, Additional Precipitation Needed Indexes
 - Number of wells monitored for the month of March 2012
 - Update on March 2012 TAGD, (Texas Alliance of Groundwater Districts) conference.

Ralph Crum, General Manager, presented to the Board the financial reports for the month of March 2012, Status report on 2011 water production reporting, Palmer Drought Severity, Crop Moisture, Additional Precipitation needed indexes and number of wells monitored for the month of March 2012. He advised the Board that there were two (2) wells from the City of Bryan added to the monitoring program. The General Manager gave a brief report on the Texas Alliance of Groundwater Districts (TAGD) conference he attended on March 27th & 28, 2012. A district developed an interactive way for landowners to have the capability to register their exempt wells. It is linked to Arc View GIS System, it locates it on the GIS mapping portion and provides the District's information with GPS coordinates, the potential aquifer if known and they also incorporated that process with their permitted wells.

A motion was made by Bryan Russ, Jr., second by Stephen Boykin, to have those water production entities who have not complied by the next meeting to include an agenda item for each individual, to discuss and take possible action to enforce the rules. After further discussion, Pete Brien amended the motion, second by David Stratta, adding that Mr. Carl King, from Sanderson Farm be contacted regarding issues with some of poultry growers. The motion passed unanimously.

14. Legal Report

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

Monique Norman, briefed the Board on the Desired Future Condition (DFC) evidentiary hearings that have occurred and how the Water Development Board staff is currently drafting the recommendations for a decision in June. She will update the District Board on the date and recommendations.

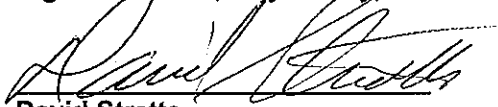
15. Closed Session: Of the Board to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of District employee Ralph Crum or to hear a complaint or charge against District employee Ralph Crum pursuant to Texas Government Code § 55.0714 and to receive attorney-client privileged information from legal counsel.

The Board reconvened from closed session at 5:54 p.m.

16. Discuss and take possible action on the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of District employee Ralph Crum **During closed session the Board received the resignation and consideration of a severance package from the General Manager, Ralph Crum. A motion was made by Stephen Boykin, second by David Stratta, to accept the resignation of the General Manager, Ralph Crum. The motion passed unanimously.**

The meeting was adjourned at 5:57 p.m.

Signed this 10th, day of May, 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**