

MINUTES
BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

Public Hearing and Regular Board Meeting
Thursday, April 8, 2010 at 1:20 p.m.

1. Call meeting to order.

Board Chairman Pete Brien called the meeting to order at 1:20 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

Directors Absent: Wayne Wilson Director

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

2. Pledge of Allegiance

3. Presentation of water related science projects by student participants of the Robertson County Science Fair.

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

5. Review and Authorization of payments made for services rendered during the month of March 2010. **A motion was made by Tom McDonald, second by Dan Kyle to approve the expenses for the month of March 2010 as presented. The motion carried unanimously.**

6. Discussion and possible action on approval of the proposed District Management Plan. **A motion was made by John Hicks, second by Tom McDonald to approve the proposed District Management Plan with the additional wording suggested by Director David Stratta. (see attached) The motion passed unanimously.**

Additionally, tied to agenda item number (6) six was the requirement to pass a resolution adopting the Management Plan. A motion was made Tom McDonald, second by Dan Kyle to adopt the Resolution. (see attached Resolution) The motion passed unanimously.

7. Update on the DFC (Desired Future Conditions) process within GMA 12 (Groundwater Management Area) by LBG Guyton and Associates. **(see attached presentation)**
8. Discussion by the Board on the DFC (Desired Future Conditions) within GMA 12 (Groundwater Management Area). **Discussion was held by the board on this item during the DFC presentation by John Seifert in item #7 above.**
9. Discussion and possible action on the following Drilling/Operating and Historic Use Permit Applications:
10. Drilling/Operating Permit Application:
 - A. One (1) well for Stylecraft Builders Inc. The well will be located at 2040 Positano Loop, off of Old Reliance Road, Bryan, TX., for a total of 5 acre/feet per year for commercial irrigation. The well will produce from the Queen City Aquifer. **A motion was made by Kent Watson, second by Tom McDonald to approve the Drilling/Operating Permit application for Stylecraft Builders, Inc., as presented. The motion carried unanimously.**
11. Historic Use Permit Applications:
 - A. Six (6) existing wells for Brazos Valley Septic & Water Inc., 3033 Cain Rd., College Station, TX.

Two wells are located in the Benchly Oaks Subdivision, 9112 Benchly Dr. Bryan, TX., for a total of 32 acre/feet per year for retail water supply. One well produces from the Sparta Aquifer, and the other produces from the Queen City Aquifer.

One well is located in the Oak Forest Subdivision, 13217 Lakeway Dr., Hearne, TX., for a total of 12 acre/feet per year for retail water supply. The well produces from the Sparta Aquifer.

One well is located in the Smetana Subdivision, 3233 McDonald St. Bryan, TX., for a total of 12 acre/feet per year for retail water supply. The well produces from the Queen City Aquifer.

One well is located in the Post Oak Subdivision, 11549 Post Oak Ln. Bryan, TX., for a total of 3 acre/feet per year for retail water supply. The well produces from the Sparta Aquifer.

One well is located in the Lakewood Estates Subdivision, 2448 Lakewood Dr. Bryan, TX., for a total of 29 acre/feet per year for retail water supply. The well Produces from the Queen City Aquifer. **A motion was made by John Hicks, second by Tom McDonald to approve the Historic Use Permit applications for Brazos Valley Septic & Water Inc. as presented. The motion carried unanimously.**
 - B. Thirteen (13) existing wells for Morning Star Farms (Wesley Anderson Estate), P.O. Box 129 Calvert, TX.

Three (3) wells located on tract 78 between Wildcat Rd. & Wilcox Ln. Calvert, TX., for a total of 396 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer.

Four (4) wells located on tract 69 off of Wilcox Ln. & FM 1644 Calvert, TX., for a total of 609 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer.

Two (2) wells located on tract 85 off of FM 1644 Calvert, TX., for a total of 560 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer.

Four (4) wells located on tract 30 off of FM 2159 Calvert, TX., Two of the wells produce from the Brazos River Alluvium Aquifer for a total of 758 acre/feet per year. And two of the wells produce from the Simsboro Aquifer for a total of 1200 acre/feet per year, all for agricultural irrigation.

- C. Three (3) existing wells for Blackbridge Farms, (Wesley Anderson Estate) P.O. Box 129 Calvert, TX. for a total of 750 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer. **A motion was made by Kent Watson, second by John Hicks to approve all 16 Historic Use Applications for the Wesley Anderson Estate as presented. The motion carried unanimously.**

12. Discussion and possible action on proceeding with sending out an RFP (Request For Proposal) for General Counsel of the District. **Kent Watson, Committee Chair informed the board that the committee had met with attorney Monique Norman. He stated that they were in agreement with keeping things the way they are and requested that no further action be taken on requesting RFP's for general counsel. A motion by Tom McDonald, second by Dan Kyle to accept the report as presented. The motion carried unanimously.**
13. Closed Session: Government Code 551.071 - .076 – To deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a Board member or District employee. (Regarding the hiring of a General Manager for the District and deliberation on the position of Administrative Assistant).

The Board went into closed session at 2:25 p.m.

14. Discussion and possible action regarding matters discussed in Closed Session. (Regarding the hiring of a General Manager for the District, and the position of Administrative Assistant). **A motion was made by Kent Watson, second by Dan Kyle to approve Ralph Crum as the General Manager and change Cynthia Lopez's title to Office Manager. They also approved the pay rate suggested by the committee, which will be retroactive to January 1 of this year. The motion carried unanimously.**

15. 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. **A motion was made by John Hicks, second by Steve Beachy to approve the City of College Station's request for 2,500 acre/feet for well #8, and The City of Franklin's request for 126 acre/feet well #5 per year as requested. The Board approved the motion with Director's Pete Brien, David Stratta and Dan Kyle voting against the motion.**

16. Assistant General Managers Report:

- Financial Reports
- DFC Conference Update
- TAGD Report (Texas Alliance of Groundwater Districts)
- State Audit Update

General Manager, Ralph Crum presented the Board with the financial reports for the month of March 2010 and gave a brief update on the Texas Alliance of Groundwater Districts and the State Auditors Office.

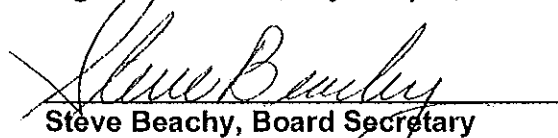
17. Legal Report:

- **Monique Norman, Attorney stated that she has been working with Ralph and Cynthia on the State Auditor's Report. Monique, also stated with the Carrizo-Wilcox questionnaire was completed and sent to the Bureau of Economic Geology.**

18. Hear Visitors

19. Adjourn

Signed this 22nd, day of April, 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