

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

Public Hearing and Regular Board Meeting
Thursday, May 5, 2011 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 present:	Pete Brien, Tom McDonald John Hicks, Steve Beachy, Bryan F. Russ, Jr. David Stratta, Kent Watson, Wayne Wilson,	Chairman Vice Chairman Treasurer Secretary Director Director Director Director
Staff present:	Ralph Crum, Cynthia Lopez, Carlton Smith Monique Norman,	General Manager Office Manager Field Technician Attorney

2. Pledge of Allegiance
3. Discussion and possible action on the Minutes from the April 7, 2011 Public Hearing and Regular Board Meeting. **A motion was made by Judge Tom McDonald, second by Bryan F. Russ, Jr., to approve the Minutes from April 7, 2011 as presented. The motion carried unanimously.**
4. Review and authorization of payments made for services rendered for the month of April 2011. **A motion was made by John Hicks, second by Wayne Wilson to approve the expenses for the month of April 2011 as presented. The motion carried unanimously.**

Chairman Pete Brien, recused himself from discussion on item #5, A,B and turned the meeting over to Vice President, Judge Tom McDonald.

5. Discussion and possible action on the following
Drilling/Operating Permit Applications:
 - A. One (1) new well for Lee Fazzino, Sr. The well will be located at 15831 Wildcat Bridge Rd, Calvert, TX., for a total of 400 acre feet per year for agricultural irrigation on a 250 acre tract known as the Calvert Farm. The well will produce from the Simsboro Aquifer. **A motion was made by David Stratta, second by John Hicks, to approve the Drilling/Operating permit application as presented for Lee Fazzino, Sr. The motion carried, with Chairman, Pete Brien recusing himself, and Director, Wayne Wilson abstaining.**
 - B. One (1) new well for William E. Connatser. The well will be located at 11043 Pryor Lane, Hearne, TX., for a total of 100 acre feet per year for agricultural irrigation, and to provide water for livestock on an 85 acre tract. The well will produce from the Sparta Aquifer. **A motion was made by David Stratta, second by John Hicks, to approve the Drilling/Operating permit application as presented for William E. Connatser. The motion carried unanimously.**

Vice President, Judge Tom McDonald turned the meeting back over to Chairman Pete Brien.

- C. Three (3) new wells for Brazos Farm Limited, Inc. The wells will be located on the North & South sides of Hwy. 21 & Cash Rd, Bryan, TX., for a total of 423 acre feet per year for agricultural irrigation on a 1,055 acre tract. The wells will produce from the Brazos River Alluvium Aquifer. **A motion was made by Wayne Wilson, second by Bryan F. Russ, Jr., to approve the Drilling/Operating permit application as presented for Brazos Farm Limited, Inc. The motion carried unanimously.**
 - D. One (1) new well for James M. Brooks. The well will be located at 14379 S. Dowling, College Station, TX., for a total of 7 acre feet per year for irrigation of common areas of a 53 acre business park campus. The well will produce from the Gulf Coast Aquifer. **A motion was made by Wayne Wilson, second by John Hicks, to approve the Drilling/Operating permit application as presented for James M. Brooks. The motion carried unanimously.**
6. Discussion and possible action on the following
Operating Permit Applications:
- E. Two (2) existing wells for Jason Dobrovolny, A&F Farms, Inc. The wells are located at 4342 Dobrovolny Road, Bryan, TX., for a total of 60 acre feet per year for hayfield irrigation on a 30 acre tract. The wells produce from the Queen City Aquifer. **A motion was made by Kent Watson, second by Bryan F. Russ, Jr., to approve the Operating permit application as presented for Jason Dobrovolny, A&F Farms, Inc. The motion carried unanimously.**
 - F. Three (3) existing wells for Jason Dobrovolny, A&F Farms, Inc. The wells are located at 2492 Smetana Road, Bryan, TX., for a total of 120 acre feet per year for hayfield irrigation on a 60 acre tract. The wells produce from the Queen City Aquifer. **A motion was made by Wayne Wilson, second by Bryan F. Russ, Jr., to approve the Operating permit application as presented for Jason Dobrovolny, A&F Farms, Inc. The motion carried unanimously.**
 - G. One (1) existing well for David Browning, A&G Turf Farms, LLC. The well is located on Hwy 79 West and FM 1644, Hearne, TX., for a total of 200 acre/feet per year for agricultural irrigation of turf grass on a 100 acre tract. The well produces from the Brazos River Alluvium Aquifer. **A motion was made by John Hicks, second by Judge Tom McDonald to approve the Operating Permit application for David Browning, A&G Turf Farms, LLC as presented. Ensuing discussion led to an amended motion by Bryan F. Russ, Jr., second by Wayne Wilson to aggregate the 200 acre feet. The motion carried unanimously.**
7. Update on the outcome of the second Permit Review Committee meeting, followed by discussion and possible action by the Board on the committee's recommendations. **After discussion on item #7, A motion by Bryan F. Russ, Jr., second by, Judge Tom McDonald to table any action on agenda item #7 until further notice. (Pending the final outcome of SB 737) The motion carried unanimously.**
8. Discussion and possible action on a recommended procedure to address new wells drilled, or existing well refurbishments that are not permitted or registered by the District. **A motion by Wayne Wilson, second by Bryan F. Russ, Jr., outlining a procedure for staff to follow when it is determined that a well is being drilled or refurbished by a driller within the district, that has not been Registered or Permitted. The motion carried unanimously. The procedure is outlined below.**

1. The District will send a letter to the driller and landowner, admonish them to come to the District to register their well or permit their well. The Driller will receive a letter and he'll be admonished not let this happen again, to make an effort to inform his clientele that there are requirements by the District.
2. A second offense will be a thousand (\$1,000.00) dollars fine and report the driller to Texas Department of Licensing and Regulation.
3. If the fine is not paid, and a job is in progress when it's discovered, the General Manager will have the authority to instruct the driller to shut down the operation until the District registration/permitting requirements are met.
9. Discussion and possible action on establishing a permanent quarterly meeting schedule in Brazos County. **A motion was made by Steve Beachy, second by John Hicks, for the District to hold semiannual Board meetings Brazos County for the next two years. The motion passed with a vote of four (4) voting for and three (3) voting against.**
10. Discussion and possible action on establishing a District investment policy. **After further discussion on this agenda item #10 no action was taken.**
11. General Manager Report
 - Financial Reports
 - Palmer Drought Severity, Crop Moisture, Additional Precipitation Needed Indexes
 - Number of wells monitored for the month of April

General Manager Ralph Crum, presented the Board with the Districts Financial Reports for the month of April 2011. He also provided the status of the PDSI, Drought Severity and Crop Moisture indices, additional precipitation needed, and the number of wells monitored for the month of April.

12. Legal Report

- Briefing on Texas legislation that effects the Brazos Valley GCD and groundwater districts in general and related information such as State recommendations and legislative relations.

Monique Norman, provided an update regarding the Texas Legislation that effects the Brazos Valley GCD and other groundwater districts. She also provided an update on State recommendations and Legislative relations.

13. Hear Visitors

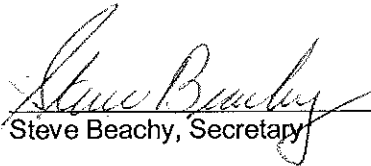
Individuals who registered to address the Board on agenda items:

- #7 Sam Corpora, Corpora Aerial Service**
- #7 Nick Rahh, Senior Vice President Generation, Optim Energy/Twin Oaks,**
- #7 George Faulkner, Plant Manager, Optim Energy/Twin Oaks**
- #7 & 13 Dave Coleman, Director, City of College Station Water Services Department**
- #7 & 9 Keith Pettitt, Robertson County Commissioner Pct. 1**
- #7 & 9 Donald Threadgill, Robertson County Commissioner Pct. 2**

(Recording on file for opinions made by each individual)

14. Adjourn at 5:10 p.m.

Signed this 2nd, day of June, 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