

MINUTES
BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

Public Hearing and Regular Board Meeting
Thursday, May 6, 2010 at 3:00 p.m.

1. Call meeting to order.

Board Chairman Pete Brien called the meeting to order at 3:02 p.m.

Directors present:	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,	General Manager
	Monique Norman,	Attorney
	Cynthia Lopez	Office Manager

2. Pledge of Allegiance

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

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

- A. One (1) new well for Peter Scarpinato. The well will be located East of Hwy 50 on Sandy Point Rd., Bryan, TX., for a total of 114 acre/feet per year for agricultural irrigation. The well will produce from the Brazos River Alluvium Aquifer. **After clarification by the General Manager that the total production of 114 acre/feet per year was for two wells, a motion was made by John Hicks, second by Dan Kyle to approve the Drilling/Operating Permit application for Peter Scarpinato for 59 acre/feet per year for this new well. The motion carried unanimously.**

Chairman, Pete Brien recused himself from item #4B (Drilling/Operating) and asked Vice-President Tom McDonald to preside over the meeting until item #4B was addressed.

- B. One (1) new well for Gathan Reistino. The well will be located West of Hwy 50 on Reistino Gin Rd., Hearne, TX., for a total of 346 acre/feet per year for agricultural irrigation. The well will produce from the Brazos River Alluvium Aquifer. **A motion was made by Steve Beachy, second by John Hicks to approve the Drilling/Operating Permit application for Gathan Reistino as presented. The motion carried with Chairman, Pete Brien abstaining.**
- C. One (1) new well for Vence Corpora. The well will be located on the Hall Farm, 1644 & Providence Baptist Church Rd., Hearne, TX., for a total of 40 acre/feet per year for Industrial use. 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 application for Vence Corpora as presented. The motion carried unanimously.**
5. Discussion and possible action regarding an agreement with Optim Energy LP, Twin Oaks, to promote the power plant's conservation of its groundwater consumption through use of the Walnut Creek Mine's produced groundwater. **After a lengthy discussion on this item, (cd on file for review) Chairman Pete Brien appointed a committee to consider a possible rule change that would acknowledge a producers conservation efforts. The committee will schedule a kickoff meeting and convey the progress at a future Board meeting. Appointed committee members are: Tom McDonald as Chair, Steve Beachy, David Stratta and John Hicks.**
6. Update by the Management Plan Committee Chairman, and discussion by the Board, on topics discussed at the Management Plan Committee meeting held on April 22nd. **Committee Chair John Hicks reiterated the intent of this committee is to seek relief from the current MAG, (Managed Available Groundwater). To either increase it, or work with what's available. Stating that it is an ongoing process. The next potential meeting date for this committee is May 20th, 2010 at 1:00 p.m. at the District office.**
7. General Managers Report:
- Financial Reports
 - Employee Surety Bond Coverage
 - Rain Barrel water harvesting
- General Manager, Ralph Crum presented the Board with the financial reports for the month of April 2010, and confirmed that staff was now covered by Surety Bond insurance. He then went on to provide details of the Rain Barrel located in the front of the office.**
8. Legal Report:
- Monique Norman, Attorney for the District did not have anything to report.**

9. Hear Visitors:

Mary Dozier, Co-Chairman for the Robertson County Science Fair introduced Ruth Silva, a Hearne ISD Student who presented a Science Fair Project that had to do with Darcy's Law on "Go With The Flow".

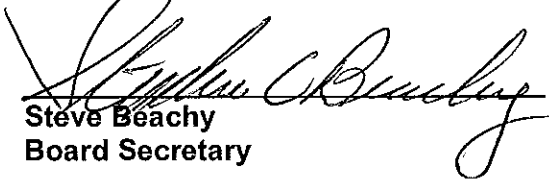
Individuals who registered to address the Board on item #6:

**John Melvin, Brazos Valley Groundwater Rights Association (BVGRA)
Doug Caroom, Representing BVGRA and Skiles
Judge Jan Roe, Robertson County**

(Recording on file for opinions made by each individual)

10. Chairman, Pete Brien adjourned the meeting at 4:12 p.m.

Signed this 3rd, day of June, 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.

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Agenda items may be taken out of order at the discretion of the Board Chairman