

## MINUTES

### BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

**Public Hearing and Regular Board Meeting  
Thursday, July 15,  
Immediately following the Public Hearing at 2:00 p.m.  
on proposed Rule Amendment's and Fee Schedule**

1. Call meeting to order  
Board Chairman Pete Brien called the meeting to order at 2:02 p.m.

Directors present:     Pete Brien,                     Chairman  
                                 Tom McDonald,             Vice Chairman  
                                 Steve Beachy,                Secretary  
                                 John Hicks,                   Treasurer  
                                 Dan Kyle,                     Director  
                                 David Stratta,                Director  
                                 Wayne Wilson,               Director

Director absent:        Kent Watson,                 Director

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

2. Pledge of Allegiance.
3. Discussion and possible action on the Minutes from the June 2010 Public Hearing and Regular Board Meeting. **A motion was made by John Hicks, second by Wayne Wilson to accept the Minutes from the June 3, 2010 Board Meeting as presented. The motion carried unanimously.**
4. Review and authorization of payments made for services rendered during the Month of June 2010. **A motion was made by Wayne Wilson, second by Dan Kyle approve the expenses for the month of June 2010 as presented. The motion carried unanimously.**
5. Discussion and possible action on approval of the proposed rule amendments to Rule 7.1 addressing maximum allowable production and permitting limits; Rule 8.3(h) addressing metering of wells and the secondary reuse of groundwater produced by Texas Railroad Commission permits; and the Fee Schedule, which includes the statutorily authorized export fee. **A motion was made by John Hicks, second by Steve Beachy to table Item #5, (7.1), and return to the committee for further discussion. The motion carried unanimously. A motion by Tom McDonald, second by Dan Kyle to table item #5 8.3 (h), and return to the committee for further discussion. The motion carried unanimously. A motion by David Stratta, second by Steve Beachy, to**

accept the fee schedule change as presented with the exception of all agricultural use being adjusted to 12 ½ cents an acre foot for agricultural use. The motion carried unanimously.

6. Presentation by LBG-Guyton of information regarding Desired Future Conditions for the Yegua-Jackson and Brazos River Alluvium Aquifers. (Presentation attached)
7. Discussion and possible action on adopting DFC's, (Desired Future Conditions) for the Yegua, Jackson and Brazos River Alluvium Aquifers. **A motion by John Hicks, second by Tom McDonald to adopt a DFC of 110 feet of drawdown in the Yegua Aquifer, and 70 feet of drawdown in the Jackson Aquifer. The motion carried unanimously. A motion by John Hicks, second by David Stratta to defer adopting a DFC for the Brazos River Alluvium Aquifer pending further discussion by the Management Plan Committee. The motion carried unanimously.**

8&9. Discussion and possible action on the following **Historic Use Permit Application:**

- A. Ten (10) existing wells for the Mears Farm, (Cliff Hoelscher owner). The wells are located on FSA, (Farm Service Agency) Farm #2650, which is situated on the Southwest corner, at the intersection of Hwy 485 and FM 1644, Hearne, TX for a total of 1,462 acre/feet per year for agricultural irrigation. The wells produce from the Brazos River Alluvium Aquifer. **A motion by David Stratta, second by Tom McDonald to accept the application as presented for the Mears Farm for Historic Use. The motion carried unanimously.**

At 3:35 Director, Wayne Wilson excused himself from the Board Meeting.

10. Update by the Management Plan Committee Chairman, and discussion by the Board, on topics discussed at the Management Plan Committee meeting held on June 17<sup>th</sup>.

**John Hicks gave an update on having another committee meeting on July 22<sup>nd</sup> with Scott Swanson from Texas Commission Environmental Control (TCEQ) to help start writing the drought contingency plan.**

11. Update by the Education Initiative Committee Chairman, and discussion by the Board on topics discussed at the Education Initiative Committee meeting held on June 17<sup>th</sup>.

**Dan Kyle gave an update on Education Initiative Committee regarding the Commissioners Court having meetings in September and March. Providing the Commissioners Court with number of wells permitted, new wells that will be permitted, potential legislative action pending, a copy of the District's budget and education initiatives. Targeting fourth and fifth grade students and trying to work maybe with the Agriculture Extension office. Discuss any changes to the rules, status, the ability and the desired future conditions of the aquifers that the District oversees. The committee will meet again on July 22<sup>nd</sup>.**

12. Discussion and possible action on approving a rebate to citizens within the District that purchase a rain water harvesting barrel. **A motion by Steve Beachy, second by Dan Kyle to approve a \$25 dollar rebate per barrel, with a maximum of two barrels per household. \$2,500 was dedicated for this rebate program. The motion carried unanimously.**

13. General Managers Report:

- Financial Reports
- TAGD, (Texas Alliance of Groundwater Conservation Districts) conference update
- State Auditors Report Update

**Ralph Crum, General Manager, presented the Board with the financial reports for the month of June 2010. The General Manager gave brief reports on the Texas Alliance of Groundwater Conservation Districts conference he attended on June 28, 2010 and the State Auditors Report.**

14. Legal Report:

15. Hear Visitors

**Jennifer Nations, City of College Station**

The Environmental Protection Agency (EPA) is doing this cross-country road trip to promote their water sense brand, which is all of the plumbing fixtures that are labeled low flow and tested to actually work and to what they're supposed to do. The Environmental Protection Agency (EPA) will be visiting College Station on July 21<sup>st</sup>, 2010 at the Lowes in College Station. City of College Station will be there since they are a water sense partner city.

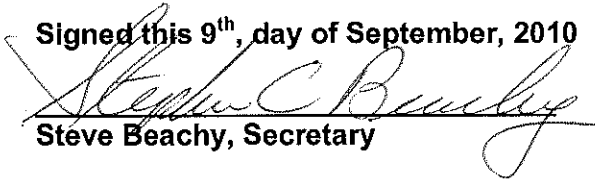
**Individuals who registered to address the Board:**

Doug Caroom, Agenda Item #5 and Item #7  
John Melvin, Agenda Item #5 and Item #8  
Jimmie McCullough, Agenda Item #5 and Item #7  
Keith Pettit, Agenda Item #5

(Recording on file for opinions made by each individual)

16. Adjourn

**Signed this 9<sup>th</sup>, day of September, 2010**

  
**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