



**MINUTES
BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT**

**Special Session of the Board of Directors
November 23, 2009 at 10:00 a.m.
Brazos Valley Groundwater Conservation District Office
112 West Third Street
Hearne, Texas 77859**

1. Call meeting to order.

Board Chairman Kent Watson called the meeting to order at 10:00 a.m.

Directors present:

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| Kent Watson, | Chairman |
| Pete Brien, | Vice Chairman |
| Steve Beachy, | Director |
| John Hicks, | Director |
| Dan Kyle, | Director |
| David Stratta, | Director |
| Tom McDonald, | Director |
| Wayne Wilson, | Director |

Staff present:

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|-----------------|---------------------------|
| Ralph Crum, | Assistant General Manager |
| Monique Norman, | Attorney |
| Cynthia Lopez, | Administrative Assistant |

2. Pledge of Allegiance.

3. Discussion and possible action on amendment of the following permits to comply with the Mediated Settlement Agreement in the C.A. Skiles Family Partnership LTD and Cliff Skiles, Jr., D.V.M. contested case hearing before the Brazos Valley Groundwater Conservation District:

A. Permit for twelve wells for the CA Skiles Family Partnership, Ltd. Two wells are located at 4026 North FM 1644, Hearne, Texas, and ten wells are located North of FM 485, and West of Hwy 6 extending East of the Brazos River, Hearne, Texas, for a total of 20,481 acre-feet of groundwater. The wells are in the Simsboro Aquifer for Agricultural Irrigation. **A motion made by Pete Brien, second by David Stratta, to approve the permit with the addition of removing Dr. Skiles wife's name from the permit and adding wording to make the mediated settlement agreement the controlling document. The motion carried with five (5) votes for and (3) three votes against from Director's Steve Beachy, Tom McDonald, and Wayne Wilson.**

B. Historic permit for fifty-five wells for Cliff A. Skiles Jr., D. V. M. Fifteen wells are located at 4026 FM 1644, Hearne, Texas, and forty wells are located North of FM 485, and West of Hwy 6 extending east of the Brazos River, Hearne, Texas, for a total of 10,000 acre-feet of groundwater. The wells are in the Brazos River Alluvium Aquifer for Agricultural Irrigation. **A motion by John Hicks, second by Wayne Wilson to approve the Historic use**

permit submitted with the added language to make the mediated settlement agreement become the controlling document. The motion carried unanimously.

4. Discussion and possible action on adoption of the Board of Directors Order of Dismissal of the C.A. Skiles Family Partnership LTD and Cliff Skiles, Jr., D.V.M. contested case hearing before the Brazos Valley Groundwater Conservation District. **A motion by Tom McDonald, second by John Hicks, that the Order of Dismissal be adopted, putting the Contested Case Hearing in the grave. The motion carried unanimously.**

5. Discussion and possible action on permit amendment by the C.A. Skiles Family Partnership LTD for two wells located at 4026 North FM 1644, Hearne, Texas, and ten wells located at Goodland/Harlan Farms, North of FM 485, and West of Hwy 6 extending East of the Brazos River, Hearne, Texas, to raise the maximum withdrawal rate to 3,186 gallons per minute. The wells are in the Simsboro Aquifer for Agricultural Irrigation. **President Kent Watson, stated that Item # 5 was dealt with when discussing item #3A and included the approval of raising the rate to 3,186 gpm.**

Signed this 24th, day of November, 2009

Cynthia Lopez
Administrative Assistant

Stephen C. Beasley
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