



**MINUTES
BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT**

Public Hearing and Regular Board Meeting
September 10, 2009, 3:00 p.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 3:00 p.m.

Directors present:

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

Staff present:

Bill Riley,	General Manager
Ralph Crum,	Assistant General Manager
Monique Norman,	Attorney
Cynthia Lopez,	Administrative Assistant

2. Pledge of Allegiance.

3. Discussion and possible action on the Minutes from the August 6, 2009 Public Hearing and Regular Board Meeting. **A motion was made by John Hicks, second by Wayne Wilson to approve the Minutes from the August 6, 2009 Public Hearing and Regular Board Meeting as presented. The motion carried unanimously.**

4. Review and Authorization of payments made for services rendered during the month of August 2009. **A motion was made by Wayne Wilson, second by Pete Brien that expenses for the month of August 2009 be approved as presented. The motion carried unanimously.**

5. Public Hearing for the purpose of taking public comment on the following Operating and Drilling/Operating Permit Applications.

Operating Permit

- A. Four (4) existing wells for the Calvert Country Club, Inc., designated as wells (1), (2), (3) and (4). The wells are located at Wildcat Bridge Road, Calvert, TX. Well (1) is a commercial well, and well (3) is an irrigation well for a total of 8.25 acre/feet per year in the Simsboro Aquifer. Wells (2) and (4) are irrigation wells that total 78 acre/feet per year in the Calvert Bluff Aquifer.

Drilling/Operating Permits

- A. Three (3) new wells for Jason Siegert. The wells will be located at 3418 Smetana Road, Bryan, TX. for a total of 120 acre/feet per year for Irrigation. The wells will be in the Brazos River Alluvium Aquifer.
 - B. Two (2) new wells for King Ranch Brazos River. The wells will be located at FM 159, Navasota, TX. for a total of 200 acre/feet per year for Irrigation. The wells will be in the Brazos River Alluvium Aquifer.
6. Discussion and possible action on the following Operating and Drilling/Operating Permit Applications.

Operating Permit

- A. Four (4) existing wells for the Calvert Country Club, Inc., designated as wells (1), (2), (3) and (4). The wells are located at Wildcat Bridge Road, Calvert, TX. Well (1) is a commercial well, and well (3) is an irrigation well for a total of 8.25 acre/feet per year in the Simsboro Aquifer. Wells (2) and (4) are irrigation wells that total 78 acre/feet per year in the Calvert Bluff Aquifer. **A motion was made by Wayne Wilson to approve wells 2 and 4, for 40 acre/feet per year on a three year rolling average. And well 1, for 1.25 acre/feet and well 3, for 8 acre/feet per year and to include meters because district rules require these types of wells to be metered. The motion failed due to lack of votes. A second motion was made by Judge McDonald, second by John Hicks, to approve the original request of 78 acre/feet with meters. The motion passed with Director, Pete Brien abstaining and Director, Wayne Wilson opposing.**

Drilling/Operating Permits

- A. Three (3) new wells for Jason Siegert. The wells will be located at 3418 Smetana Road, Bryan, TX. for a total of 120 acre/feet per year for Irrigation. The wells will be in the Brazos River Alluvium Aquifer. **A motion made by Pete Brien, second by Tom McDonald to approve the drilling/operating permits for Jason Siegert. The motion carried unanimously.**
 - B. Two (2) new wells for King Ranch Brazos River. The wells will be located at FM 159, Navasota, TX. for a total of 200 acre/feet per year for Irrigation. The wells will be in the Brazos River Alluvium Aquifer. **A motion made by Steve Beachy, second by John Hicks to approve the drilling/operating permits for King Ranch. The motion carried with Director, Pete Brien abstaining.**
7. Discussion and possible action on the draft of the updated management plan and calling a public hearing for the purpose of taking public comment on the draft updated management plan.

The Board decided to hold public hearings on the management plan in both Robertson and Brazos counties. The board hopes to adopt the management plan in November 2009.

8. Discussion and possible action on adopting the General Managers annual report of District activities. **A motion was made by Wayne Wilson, second by Pete Brien to approve the Annual Report. The motion carried with Director, John Hicks abstaining.**

9. Discussion and possible action on the management services contract with Water Resources Management, LP and management and staffing options.

Bill Riley, General Manager submitted a letter to the District terminating the contract between the District and Water Resource Management, L.P. This letter is an official notice of the intent of Water Resource Management, L.P., to amend the terms of the contract, effective October 10, 2009. **A motion was made by Tom McDonald second by Wayne Wilson to amend the contract. The motion carried unanimously. Director, John Hicks, stated for the record "we accept it with regret".**

10. Closed Session: Texas Government Code 551.074 –to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee.

Kent Watson, Chairman opened the floor for discussion at 5:18 p.m.

A motion was made by John Hicks, second by Tom McDonald that the District employ Cynthia Lopez and Ralph Crum and for the present board to work out the details with them for their employment.

Chairman Kent Watson, also stated that the board will be actively searching for a General Manager for the district. They will be looking for an employee that will be employed with the district right away.

11. General Managers Report
- Financial Report
 - Status of Oak Grove Country Club well permit

Bill Riley, General Manager, stated that after a recent conversation with the president of Oak Grove, he feels that the Country Club has the information necessary to complete the application process. Billy Riley, presented the Board with the financial reports.

12. Legal Report

13. Hear Visitors

14. Chairman, Kent Watson adjourned the meeting at 5:25 p.m.

Signed this 11, day of September, 2009

**Cynthia Lopez
Administrative Assistant**

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**