

Minutes

BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

112 West Third Street
Hearne, Texas

Public Hearing and Regular Board Meeting Thursday, May 10, 2012 at 3:00 p.m.

1. Call meeting to order
Board Chairman Steve Beachy called the meeting to order at 3:12 p.m.

Directors present:

Steve Beachy,	President
Bryan F. Russ, Jr.,	Vice-President
David Stratta,	Secretary
Stephen A. Boykin,	Director
Pete Brien,	Director
Tom McDonald,	Director
Kent Watson,	Treasurer
Wayne Wilson,	Director

Staff present:

Cynthia Lopez,	Office Manager
Monique Norman,	Attorney
Carlos Rodriguez,	Field Technician

2. Pledge of allegiance.
3. Discussion and possible action on the Minutes from the April 9th, 2012 Special Board meeting and the April 12th, 2012 Public Hearing and Regular Board meeting. **A motion was made by Pete Brien, second by Bryan F. Russ, Jr., to approve the Minutes from April 9th and April 12, 2012 as presented. The motion carried unanimously.**
4. Review and authorization of payments made for services rendered for the month of April 2012. **A motion was made by Pete Brien, second by Bryan F. Russ, Jr., to approve the expenses for the month of April 2012 as presented. The motion carried unanimously.**
5. Discussion and possible action on the following
Drilling/Operating Permit Applications:
 - A. One (1) new well for *Richard Watson*. The well will be located at 3742 South Hwy 79, Franklin, Texas, for a total of 54.50 acre/feet per year for agricultural irrigation, providing water for horses and household use on a 35 acre tract. The well will produce from the Calvert Bluff Aquifer. **A motion was made by David Stratta, second by Stephen A. Boykin to approve the Drilling/Operating permit application for Richard Watson. After much discussion, A motion by Tom McDonald, second by Bryan F. Russ, Jr., to table this agenda item for later in the meeting. The motion carried with, one (1) Director, Pete Brien abstaining. A motion was made by Tom McDonald, second by Bryan F. Russ, Jr., to take agenda item #5A off the table. The motion carried with, one (1) Director, Pete Brien abstaining.**

A motion in favor of the original motion to approve the Drilling/Operating permit for Richard Watson as presented carried with six (6) directors, one (1) director opposed, and Director, Pete Brien, abstaining.

B. One (1) new well for *Forbin Investments*. The well will be located South of Hwy 79 on the west side of Cotropia Road, Hearne, Texas, for a total of 130 acre/feet per year for agricultural irrigation. The well will produce from the Brazos River Alluvium. The applicant also requests to aggregate production with its other Brazos River Alluvium wells. **A motion was made by David Stratta, second by Stephen A. Boykin, to approve the Drilling/Operating permit application as presented for Forbin Investment and to aggregate production with three (3) wells on Farm 2680. The motion carried with Director, Pete Brien abstaining**

6. Discussion and possible action on the following
Operating Permit Amendments:

C. Two (2) existing wells for the *City of Bremond* known as Wells 1 & 2. Well #1 is located at 114 E. Denton Street, and Well #2 is located at 622 W. Colorado Street, Bremond, Texas. The request is to correct the aquifer stated on the permits from the Simsboro Aquifer, to the Hooper Aquifer. **A motion was made by Pete Brien, second by Tom McDonald, to approve the amendments for the City of Bremond to correct the aquifer stated on the permits from the Simsboro aquifer to the Hooper aquifer as presented. The motion carried unanimously**

D. Increase production a total of 233 acre/feet per year, and aggregate production for five (5) existing wells for the *City of Bremond* as follows. All wells produce from the Hooper Aquifer. **A motion was made by Kent Watson, second by Bryan F. Russ, Jr., to approve the operating permit amendments as presented for the City of Bremond to increase and aggregate production of 233 acre/feet for wells 1,2, 3, 4 & 5 from the Hooper aquifer. The motion carried unanimously**

Well #1 - Located at 114 E. Denton Street, Bremond, Texas. Increase production an additional 32 acre/feet per year, for a maximum of 40 acre/feet per year for municipal water supply.

Well #2 - Located at 622 W. Colorado Street, Bremond, Texas. Increase production an additional 56 acre/feet per year, for a maximum of 60 acre/feet per year for municipal water supply.

Well #3 - Located at 7752 FM 2293, Bremond, Texas. Increase production an additional 37 acre/feet per year, for a maximum of 84 acre/feet per year for municipal water supply.

Well #4 - Located at 1909 Schubrych-Antis Road, Bremond, Texas. Increase production an additional 48 acre/feet per year, for a maximum of 134 acre/feet per year for municipal water supply

Well #5 - Located at 8343 FM 2293, Bremond, Texas. Increase production an additional 60 acre/feet per year, for a maximum of 134 acre/feet per year for municipal water supply.

7. Discussion and possible action on the following
Drilling/Operating Permit Application Amendment:

E. Amendment to existing drilling and operating permit for a well for *C.A. Skiles Family Partnership, Ltd.*, located at 4026 N. FM 1644, Hearne, Texas. No additional water production is requested. The well is permitted for 289 acre-feet/year of production from the Simsboro aquifer for irrigation under permit BV-DO-0111. The applicant requests to aggregate production of this Simsboro permit with its production from Simsboro wells under Permit No. BV-HU-1058.

A motion was made by Pete Brien, second by David Stratta, to table agenda item #7. The motion carried unanimously. A motion was made by Pete Brien, second by David Stratta, to take agenda item #7 off the table. The motion carried unanimously. A motion by Bryan F. Russ, Jr., second by David Stratta to approve the amendment as presented for C.A. Skiles, Family Partnership. The proposed amendment was agreed to by the applicant, the District's attorney, and the cities of Bryan and College Station. The amendment authorizes an operating permit for the additional production to be issued to a historic well that is nearest to the Cobb Farm under HU-1058. The special provisions on the operating permit are that it will be aggregated with the other wells under HU-1058 and its production will be evaluated on an annual basis and not subject to the rolling average as the others in HU-1058. The motion carried unanimously. Chairman, Beachy thanked everyone that worked on resolving this permit and appreciated everyone's efforts.

8. Discussion and possible action on the following
Historic Use Permit Application Amendments:

- F. Six (6) existing wells for the *Brazos Valley Septic & Water, Inc*, located at 3033 Cain Road, College Station, Texas. The request is for an increase of production of 29 acre-feet/year for a total of 117 acre-feet/year, for the six (6) existing wells located as follows. Applicant also requests to aggregate production of wells that are in the same aquifer. **A motion was made by Pete Brien, second by Bryan F. Russ, Jr., to approve the amendments as presented for Brazos Valley Septic & Water for an additional 29 acre-feet/year without aggregation. The motion carried unanimously.**
- a. *Benchly Oaks Subdivision Well #1*, located at 9112 Benchly Drive, Bryan, Texas, request to increase production an additional 10 acre/feet per year, for a maximum of 26 acre/feet per year for retail water supply. The well produces from the Sparta Aquifer.
 - b. *Benchly Oaks Well #2*, located at 9112 Benchly Drive, Bryan, Texas, request to increase production an additional 10 acre/feet per year, for a maximum of 26 acre/feet per year for retail water supply. The well produces from the Queen City Aquifer.
 - c. *Oak Forest Subdivision* well, located at 3217 Lakeway Drive, Hearne, Texas, request to increase production an additional 3 acre/feet per year, for a maximum of 15 acre/feet per year for retail water supply. The well produces from the Sparta Aquifer.
 - d. *Smetana Subdivision* well, located at 3233 McDonald Street, Bryan, Texas, request to increase production an additional 3 acre/feet per year, for a maximum of 15 acre/feet per year for retail water supply. The well produces from the Queen City Aquifer.
 - e. *Post Oak Subdivision* well, located at 11549 Post Oak Lane, Bryan, Texas, request to increase production an additional 2 acre/feet per year, for a maximum of 5 acre/feet per year for retail water supply. The well produces from the Sparta Aquifer.
 - f. *Lakewood Estates Subdivision* well, located at 2448 Lakewood Drive, Bryan, Texas, request to increase production an additional 1 acre/feet per year, for a maximum of 30 acre/feet per year for retail water supply. The well produces from the Queen City Aquifer.

9. Discussion and possible action on purchasing new computers to upgrade the Districts current system. **A motion was made by Stephen A. Boykin, second by Bryan F. Russ, Jr., to approve the purchase of new computers to upgrade the Districts current system in the amount of \$5,817.17 and the installation cost. The motion carried unanimously.**
 - Dell's proposal of \$5,817.81 for purchasing three (3) new computers, with software, and one (1) 27" monitor
 - Jeff Skelton, \$240 cost to install equipment
10. Discussion and possible action on purchasing or lease of a new copier/printer. **A motion was made by Bryan F. Russ, Jr., second by Tom McDonald to approve the authorization for the Office Manager to either purchase or lease a copier/printer as best suits the District. After much discussion, A motion to amend by Bryan F. Russ, Jr., second by Pete Brien, to authorize the Office Manager authority to lease a copier/printer. The motion carried unanimously.**
11. Discussion and possible action on permit applications permit language, permit approval process and issuance of permits. **A motion was made by Bryan F. Russ, Jr., second by Tom McDonald, to approve the form for an operating permit, calling it an Operating Permit in accordance, consistent with the rules, put the permit number at the very top; and make other changes that were discussed on the second page, moving the signature line up or down accordingly so that the title of the person that signs the permit will be reflected in the document. (see attached). The motion carried unanimously. Further action, A motion was made by Bryan F. Russ, Jr., second by Pete Brien, to implement the format for permits that are approved on this day, all permits that have been approved and not issued, and all permits to be issued from this day forward. The motion carried unanimously.**
12. Update on discussion and possible action on the process to fill the Districts General Manager position. **Chairman Steve Beachy, assigned the personnel committee, Director, Stephen A. Boykin and Wayne Wilson to have a short list of recommendations presented to the Board, the resumes submitted for the general manager position at the June 2012 Board meeting for discussion on the interview process.**
13. Discussion and possible action on entering into an agreement with Texas First Group Replacement Service, Inc., for interim general manager services. **A motion was made by Bryan F. Russ, Jr., second by Stephen A. Boykin for the District *not to enter* into an agreement at this time with Texas First Group Replacement Services, Inc. for the interim general manager services. The motion carried unanimously.**
14. Presentation by T. Barret Lyne, Ph.D. and Anne Boykin regarding rules related to completion standards of exempt wells. **(see attached presentation)**

15. Staff Report

- Agenda Process
Chairman, Beachy explained to the Board the Agenda Process, and understanding the process.
- Financial Report
Kent Watson, Treasurer, gave a brief report to the Board on two CDs from the District that matured and had renewed with First Victoria National Bank and Robertson County Bank.
- Drought Severity
- Number of wells monitored for the month of April 2012
Carlos Rodriguez, Field Technician reported monitoring 43 wells, 26 in Robertson County, 17 in Brazos County. He also reported that two new wells from Brazos County were added to the monitoring program.
- Update on Groundwater Management Area (GMA 14)
Carlos Rodriguez, attended the GMA 14, gave a brief report on Senate Bill 660

16. Legal Report

Monique Norman, nothing to report at this time.

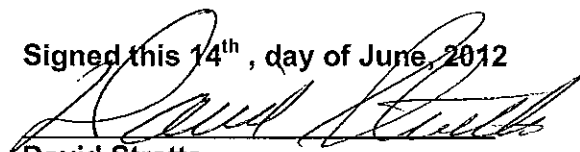
17. Hear Visitors

**David Coleman, Director Water Services, City of College Station, TX
Bonnie Murphy, Resident, City of Bremond, TX**

18. Discussion of possible future agenda items.

19. Adjourn

Signed this 14th, day of June, 2012



**David Stratta
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**