



Minutes

BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

112 W 3rd Street
Hearne, TX 77859

Public Permit Hearing and Regular Board Meeting
Thursday, April 11, 2013 at 3:00 p.m.

Board Chairman Bryan F. Russ, Jr., called the Public Permit Hearing meeting to order at p.m.

Directors present:

Bryan F. Russ, Jr.,	President
Tom McDonald,	Vice-President
David Stratta,	Secretary
Kent Watson,	Treasurer
Stephen A. Boykin,	Director
Pete Brien,	Director
Mark Carrabba,	Director
Bill L. Harris,	Director

Staff present:

Alan M. Day,	General Manager
Monique Norman,	Attorney
Cynthia Lopez,	Office Manager
Carlos Rodriquez,	Field Operations Manager

Call Permit Hearing to order

Roll call of members present

Public Comment

a) Non-agenda items

b) Agenda items (**Agenda items 1-5**)

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

- One (1) existing well (**BV-DO-0019**) for Fortex Grass known as Well #2. The well is located at N 30.684890° W 96.514929° 0.45 miles SSE of the intersection of FM 1687 and Sims Lane Cutoff in Brazos County. The well produces from the Queen City Aquifer. The applicant requests an increase in total maximum production of 0.896 acre feet/year to 1.00 acre feet/year. **A motion was made by David Stratta, second by Bill Harris to amend the permit for 1.00 acre feet/year as presented to Fortex Grass. The motion carried seven (7) voting for and Mark Carrabba not voting.**

- Two (2) existing wells (**BV-OP-0020, BV-DO-0031**) for Oak Grove Management, LLC known as Well #1 and Well #3. Well #1 is located at N 31.179122° W 96.489684° and Well #3 is located at N 31.172369° W 96.488801° in Robertson County. The wells produce from the Hooper Aquifer. The applicant requests aggregation of these two wells.
- **A motion was made by Pete Brien, second by Tom McDonald to approve the permit amendment for aggregation of two wells in the Hooper aquifer as presented to Oak Grove Management. The motion carried seven (7) voting for and Mark Carrabba not voting.**

7. Discussion and possible action on the following **Operating Permit Applications:**

- One (1) existing well for Jerry Wall. Well #1 is located at N 30.856542° W 96.219982° 0.71 mile WNW of the intersection of Texas Highway 21 and FM 974 in Brazos County for a total of 150 acre feet per year for agricultural irrigation use. The well will produce from the Sparta Aquifer. **A motion was made by David Stratta, second by Kent Watson to approve the one existing Operating permit for Jerry Wall as presented. The motion carried seven (7) voting for and Mark Carrabba not voting.**
- Three (3) existing wells for Carrabba Brothers. Well #1 is located at N 30.730781° W 96.391567°, Well #2 located at N 30.729912° W 96.393055°, and Well #3 located at N 30.730472° W 96.394257° 0.21 miles SW of the intersection of Rabbit Lane and Thurman Road in Brazos County for a total of 170 acre feet per year for agricultural irrigation use. The wells will produce from the Sparta Aquifer. **A motion was made by Kent Watson, second by Stephen Boykin to approve the three existing wells and aggregate the wells from the Sparta aquifer as presented for the Carrabba Brothers. The motion carried seven (7) voting for and Mark Carrabba not voting.**
- One (1) existing well for Trend Gathering and Treating, LLC. BOA Plant Well #1 is located at N 31.284365° W 96.401279° 0.86 miles east of the intersection of Hilltop Lane and CR 479 in Robertson County for a total of 2 acre feet per year for industrial use. The well will produce from the Hooper Aquifer. **A motion was made by Bill Harris, second by Pete Brien to approve one existing well for Trend Gathering and Treating, LLC as presented. The motion carried seven (7) voting for and Mark Carrabba not voting.**

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

- One (1) new well for Sanderson Farms. Well #2 will be located at N 30.649367° W 96.416697° 0.98 miles WSW of the intersection of FM 2818 and Shiloh Avenue in Brazos County for a total of 0 acre/feet per year for industrial use. The well will produce from the Simsboro Aquifer. **A motion was made by Pete Brien, second by Bill Harris to approve one new well for Sanderson Farms with zero (0) acre/feet as presented. The motion carried seven (7) voting for and Mark Carrabba not voting.**

9. Discussion and possible action on the following **Historic Use Permit Amendment**:

- One (1) existing well (**BV-HU-0025**) for Sanderson Farms known as Bryan Plant Well #1. The well is located at N 30.649589° W 96.417417° 1.04 miles WSW of the intersection of FM 2818 and Shiloh Drive in Brazos County. The well produces from the Simsboro Aquifer. The applicant requests the aggregation of this well with one new Simsboro well proposed by the applicant. **A motion was made by David Stratta, second by Tom McDonald to approve the amendment for aggregation for one existing well for Sanderson Farms as presented. The motion carried seven (7) voting for and Mark Carrabba not voting.**

10. Discussion and possible action on the following **Permit Renewals** and ratification of approval of the related hydrology studies associated with the original applications:

- **City of Bryan Well #18 (BV-DO-0003).** A motion to approve the ratification of the hydrological study for the City of Bryan Well #18. The motion passed with six (6) voting for, David Stratta opposed, and Mark Carrabba not voting.
- **Wellborn Special Utility District OSR Well #2 (BV-DO-0014).** A motion was made by Pete Brien, second by Tom McDonald to approve the ratification of the hydrology study for Wellborn Special Utility District OSR Well # 2. The motion passed with six (6) voting for, David Stratta opposed, Mark Carrabba not voting.

11. Adjourn Permit Hearing

Board Chairman Bryan F. Russ, Jr., called the Regular Board meeting to order

Call meeting to order

Pledge of Allegiance

Roll Call of Board Members

Public Comment

a) Non-agenda items

b) Agenda items

1. Discussion and possible action on the Minutes from the March 14, 2013 Public Permit Hearing and Regular Board meeting. **A motion was made by David Stratta, second by Bill Harris to approve the Minutes for the March 14th, 2013 Public Permit Hearing and Regular Board Meeting as presented. The motion carried unanimously, with Mark Carrabba not voting.**
2. Review and authorization of payments made for services rendered for the month of March, 2013. **A motion was made by Bill Harris, second by David Stratta to approve the authorization of payments made for services rendered for the month of March 2013. The motion carried unanimously with Mark Carrabba not voting.**

3. Financial Reports, **General Manager presented the Board with the financial reports for the month of March 2013.**
4. Discussion and possible action on a presentation given by BoardEffect concerning use of the e-governance program for volunteer boards of directors. **A motion was made by Stephen A. Boykin, second by Pete Brien to table this agenda for a future date. The motion carried with six (6) voting for, Bill Harris opposed and Mark Carrabba not voting.**
5. Discussion and possible action on a Resolution allowing the BVGCD to be removed from GMA 14 membership and DFC planning process, and assigning the entirety of Brazos County to GMA 12. **A motion was made by Stephen A. Boykin, second by Bill Harris for a Resolution allowing the BVGCD to be removed from the Groundwater Management Area 14 (GMA 14) membership and Desired Future Conditions (DFC) planning process and assigning the entirety of Brazos County to Groundwater Management Area 12 (GMA 12). The motion carried unanimously, with Mark Carrabba not voting.**
6. Update, discussion, and possible action to study the feasibility of water conservation enhancement projects within the District. **No action taken on this agenda item.**
7. Discussion and possible action on providing the Texas Water Development Board (TWDB), with updated irrigated acreage and irrigated water use estimates for year 2012. **A motion was made by Stephen A. Boykin, second by David Stratta, to accept the numbers and submit them to the Texas Water Development Water Board (TWDB). The motion carried unanimously with Mark Carrabba not voting.**
8. General Manager's Report
 - Drought Monitor Report
 - Well Monitoring Report
 - Brazos River Alluvium GAM
 - Management Plan Update
 - Legislative Update

Alan M. Day, General Manager, presented the Board with the above reports for the month of March 2013. (See attached reports from the General Manager). Carlos Rodriguez presented the Board with the observation wells report. He monitored, a total of one-hundred and sixteen (116) wells, in Robertson County sixty-three (63) and in Brazos County fifty-three (53).

9. Legal Report

- Legislative report

Monique Norman, briefed the Board regarding the bills that are moving at the Legislature, HB1796, SB272, and Callegari's bill regarding brackish water and Hegar 872.

10. Discussion of possible future agenda items.

11. Adjourn, Chairman, Bryan F. Russ, Jr., entertained a motion to adjourn, second by Stephen A. Boykin. The motion carried at 4:35 p.m.

Signed this 9th, day of May, 2013



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