



Minutes

**BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT
112 W 3rd Street
Hearne, TX 77859**

Public Rules, Permit Hearing and Regular Board Meeting

Thursday, September 12, 2013 at 3:00 p.m.

Board Chairman Bryan F. Russ, Jr., called the Public Rules, Permit Hearing and Regular Board meeting to order at 3:00 p.m.

Directors present: Bryan F. Russ, Jr., President
David Stratta, Secretary
Kent Watson, Treasurer
Stephen A. Boykin, Director
Pete Brien, Director
Bill L. Harris, Director
Mark Carrabba, Director

Directors absent: Tom McDonald, Vice-President

Staff present: Alan M. Day, General Manager
Monique Norman, Attorney
Cynthia Lopez, Office Manager
Carlos Rodriquez, Field Technician

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment

a) Non-agenda items

b) Agenda item

Public Rules Hearing:

1. The Brazos Valley Groundwater Conservation District (District), in compliance with Chapter 36 of the Texas Water Code and its Rules, will receive public comment on the proposed amendment to the Rules of the District at a public hearing at the District Office, located at 112 West 3rd Street, Hearne, Texas, 77859 on Thursday, September 12, 2013 at 3:00 pm. The District Board, at the conclusion of the public hearing, will discuss comments received and consider possible adoption of the proposed rules. Written comments on the proposed rules must be submitted to the District on or prior to the hearing date.

2. The District proposes to amend Rule 5.2(c) to comply with an amendment made by the 83rd Legislative Session to Section 36.108 of the Texas Water Code. The proposed rule changes the deadline to May 1, 2016 for the management area(s) to submit the next proposal for the adoption of desired future conditions for the relevant aquifers to the Texas Water Development Board. A motion was made by Stephen A. Boykin, second by Bill L. Harris to amend the BVGCD Rule 5.2(c) to comply with the new law by the 83rd Legislative Session to Section 36.108 of the Texas Water Code. The motion passed unanimously.

3. Adjourn Public Rules Hearing

Permit Hearing:

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment

a) Non-agenda items

b) Agenda item (1-2)

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

- **One (1) new well for John Charles Fazzino, II.** Well #1 will be located at N 30.683161° W 96.537519° 0.83 miles east of the intersection of FM 50 and FM 1687 in Brazos County for a total of 110 acre feet per year for agricultural irrigation use. The well will produce from the Brazos River Alluvium Aquifer. A motion was made by Mark Carrabba, second by Stephen A. Boykin to approve the Operating Permit Application for John Charles Fazzino, II as presented. The motion passed unanimously.

4. Discussion and possible action on the following Historic & Operating Permit Corrections:

- **Encana Oil & Gas (BV-OP-0137, BV-OP-0138)**
Correction of aquifer of origin. Both originally identified as a Queen City wells but have been determined to be a Carrizo wells. A motion was made by David Stratta, second by Pete Brien to approve the Encana Oil & Gas Operating Permit with the correction aquifer of origin as a Carrizo well. The motion passed unanimously
- **Tri-County Special Utility District (BV-HU-0023, BV-HU-0024)**
Correction of aquifer of origin. Both originally identified as Carrizo wells but have been determined to be Hooper wells. A motion was made by Pete Brien, second by Kent Watson to approve the Tri-County SUD Historic Use permits with the corrections of aquifer origin as Hooper wells. The motion passed unanimously.

5. Adjourn Permit Hearing

Regular Board Meeting

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment

a) Non-agenda items

b) Agenda items

1. Discussion and possible action on the Minutes from the August 8, 2013 Public Permit Hearing and Regular Board meeting. A motion was made by Mark Carrabba, second by David Stratta to approve the Minutes from the August 8, 2013 Public Permit Hearing and Regular Board Meeting as presented. The motion passed unanimously.
2. Review and authorization of payments made for services rendered for the month of August, 2013. A motion was made by Bill L. Harris, second by Pete Brien for authorization of payments made for services rendered for the month of August 2013 as presented. The motion passed unanimously.
3. Financial Reports. A motion was made by Stephen A. Boykin, second by Bill L. Harris to approve the financial reports as presented. The motion passed unanimously.
4. Discussion and possible action on a report from the Education Committee concerning the possible implementation of the Brazos Valley GCD Irrigators Network. Chairman, Bryan F. Russ thanked the committee for its work. A motion was made by Stephen A. Boykin, second by Pete Brien to accept the report from the Education Committee. The motion passed unanimously.
5. Discussion and possible action on Board Committee Assignments. A motion was made by Bill L. Harris, second by Pete Brien to add a third person to each committee. The motion passed unanimously.
6. Closed Session: Government Code 551.074—to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a Board member or District employee;
7. Discussion and possible action regarding matters discussed in Closed Session. (Regarding performance and compensation of District employees). A motion was made by the Personnel Committee Chairman, Stephen A. Boykin, second by Pete Brien, to allow Alan M. Day as the district manager to meet personally with the finance committee in preparation for the upcoming budget. To discuss evaluations and performance and any necessary pay raises, and that we're also going to be asking Mr. Day as the General Manager, to make recommendations to that committee with regards to the same issues pertaining to other employees. The motion passed unanimously.

8. General Manager's Report

- Drought Monitor Report
- Well Monitoring Report
- General Manager's Report
- Management Plan Update

General Manager, Alan M. Day presented the Board with his monthly reports. (see attached report).

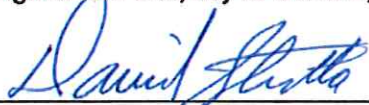
Carlos Rodriguez, presented the Board with the Well Monitoring Report for the month of August 2013. The monitoring of twenty-eight wells (28) wells were measured in Brazos County; Sixty-six (66) in Robertson County, that brings a total of ninety-four wells (94) wells. He mentioned that the municipalities were not able to shut their pumps off, so he wasn't able to do a lot of those. One well was added from the Brazos River Alluvium in Brazos County, one well from the Simshoro in Robertson.

John Selfert, Hydrologist gave a brief report on static water level changes, precipitation, and static water levels by aquifers for the month of August 2013.

9. Discussion of possible future agenda items.

10. Adjourn, A motion by David Stratta, second by Stephen A. Boykin to adjourn @ 4:18 p.m. The motion passed unanimously

Signed this 10th, day of October, 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