



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

Public Permit Hearing and Regular Board Meeting
Thursday, June 12, 2014

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

Directors present:	Tom McDonald,	Vice-President
	David Stratta,	Secretary
	Kent Watson,	Treasurer
	Pete Brien,	Director
	Bill L. Harris,	Director
	Mark J. Carrabba,	Director

Directors Absent:	Stephen A. Boykin,	Director
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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 (1-2)

Public Permit Hearing:

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

- **One (1) existing well for Michael G. Patranella Well #1** is located at N 30.685109° W 96.559717° 0.60 miles WNW of the intersection of FM 50 and FM 1687 (Sandy Point Road) in Brazos County for a total of 56 acre feet per year for Agricultural Irrigation use. The well will produce from Brazos River Alluvium aquifer. **A motion was made by David Stratta, second by Tom McDonald to approve the Operating Permit application for Michael G. Patranella as presented. The motion passed unanimously.**

4. Discussion and possible action on the following **Operating Permit Application**:

- **One (1) existing well for Steve Opersteny Well #1 (BV-OP-0175)** is located at N 30.601594° W 96.43314° 1.20 miles SSW of the intersection of Leonard Road and Texas Highway 47 in Brazos County for a total of 500 acre feet per year for Industrial use. The well will produce from Brazos River Alluvium aquifer. **A motion was made by David Stratta, second by Pete Brien to approve the existing Operating Permit application for Steve Opersteny as presented. The motion fails with (4) Directors against, (Bryan Russ, Kent Watson, Mark Carrabba and Bill Harris) and one (1) Director (Tom McDonald) abstaining.**

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 May 8, 2014 Public Permit Hearing and Regular Board Meeting. **A motion was made by David Stratta, second by Pete Brien to approve the Minutes from the May 8, 2014 with correction of adding his name to the Minutes as present. The motion passed unanimously.**
2. Review and authorization of payments made for services rendered for the month of May 2014. **A motion was made by Kent Watson, second by Pete Brien to approve the authorization of payments made for services rendered for the month of May 2014. The motion passed unanimously.**
3. Financial Reports. **A motion was made by Bill L. Harris, second by Kent Watson to approve the Financial Reports for the month of May 2014 as presented. The motion passed unanimously.**
4. Discussion and possible action on amending line item expenditures within the 2013 District budget including (1) salaries and (2) depreciation. **A motion was made by Pete Brien, second by David Stratta to approve amending the 2013 District Budget as presented. The motion passed unanimously.**
5. Presentation of the 2013 Audit by Russell Armagost, CPA from Durst, Milberger, Nesbitt, and Ask, LLP. Russell Armagost presented the Board of Directors the Audit for 2013. **(See attached)**
6. Discussion and possible action on the adoption of the 2013 Audit. **A motion was made by Bill L. Harris, second by David Stratta to approve the adoption of the 2013 Audit as presented. The motion passed unanimously.**

7. Discussion and possible action on proposed revisions by the Budget/Finance Committee to the District Investment/Collateral Policy. **A motion was made by Tom McDonald, second by Bill L. Harris to adopt the District Investment/Collateral Policy. The motion passed unanimously.**
8. Discussion of the standard permit language stating “[t]he issuance of this Permit does not grant to Permittee the right to use any private property, or any public property, for the production or conveyance of water,” and whether this language needs to be clarified or defined. **No action taken on this agenda item. Will be carried to the next board meeting.**
9. Discussion and possible action regarding draft rule amendments to (1) clarify that hydraulic fracturing wells are permitted as all other non-exempt wells in the District, and (2) delegate the authority to the District General Manager to grant permit applications for wells that request authorization to permit less than 200 acre-feet/year of groundwater production and meet all other applicable District rules. **A motion was made by David Stratta, second by Pete Brien to post and seek comments on Proposed Rule Changes as presented. The motion failed.**

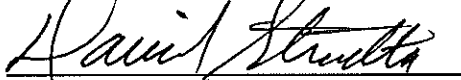
A second motion was made by Bryan F. Russ, Jr., second by David Stratta, that the Rules Committee meet before the July 10th meeting and make a recommendation at the July 10th meeting to these particular items. The motion passed unanimously.
 - (1) clarify that hydraulic fracturing wells are permitted as all other non-exempt wells in the District, and
 - (2) delegate the authority to the District General Manager to grant permit applications for wells that request authorization to permit less than 200 acre-feet/year of groundwater production and meet all other applicable District rules.
10. Discussion and possible action regarding compensation of the District's directors under the District's enabling legislation and Chapter 36 of the Texas Water Code. **A motion was made by Bryan F. Russ, Jr., second by Tom McDonald, to authorize Counsel Monique Norman, to provide the Board members Enabling Legislation that provides the best protection to the Board as individual Board Members. The motion passed unanimously.**
11. Closed Session: Government Code 551.071 – The Board will meet in a closed session pursuant to the Texas Government Code do discuss possible litigation and to consult with its attorney regarding possible litigation. **No action taken on this agenda item.**
12. Discussion and possible action on ligation involving the Texas AgriLife Extension “Water My Yard” contract with the Brazos Valley Groundwater Conservation District. **No action taken on this agenda item.**
13. General Manager’s Report
 - Drought Monitor Report
 - Well Monitoring Report
 - District Activities
 - Management Plan Update

Alan M. Day, General Manager presented the Board with the June 2013 monthly reports. (see attached reports). Carlos Rodriguez, presented the Board with the Well Monitoring Report for the month of May 2014, one-hundred and two (102) were measured. Sixty-eight (68) in Robertson County, and thirty-four (34) in Brazos County. Carlos also gave a brief update on the Bubbler that was installed on the City of Bryan's Well #18 in January 2014.

14. Discussion and possible future agenda items.

15. Adjourned at 4:34 p.m.

Signed this 17th, day of July, 2014



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**