



**Minutes**  
**BRAZOS VALLEY GROUNDWATER**  
**CONSERVATION DISTRICT**  
112 W 3<sup>rd</sup> Street  
Hearne, TX 77859

**Public Permit Hearing and Regular Board Meeting**  
**Thursday, July 17, 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  
   Pete Brien,                      Director  
   Bill L. Harris,                      Director  
   Mark J. Carrabba,                      Director  
   Stephen A. Boykin,                      Director

Directors Absent:                      Kent Watson,                      Treasurer

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

Call meeting to order

Declare quorum present

Public Comment

- a) Non-agenda items
- b) Agenda item (1-2)

3. Discussion and possible action on the rehearing of 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 grant the five (5) year original permit as presented to Steve Opersteny. The motion passed with a four (4) to three (3) vote.**

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

- **One (1) existing well for Margaret Ann Adams Melvin Estate Well 1-H** is located at N 30.8676688° W 96.224823538° 1.40 miles NW of the intersection of State Hwy. 21 and FM 974 in Brazos County for a total of 110 acre feet per year for duel use – Industrial & Agricultural Irrigation. The well will produce from Sparta aquifer.
- **One (1) existing well for Margaret Ann Adams Melvin Estate Well 2-H** is located at N 30.871649309° W 96.224218257° 1.59 miles NNW of the intersection of State Hwy. 21 and FM 974 in Brazos County for a total of 165 acre feet per year for duel use – Industrial & Agricultural

Irrigation. The well will produce from Sparta aquifer. **A motion was made by Mark Carrabba, second by Tom McDonald, to approve (2) two wells for Margaret Ann Adams Melivin Estate as presented. The motion passed unanimously on both wells.**

**5. Adjourn Permit Hearing at 3:35 p.m.**

**Regular Board Meeting:**

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment

a) Non-agenda items

b) Agenda items

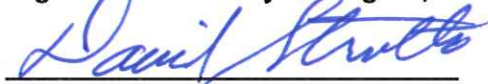
1. Discussion and possible action on the Minutes from the June 12, 2014 Public Permit Hearing and Regular Board Meeting. **A motion was made by David Stratta, second by to approve the Minutes from the Public Permit Hearing and Regular Board Meeting. The motion passed with Stephen A. Boykin abstaining.**
2. Review and authorization of payments made for services rendered for the month of June, 2014. **A motion was made by Stephen A. Boykin, second by David Stratta to approve the authorization of payments for the month of June 2014 as presented. The motion passed unanimously.**
3. Financial Reports. **A motion was made by Bill L. Harris, second by Pete Brien to approve the Financial Reports as presented. The motion passed unanimously.**
4. Discussion and possible action on a resolution supporting the efforts by the City of College Station to use Aquifer Storage and Recovery as a part of their water conservation strategy. **A motion was made by Bill L. Harris, second by David Stratta to approve the resolution supporting the aquifer storage and recovery project as submitted by the City of College Station as presented. The motion passed unanimously.**
5. Discussion and possible action on the purchase of one additional upgrade to the ArcGIS database management system hosted by Half Associates. **A motion was made by Stephen A. Boykin, second by Tom McDonald to approve the purchase of the ad hoc query tool for \$2,900.00. The motion passed unanimously.**
6. Discussion and possible action on draft language 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 Bill L. Harris, second by Pete Brien to pursue modification of our enabling act with the \$100 for each day as presented. The motion passed unanimously. (see attached materials)**
7. Discussion and possible action on 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. **A motion was made by Bill L. Harris, second by David Stratta to approve the language and proceed with amending the rules. The motion passed unanimously.**

8. Discussion and possible action regarding the draft rule amendment to clarify that hydraulic fracturing supply wells are permitted as all other non-exempt wells in the District. **A motion was made by Stephen A, Boykin, second by David Stratta to move the rule change to a rules hearing with adopting the language to include frac wells within the permitting process. The motion passed unanimously.**
9. Discussion and possible action regarding the draft rule amendment delegating 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 move the rule change to a rules hearing allowing the general manager to permit wells requiring 150 acre-feet of water or less. The motion passed unanimously.**
10. 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.**
11. 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.**
12. General Manager's Report
  - Drought Monitor Report
  - Well Monitoring Report
  - District Activities
  - Management Plan Update

**General Manager, Alan M. Day, presented the Board with the District reporting for the month of June 2014. Carlos Rodriguez, presented the Board with the well monitoring report for the month of June 2014. One-hundred and seven (107) wells, sixty-two (62) in Robertson County, and forty-five (45) in Brazos County with an additional six wells (6), one (1) form the Carrizo, one (1) from the Queen City, one (1) from the Brazos River Alluvium, two (2) from the Calvert Bluff and one (1) from the Sparta aquifer.**

13. Discussion and possible future agenda items.
14. Adjourn at 4:16 p.m.

**Signed this 14<sup>th</sup> day of August, 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**