



Minutes

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

Rules of the District Public Hearing and Regular Board Meeting Thursday, July 14, 2016 at 2:00 p.m.

President, Bill Harris called the Board Meeting to order at 2:00 p.m.

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| Directors present: | Bill L. Harris, | President |
| | Jan A. Roe, | Vice-President |
| | Mark J. Carrabba, | Secretary |
| | Pete Brien, | Treasurer |
| | Bryan F. Russ, Jr. | Director |
| | Tom McDonald, | Director |
| | Kent Watson, | Director |
| Directors absent: | David Stratta, | Director |
| Staff present: | Alan M. Day, | General Manager |
| | Monique Norman, | Attorney |
| | Cynthia Lopez, | Office Manager |
| | Megan Haas, | Education Coordinator / Water Resource Specialist |

Call meeting to order

Declare quorum present

Public Comment: Jayson Barfknecht, Public Works Department, City of Bryan

Public Hearing

The proposed District Rule amendments relate to implementation of rules regarding §36.1132 of the Texas Water Codes addressing permits based on modeled available groundwater and enforcement of adopted desired future conditions, static water level measurement protocol relating to enforcement of the adopted desired future conditions, and required rule changes pursuant to acts of the 84th Legislative Session. The District Board, at the conclusion of the public hearing, will discuss comments received and consider possible adoption of the proposed rules. Written and oral public comments on the proposed rules must be submitted to the District on or prior to the hearing date.

A motion was made by Pete Brien, second by Mark Carrabba to approve, as presented, the statutory required amendments to the Rules of the District as recommended by the general manger and attorney. The motion passed unanimously.

A motion was made by Jan A. Roe, second by Pete Brien to approve the amendments to District Rule 7.2 (Enforcement of Desired Future Conditions) as presented. The motion passed with one Director Opposing (Tom McDonald) and no vote Kent Watson.

No action was taken on adoption on static water level measurement protocol.

Regular Board Meeting

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment

a) Non-agenda items

b) Agenda items

John M. Fultz, Attorney for Lake Limestone Coves

John Melvin, Brazos Valley Groundwater Rights Association


1. Discussion and possible action on the Minutes from the June 9, 2016 Public Permit Hearing/ Regular Board Meeting. **A motion was made by Bryan F. Russ, Jr., second by Mark J. Carrabba to approve the Minutes from the June 9, 2016 Public Permit Hearing and Regular Board Meeting as presented attaching documents presented by John Fultz and David Stratta. The motion passed unanimously with Jan A. Roe abstaining.**
2. Review and authorization of payments made for services rendered for the month of June 2016. **A motion was made by Kent Watson, second by Bryan F. Russ, Jr., to approve the authorization of payments made for services rendered for the month of June 2016 as presented. The motion passed unanimously.**
3. Financial Report. **A motion was made by Jan A. Roe, second by Pete Brien to approve the financial reports for the month of June 2016 as presented. The motion passed unanimously.**
4. Discussion and possible action on amending budgeted expenditures within the 2015 District budget including (1) Professional Services – Engineering/Hydrologist and (2) Professional Services - ArcGIS. **A motion was made by Pete Brien, second by Mark J. Carrabba to approve amending the budgeted expenditures within the 2015 District budget as presented. The motion passed unanimously.**
5. Presentation of the 2015 Audit by Russell Armagost, CPA from Durst, Milberger, Nesbitt, and Ask, LLP. **Russell Armagost presented the Board with the 2015 Audit. (see attached)**
6. Discussion and possible action on the adoption of the 2015 Audit. **A motion was made by Jan A. Roe, second by Tom McDonald to adopt the 2015 Audit as presented. The motion passed unanimously.**
7. Discussion and possible action on amending budgeted expenditures within the 2016 District budget including (1) Professional Services – Engineering/Hydrology, (2) Professional Services – ArcGIS Program/Hosting and (3) Well Plugging Program. **A motion was made by Mark J. Carrabba, second by Pete Brien for approval of the additional funds to be added to the 2016 Budget as presented. The motion passed unanimously.**
8. Discussion and possible action on bids received on the possible renovation and remodeling of the District Office. **No action taken on this agenda item.**

9. Executive Session: Texas Government Code §551.071—to seek or receive attorney advice on pending or contemplated litigation and attorney-client privileged legal matters regarding the location of wells and jurisdiction of the Brazos Valley Groundwater Conservation District related to the following District-issued permits: BVHU-0302, BVOP-0134, BVHU-0303, BVOP-0135, including but not limited to surveys of Robertson and Limestone county lines and legal authority to determine county boundaries.
10. Discussion and possible action regarding the location of wells and jurisdiction of the Brazos Valley Groundwater Conservation District related to the following District-issued permits: BVHU-0302, BVOP-0134, BVHU-0303, BVOP-0135, including but not limited to surveys of Robertson and Limestone County lines and legal authority to determine county boundaries. **A motion was made by Jan A. Roe, second by Mark J. Carrabba that no action be taken with regards to the Lake Limestone Coves permits and any funds that have been submitted to the district for application to a survey be returned.**
11. General Manager's Report
 - Drought Monitor Report
 - Monitoring Well Report
 - Wells permitted pursuant to District Rule 8.3(j)
 - District Activities
 - Management Plan Update

Alan M. Day, General Manager presented and briefed the Board with reports listed above.

12. Discussion and possible future agenda items.
13. Adjournment

Signed this 11th, day of August, 2016.


Mark J. Carrabba
Secretary, BVGCD

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**