



Minutes

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

Public Rules Hearing, Permit Hearing and Regular Board Meeting Thursday, May 11, 2017 at 2:00 p.m.

Vice-President Mark J. Carrabba called the Public Permit Hearing's and Regular Board Meeting to order at 2:00 p.m.

Directors present: Mark J. Carrabba Vice-President
David Stratta Secretary
Stephen Cast Treasurer
Jayson Barfknecht Director
Pete Brien Director
Bill L. Harris Director

Absent: Jan A. Roe President
Bryan F. Russ, Jr. Director

Staff present: Alan M. Day General Manager
Monique Norman Attorney
Cynthia Lopez Office Manager
Megan Haas Ed. Coordinator / Water Resource Specialist

Public Rules Hearing

Call Permit Hearing to order
Declare quorum present
Public Comment
a) Non-agenda items
b) Agenda items

Discussion and Possible action on:

The proposed District Rule amendment relates to implementation of rules regarding §36.002(d)(1) and §36.101(a) of the Texas Water Codes addressing exceptions to spacing requirements of new non-exempt wells from existing wells to allow the new well owner to produce their production based acreage. **No action was taken.**

Adjourn Rules Hearing

Public Permit Hearing Permits

Discussion and possible action of the following **Operating Permit Application:**

- **One (1) existing well for Knife River Corporation Well #3 (BVOP-0277)** located at N 30.61234072° W 96.47897341° 2.32 miles SW of the intersection of Goodson Bend Road and Texas Hwy 47 in Brazos County for Industrial use. Total maximum annual production from the well will be 150 acre feet. The well will produce from the Sparta Aquifer.

Discussion and possible action of the following **Drilling/Operating Permit Application:**

- **One (1) new well for Louise Grigsby Well #15 (BVDO-0216)** located at N 30.957939° W 96.755755° 4.03 miles W of the intersection of FM 1644 and Wildcat Bridge Road in Robertson County for Agricultural use. Total maximum annual production from the well will be 500 acre feet. The well will produce from the Brazos River Alluvium Aquifer. **A motion was made by Bill L. Harris, second by, David Stratta to approve permit applications for Knife River Corporation Well #3 and Louise Grigsby Well #15 as presented. The motion passed with Pete Brien, abstaining from the Louise Grigsby application.**

Adjourn Permit Hearing

Regular Board Meeting

Pledge of Allegiance

Public Comment

- a) Non-agenda items
- b) Agenda items

1. Discussion and possible action on the Minutes from the April 13, 2017 Public Permit Hearing/ Regular Board Meeting. **A motion was made by David Stratta, second by Jayson Barfknecht, to approve the Public Permit Hearing's and Regular Board meeting minutes for April 13, 2017 as presented. The motion passed unanimously.**
2. Review and authorization of payments made for services rendered for the month of April 2017. **A motion was made by Bill L. Harris, second by David Stratta, to approve the authorization of payments made for April 2017 as presented. The motion passed unanimously.**
3. Financial Report. **A motion was made by Pete Brien, second by David Stratta, to approve the financial reports as presented for the month of April 2017. The motion passed unanimously.**
4. Discussion and possible action on declaring of the Gulf Coast Aquifer non-relevant in the Brazos Valley Groundwater Conservation District for the 2016-2017 GMA 12 joint planning of the desired future conditions. **A motion was made by Bill L. Harris, second by Pete Brien, to declare the Gulf Coast Aquifer, within the boundaries of the BVGCD, non-relevant for the current cycle of desired future conditions planning. The motion passed unanimously.**
5. Discussion and possible action on proposing a method for groundwater production projects to be included in the Brazos G Regional Water Plan under the MAG Peak Planning Factor provision. **No action on this agenda item.**
6. Discussion and possible action on developing and updating Board positions on legislation filed during the 85th Legislative Session with potential impact on the District and legislative update. **A motion was made by Bill L. Harris, second by Pete Brien, to support HB31 by Larson, HB2377 by Larson, HB3166 by Lucio, HB3417 by King, HB4122 by Kacal and SB1392 by Perry. The motion passed unanimously.**

7. Executive session: Texas Government Code 551.071 - To discuss a complaint filed against The City of Bryan Operating Permit BVDO-0003. **(Executive Session 3:24 p.m. – 3:40 p.m.)**
8. Discussion and possible action on matters relating to a complaint filed against The City of Bryan Operating Permit BVDO-0003. **A motion was made by David Stratta, second by Pete Brien, to hold the State Office of Administrative Hearings (SOAH) meetings regarding the complaint on BVDO-0003 in Austin, Texas. The motion passed unanimously. A second motion was made by Pete Brien, second by David Stratta, to allow State Office of Administrative Hearings (SOAH) to decide which party will pay for the court reporter and transcript fees. The motion passed unanimously.**
9. General Manager's Report
 - Drought Monitor Report
 - Wells permitted pursuant to District Rule 8.3(j)
 - District Activities
 - Management Plan Update

Alan Day, general manager and Megan Haas, Education Coordinator/ Water Resource Specialist presented the Board reports listed above. (see attached)

10. Discussion and possible future agenda items.
11. **David Stratta made a motion, second by Pete Brien, to adjourn the meeting. Board Meeting adjourned at 3:38 p.m.**

Signed this 8th day of June, 2017



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**