

## **BEACH CITY COUNCIL**

### **SPECIAL CALLED MEETING**

The Beach City Council met for a Special Called Meeting Monday February 5<sup>th</sup>, 2007 at the Beach City Community Building. Those present were:

**MAYOR:** Guido Persiani

**MAYOR PRO TEM:** Rita Standridge

**ALDERMAN:** Douglas Walker

Vaughn Bercaw

Ray Smith

Tommy Clayton

**CITY ATTORNEY:** Daniel Jackson

**CITY SECRETARY:** Margaret Gainer

Mayor Persiani called the meeting to order at 7:08 P.M. Tuesday February 5<sup>th</sup>, 2007.

#### **I. Review and act upon Resolution No. 2007- 1 to protest Masters Resources Application for Commercial Injection Well.**

Mayor Persiani had those present introduce themselves and said he assumes they are here for this subject. He asked them to tell council where they live in relationship to the well. Those present were Mr. Jerry Johnson who lives in North Point and he has been reading e-mails about it and he wanted to know more about it. Tracy Lippe, President of the North Point Home Owners Assoc. was present and was very concerned and is here to get more information. Wayne and Donna Hanna were present. Donna Hanna has an environmental background and she is serious about what they are talking about injecting the entire water level, she's concerned about our water safety.

Mayor Persiani went on to say that through some e-mails he sent some bullet points to Attorney Jackson and he worked up Resolution 2007-1, a combination of Chambers County Commissioners Court Resolution and the bullet points intermingled with it.

Mayor Persiani asked if Council if they had any questions before he read the Resolution. Alderman Standridge asked if this was the same Resolution that the County adopted. Mayor Persiani said it was exactly the same plus. Alderman Bercaw asked what the well was designated as. Mayor Persiani said it was a private injection well. Alderman Smith asked if anyone asked these folks why they by passed the City of Beach City, do they claim it was an error. Mayor Persiani called Susie Frost as her name was on the application, after he called the consultant because in the paper work that they sent us there was a little more paper work than the homeowners got. In that paper work he noticed that we weren't there. He called Ms. Frost and she said, "Gee we missed it". The mayor tried to talk to the consultant again but he did not respond to his phone call. When he talked to Ms. Frost again she said she told him not to respond that she didn't give them the City. The Mayor didn't really care whose mistake it was, he thinks it was pathetic on both parties part. The other major piece was; in the application there was attached a sheet with a List of Exploration and Production Waste. He said she told him, " we did not circle produced water, and it was an

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error on their part". The Mayor said it means nothing to him, the application is incorrect. The Railroad Commission should reject it and tell them to re-submit.

Mayor Persiani said then in talking about the aquifer and our concern because that's the lifeblood of this city, our property values and livelihoods are here. Ms. Frost said we could see in other documentation that their well is going down to 5,000 ft. and really the lowest aquifer possibly could be at 1,000 ft. She went on to say that if there were a hearing it would be held in Austin. The Mayor told her that would be inconvenient. She said it could be in Houston, she wouldn't attend, it would be the attorneys and that is why in the resolution you see that it is saying it should be here.

Alderman Smith asked Attorney Jackson if he had any concerns with this, the way it is presented. He answered he thinks the way it was presented was sloppy, he didn't know if that was intentional or not. He went on to say that under the rules of the Texas Railroad Commission you have to send them a completed application and this is not a complete application or a correct application so they should reject it and send them another application to clearly correct the situation.

Mayor Persiani said the purpose here is to have a resolution that communicates to the Railroad Commission, based on all the "whereas" what we want to do. What we are trying to do is to get them to reject the application due to flaws and provide us with all the information that goes with any application. Another thing is the new application is coming through; we still oppose a commercial well, changing it from private to commercial.

Mayor Persiani read Resolution 2007 - 1. After a few changes and corrections there was a general discussion.

MOTION made to adopt Resolution No. 2007-1 as written with the corrections as stated.

MOTION: Walker  
hands.

SECONDED: Clayton

Vote by show of  
Approved: 5 - 0

## II. Adjourn

Mayor Persiani adjourned the meeting at 8:00 P.M. Tuesday February 5<sup>th</sup>, 2007.

ATTEST TO:

  
Margaret Gainer  
City Secretary

APPROVED BY:

  
Guido Persiani  
Mayor