



## Minutes

### **BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT Rules Hearing, Public Permit Hearing and Regular Board Meeting Thursday, October 12, 2023 at 2:00 p.m.**

**Jayson Barfknecht called the meeting to order at 2:00 p.m.**

Directors present:	Jayson Barfknecht	Vice President
	Mark Carrabba	Director
	Gary Mechler	Director
	John Elliott	Director
	Jeff Kennedy	Secretary
	Chris Zeig	Treasurer
Directors Absent:	Stephen Cast	President
	David Stratta	Director
Staff present:	Alan M. Day	General Manager
	Megan Lamb	Education Coordinator
	James Beach	Hydrologist

#### **Public Permit Hearing**

Call Permit Hearing to order

Declare quorum present.

Public Comment –

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

3. Discussion and possible action on the following Operating Permit Amendment Applications:

- **Two (2) existing Operating permit for William T. Martin:**

Well #1 (**BVDO-0218**) Located at: N 30.70447827° W 96.31908579° 0.42 miles ENE of the intersection of Old Reliance Road and Austin's Estate Drive in Brazos County. Total maximum annual production from the water well is 150 ac-ft/yr at a maximum rate of 150 gpm for Agricultural use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) year to five (5) years and amending the beneficial use to Agricultural use. The well produces from the Sparta Aquifer.

Well #2 (**BVDO-0219**) Located at: N 30.70045502° W 96.31441336° 0.62 miles E of the intersection of Old Reliance Road and Austin's Estate Drive in Brazos County. Total maximum annual production from the water well is 150 ac-ft/yr at a maximum rate of 150 gpm for Agricultural use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) year to five (5) years and amending the beneficial use to Agricultural use. The well produces from the Sparta Aquifer. **A motion was made by Gary Mechler, second by Mark Carrabba to approve the amendments to two (2) existing Operating permits BVDO-0218 & BVDO-0219 for William T. Martin extending the permit term from one (1) year to five (5) years and changing beneficial use to Agricultural. The motion passed unanimously.**

- **One (1) existing Operating permit for Andy Dang:**

Well #1 (**BVDO-0358**) Located at: N 30.99068860° W 96.56284228° 0.85 miles ESE of the intersection of Jack Brewer Road and FM 1644 in Robertson County. Total maximum annual production from the water well is 20 ac-ft/yr at a maximum rate of 70 gpm for Agricultural use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) year to five (5) years. The well produces from the Calvert Bluff Aquifer. **A motion was made by Chris Zeig, second by John Elliott to approve the amendment of one (1) existing Operating permit BVDO-0358 for Andy Dang extending the permit term from one (1) year to five (5) years. The motion passed unanimously.**

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

- **One (1) new permit for Midwest Poultry Services LP**

Well #5 (**BVDO-0415**) Located at: N 30.800464° W 96.247246 0.26 miles ENE of the intersection of Fickey Road and E. SH-21 in Brazos County. Total maximum annual production from the well is 242 ac-ft/yr at a maximum rate of 150 gpm for Agricultural use. The well will produce from the Sparta Aquifer. **A motion was made by John Elliott, second by Chris Zeig to approve one (1) new Drilling/Operating permit BVDO-0415 for 242 ac-ft/yr at a maximum rate of 150 gpm in the Sparta aquifer for Agricultural use. The motion passed unanimously.**

5. Adjourn Permit Hearing

**Regular Board Meeting**

Call meeting to order

Pledge of Allegiance

Public Comment

a) Non-agenda items

b) Agenda items –

1. Discussion and possible action on minutes of the September 14, 2023 Permit Hearing & Regular Board Meeting. **A motion was made by Chris Zeig, second by John Elliott to approve the minutes of the September 14, 2023 Rules Hearing, Permit Hearing & Regular Board Meeting as presented to the Board. The motion passed unanimously.**
2. Financial Report for the month of September 2023. **A motion was made Chris Zeig, second by Gary Mechler to approve the Financial Report for the month of September 2023 as presented to the Board. The motion passed unanimously.**
3. Discussion and possible action on the Education/Conservation Committee recommendation to re-adopt the District Water Conservation Plan. **A motion was made by John Elliott, second by Chris Zeig, to re-adopt the District Water Conservation Plan as presented to the Board. The motion passed unanimously.**

4. Discussion and possible action on the Education/Conservation Committee recommendation to re-adopt the District Drought Contingency Plan. **A motion was made by Chris Zeig, second by Mark Carrabba, to re-adopt the District Drought Contingency Plan as presented to the Board. The motion passed unanimously.**
5. Discussion and possible action on the Personnel Committee recommendation for contracted services for FY2024. **A motion was made by Gary Mechler, second by Jayson Barfknecht to approve the Personnel Committee recommendations for contracted services for FY2024 as presented to the Board. The motion passed unanimously.**
6. Discussion and possible action on Resolution 10-12-23.6 relating to suggested revisions to the District Personnel Policy by the Personnel Committee. **A motion was made by Jeff Kennedy, second by Chris Zeig to approve the Resolution 10-12-23.6 on the revisions to the District Personnel Policy as presented to the Board. The motion passed unanimously.**
7. Presentation and discussion of the draft FY2024 District Operating Budget by the Budget/Finance Committee. **No action taken.**
8. Presentation and discussion on a recommendation by the Budget/Finance Committee for the proposed FY2024 water production fee schedule. **No action taken.**
9. Discussion regarding how the District will handle DFC consideration factors 1, 2, and 3 during the current DFC planning round. **No action taken.**
  - (1) *aquifer uses or conditions within the management area, including conditions that differ substantially from one geographic area to another;*
  - (2) *the water supply needs and water management strategies included in the state water plan;*
  - (3) *hydrological conditions, including for each aquifer in the management area the total estimated recoverable storage as provided by the executive administrator, and the average annual recharge, inflows, and discharge;*
10. Discussion and possible action related to co-sponsorship of a GMA 12 Groundwater Summit during 2024. **No action taken.**
11. Election of a new Secretary for the District Board of Directors. **A motion was made by John Elliott, second by Mark Carrabba nominating Jeff Kennedy for Secretary to the District Board. The motion passed.**
12. General Manager's Report, **Alan Day, General Manager, gave an update to the Board on the reports listed below.**
  - a) Drought Monitor Report
  - b) Wells permitted pursuant to District Rule 8.3(j)
  - c) GMA 12 DFC Update
  - d) District Business & Activities
  - e) Management Plan Update
13. Discussion and possible future agenda items.

14. Adjourn

**Signed this 16th day of November 2023**

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***Jeff Kennedy, 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**

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