



**Minutes**  
**BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT**  
**112 W. 3<sup>rd</sup> Street**  
**Hearne, Texas 77859**  
**Thursday, November 14, 2019 at 2:00 p.m.**

**Jan A. Roe, President, called the Public Permit Hearing and Regular Board Meeting to order at 2:00 p.m.**

Directors present:	Jan A. Roe	President
	Mark Carrabba	Vice-President
	Stephen Cast	Treasurer
	Linda Pecina	Secretary
	Jayson Barfknecht	Director
	Pete Brien	Director
	Bill L. Harris	Director
	David Stratta	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Megan Haas	Education Coordinator
	Monique Norman	Attorney

**Public Permit Hearing**

Call Permit Hearing to order  
Roll call of members present  
Public Comment

- a) Non-agenda items – **No comments from the public**
- b) Agenda items (1) – **No comments from the public**

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

- **One (1) existing well for OGC CNO JV, LLC – Well #1 (BVDO-0260) - Located at:**  
N 30.54084952° W 96.26464687° 0.36 miles W of the intersection of Arrington Road and Diamondback Drive in Brazos County. The 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 Yegua-Jackson Aquifer. **Motion made by Mark Carrabba, second by Pete Brien to approve the permit amendment. The motion passed unanimously.**

**One (1) existing well for Sanderson Farms – Franklin Feed Mill Well #2 (BVDO-0269) - Located at:** N 31.090972° W 96.400139° 1.35 miles W of the intersection of FM 2069 and S Hwy 79 Robertson County. The 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 Simsboro Aquifer. **Motion made by Bill Harris, second by Linda Pecina to approve the permit amendment. The motion passed unanimously.**

4. Discussion and possible action on the following **Historic Use & Operating Permit Amendment:**

**One (1) existing well for Sanderson Farms - Franklin Feed Mill Well #1 (BVHU-0026 and BVOP-0133)** Located at: N 31.09126434° W 96.39996420° 1.33 miles SW of the intersection of FM 2096 and S. Hwy 79 in Robertson County. The well produces from the Simsboro Aquifer. The applicant requests the aggregation of this well with one (1) new existing Simsboro well (**BVDO-0269**). No additional production is requested. **Motion made by Bill Harris, second by Pete Brien to approve the permit(s) amendment. The motion passed unanimously.**

5. Adjourn Permit Hearing

**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 October 10, 2019 Public Permit Hearing and Regular Board Meeting. **A motion was made by David Stratta, second by Mark Carrabba to approve the minutes of Public Permit Hearing and Regular Board Meeting for October 10, 2019 as presented. The motion passed unanimously.**
2. Review and ratification of payments made for services rendered for the month of October 2019. **A motion was made by Mark Carrabba, second by Bill Harris to approve the ratification of payments made for the month of October 2019. The motion passed unanimously.**
3. Financial Reports – October, 2019. **A motion was made by Pete Brien, second by Mark Carrabba to approve the financial report for the month of October 2019 as presented. The motion passed unanimously.**
4. Discussion and possible action regarding engagement of legal counsel. **A motion was made by Bill Harris, second by Jayson Barfknecht to approve Monique Norman as legal counsel and encourage the general manager to work out the contract details. Pete Brien moved to amend the motion to bring the two top ranking applicants in for interviews with the full board, second by David Stratta. A roll call vote was taken for the amended motion. (For: David Stratta, Pete Brien, Linda Pecina, Jan Roe. Against: Jayson Barfknecht, Mark Carrabba, Stephen Cast, Bill Harris). The motion failed due to a 4-4 tie vote. Bill Harris called for the question on the original motion to retain Monique Norman as continuing legal counsel. A roll call vote was taken on the motion. (For: Jayson Barfknecht, Mark Carrabba, Stephen Cast, Linda Pecina, Bill Harris, Jan Roe. Against: David Stratta, Pete Brien). The motion carried 6-2.**
5. Discussion and possible action on Resolution 11-14-19.5 to adopt the water production fee schedule for 2020. **A motion was made by Jayson Barfknecht, second by Pete Brien to**

**adopt the fee schedule as it currently exists with no increases for FY 2020. The motion passed 7-1 with Stephen Cast opposed.**

6. Discussion and possible action on the adoption of the 2020 District budget. **This agenda item was tabled for the next board meeting.**
7. General Manager's Report
  - a) Drought Monitor Report
  - b) Wells permitted pursuant to District Rule 8.3(j)
  - c) GMA 12 Regional Water Planning Update
  - d) Legislative Update
  - e) District Business & Activities
  - f) Management Plan Updates

**Alan Day, presented the Board with the reports listed above.**

8. Discussion and possible future agenda items.
9. Adjourn, Mark Carrabba moved for adjournment, second by Pete Brien.

**Signed this 5<sup>th</sup> day of December, 2019**

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**Linda Pecina, 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**