



Minutes
BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT
Regular Board Meeting
Thursday, May 16, 2024 at 2:00 p.m.

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

Directors present:	Jayson Barfknecht	President
	Gary Mechler	Vice-President
	Jeff Kennedy	Secretary
	Chris Zeig	Treasurer
	Mark Carrabba	Director
	John Elliott	Director
	Lisa Rolke	Director
Absent:	Stephen Cast	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Megan Lamb	Education Coordinator
	Monique Norman	Attorney
	James Beach	Hydrologist
	Chris Drabek	Hydrologist

Public Permit Hearing

Call Permit Hearing to order
Roll call of members present

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

• **Two (2) existing Operating permits for Wildfire Energy LLC:**

Well #1 (**BVOP-0291**) Goanna FW #1: Located at: N 30.969879905° W 96.31230313° 0.77 miles SSW of the intersection of Merka Dr. and Old Reliance Road in Brazos County. Total maximum annual production from the water well is 120 ac-ft/yr at a maximum rate of 150 gpm for Industrial use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) to five (5) years. The well produces from the Sparta Aquifer.

Well #2 (**BVOP-0292**) Goanna FW #2: Located at: N 30.69507678° W 96.31425752° 0.74 miles ESE of the intersection of Austin's Estates Dr. and Old Reliance Road in Brazos County. Total maximum annual production from the water well is 120 ac-ft/yr at a maximum rate of 150 gpm for Industrial use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) to five (5) years. The well produces from the Yegua-Jackson Aquifer. **A motion was made by Chris Zeig, second by Mark Carrabba to approve the Operating permit amendments for Wildfire Energy LLC lengthening the existing operating permit term for BVOP-0291 and BVOP-0292 to five (5) years as presented to the Board. The motion passed unanimously.**

3. Adjourn Permit Hearing

Regular Board Meeting

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment

a) Non-agenda items –

b) Agenda items – # 4&5 Transport Permits, **Nick Lutz, Lorrie Hard for Cathy Gaas, Mark Hoelscher, Brad Ely (see attached written comments)**

1. Discussion and possible action on the minutes of the April 11, 2024 Permit Hearing & Regular Board Meeting. **A motion was made by Mark Carrabba, second by Gary Mechler to approve the minutes of the April 11, 2024 Permit Hearing and Regular Board Meeting as presented to the Board. The motion passed unanimously.**
2. Financial Report – April 2024. **A motion was made by Gary Mechler, second by Lisa Rolke to approve the Financial Reports for the month of April 2024 as presented to the Board. The motion passed unanimously.**
3. Executive Session:
 - Texas Government Code 551.071 – To receive attorney-client privileged information regarding pending transport permit applications for groundwater from the Simsboro Aquifer.
 - Texas Government Code 551.071 - To receive attorney-client privileged information regarding the drilling of City of Calvert Well #7 (BVDO-0320) under the District's Water Well Assistance Agreement with Permittee UW Brazos Valley Farm, LLC.
 - Texas Government Code 551.071 and 551.072 - To receive attorney-client privileged information and to deliberate on matters concerning real property.
4. Discussion and possible action on processing of pending transport permit applications for groundwater from the Simsboro Aquifer. **A motion was made by Jeff Kennedy, second by Chris Zeig to set the date for the Transport Permit Hearing on June 18, 2024 at the Hearne Elementary School Cafeteria at 6:00 p.m. The motion passed unanimously.**
5. Discussion and possible action regarding the drilling of City of Calvert Well #7 (BVDO-0320) under the District's Water Well Assistance Agreement with Permittee UW Brazos Valley Farm, LLC. **A motion was made by Jeff Kennedy, second by John Elliott to approve the authorization to reimburse City of Calvert for first phase expenditures related to the Well #7 project and any fees related to Texas Commission on Environmental Quality (TCEQ) permitting process. The motion passed unanimously.**
6. Discussion and possible action on matters concerning real property. **No action taken.**

7. General Manager's Report - **Alan Day, General Manager, gave the Board a brief update on the items listed below.**
 - a) Drought Monitor Report
 - b) Wells permitted pursuant to District Rule 8.3(j)
 - c) Simsboro Mitigation Management Zone Update
 - d) GMA 12 DFC Update
 - e) District Business & Activities
 - f) Management Plan Update
8. Discussion and possible future agenda items.
 - **Compliance of DFC's**
9. Adjourn @ 4:45 p.m.

Signed this 11th day of July 2024

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**