



Agenda

**BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT
Regular Board Meeting
District Office
112 W. 3rd Street – Hearne, Texas
Thursday, August 8, 2024 – 2:00 p.m.**

Notice is given that the Board of Directors of the Brazos Valley Groundwater Conservation District will hold a Regular Board Meeting on Thursday, August 8, 2024 @ 2:00 p.m. in the District Office.

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 of the July 11, 2024 Regular Board Meeting.
2. Financial Report – July 2024
3. Executive Session:
 - Texas Government Code 551.071 – To receive attorney-client privileged information regarding District rule amendments including, but not limited to, amendments to District Rules 2.2, 5.2(f) & (g), 6.1, 6.2, 7.1(c), 8.1, 8.3(h) & (j), 8.4, 8.5(b), 8.7, 8.8, 8.9, 9.1, 10.3, 10.4(d), 14.2, 14.3.5, 14.4, 14.6, and Section 16.
 - Texas Government Code 551.071 – To receive attorney-client privileged information regarding Board actions taken during the following regular Board meetings that were properly noticed under the District Rules, but were later determined to lack a quorum: February 9, 2023, March 9, 2023, June 8, 2023, August 10, 2023, September 14, 2023, October 12, 2023, November 16, 2023, May 16, 2024, and June 3, 2024.
 - 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 2024 & 2025 export permit fee structure.
4. Discussion and possible action, following noticed Public Rules Hearing, on proposed District rule amendments including, but not limited to, amendments to District Rules 2.2, 5.2(f) & (g), 6.1, 6.2, 7.1(c), 8.1, 8.3(h) & (j), 8.4, 8.5(b), 8.7, 8.8, 8.9, 9.1, 10.3, 10.4(d), 14.2, 14.3.5, 14.4, 14.6, and Section 16.

5. Discussion and possible action on the ratification of Board actions taken during the following regular Board meetings that were properly noticed under the District Rules, but were later determined to lack a quorum: February 9, 2023, March 9, 2023, June 8, 2023, August 10, 2023, September 14, 2023, October 12, 2023, November 16, 2023, May 16, 2024, and June 3, 2024. The listed past agenda items to be voted on are attached to this notice.
6. Discussion and possible action on the following pending aggregated transport permit applications for groundwater from the Simsboro Aquifer: (BVTP-002) for RH2O LLC; (BVTP-003) for Clifford A. Skiles III; (BVTP-004) for James C. Brien; (BVTP-005) for L. Wiese Moore LLC; (BVTP-006) for Fazzino Investments LP; (BVTP-007) for Ely Family Partnership LP; and (BVTP-008) for Cula d'Brazos LLC, all of whom are co-applicants with UW Brazos Valley Farm LLC.
7. Discussion and possible action on matters involving GMA 12 including but not limited to submitting revised pumping files to GMA 12 for consideration during the fourth round of Desired Future Conditions planning and individual district financial responsibility regarding the Explanatory Report.
8. General Manager's Report
 - 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
9. Discussion and possible future agenda items.
10. Adjourn

Signed this 5th day of August 2024


Alan M. Day, General Manager

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**

Thursday, February 9, 2023 – 2:00 p.m.

1. Discussion and possible action on minutes of the January 12, 2023 Regular Board Meeting. **The motion passed.**
2. Financial Report for the month of January 2023. **The motion passed.**
3. Discussion and possible action related to signatories on Certificates of Deposit purchased for the District by the District Investment Officer at Prosperity Bank, SouthStar Bank, and Truist Bank. **The motion passed.**
4. Discussion and possible action on recommendations by the Budget/Finance Committee relating to revisions to the District Bylaws addressing protocol for obtaining quotes for work to be performed for the District and purchasing. **The motion passed.**
5. Presentation, discussion, and possible action of the 2022 District Annual Report. **The motion passed.**
6. Discussion and possible action on the purchase of continuous water level monitoring devices and related equipment from the District Well Assistance Fund. **The motion passed.**

Thursday, March 9, 2023 at 2:00 p.m.

1. Discussion and possible action on minutes of the March 9, 2023 Permit Hearing & Regular Board Meeting. **The motion passed.**
2. Financial Report for the month of March 2023. **The motion passed.**
3. Discussion and possible action on a recommendation by the Education/Conservation Committee related to presentation of a District Groundwater Conservationist of the Year Award. **The motion passed.**
4. Discussion and possible action on approving an addendum to the 2023 District Operating Budget detailing vendors and expenditures by budget line item. **The motion passed.**
5. Discussion and possible action on revisions to the water level measurement protocol when using an electric line or steel tape. **The motion passed.**

Thursday, June 8, 2023 at 2:00 p.m.

1. Discussion and possible action on minutes of the May 11, 2023 Permit Hearing & Regular Board Meeting. **The motion passed.**
2. Financial Report for the month of May 2023. **The motion passed.**
- 3.
4. Discussion and possible action approving a study of groundwater/surface water interaction in the segment of the Brazos River bordering Robertson, Milam, Brazos, and Burleson counties. **The motion passed.**
5. Discussion and possible action to amend the 2023 District Operating Budget related to grant funding. **The motion passed.**
6. Discussion and possible action on draft proposed revision to the District Management Plan for submission to the Texas Water Development Board for preapproval and related to the five-year mandatory update of the Plan by November 30, 2023. **The motion passed.**
- 7.

Thursday, August 10, at 2:00 p.m

1. Discussion and possible action on minutes of the July 13, 2023 Permit Hearing & Regular Board Meeting. **The motion passed.**
2. Financial Report for the month of July 2023. **The motion passed.**
3. Discussion and possible action on an application by the City of Hearne to amend operating permits BVHU-0011, BVHU-0012, BVHU-0013, & BVHU-0014 increasing the rate of production from currently permitted amounts to actual production rates under District Rules 11.1(b) and 11.1(e). **The motion passed.**
- 4.
5. Discussion and possible action approving the creation of an Interlocal Agreement among GMA 12 members detailing the scope of work and financial responsibilities of each member. **The motion passed.**

Thursday, September 14, at 2:00 p.m.

1. Discussion and possible action on minutes of the August 10, 2023 Permit Hearing & Regular Board Meeting. **The motion passed.**
2. Financial Report for the month of August 2023. **The motion passed.**

3. Discussion and possible action on amending the 2023 District Operating Budget related to Engineering/Hydrogeological Services. **The motion passed.**

4. **Thursday, October 12, 2023 at 2:00 p.m**

1. Discussion and possible action on minutes of the September 14, 2023 Permit Hearing & Regular Board Meeting. **The motion passed.**
2. Financial Report for the month of September 2023. **The motion passed.**
3. Discussion and possible action on the Education/Conservation Committee recommendation to re-adopt the District Water Conservation Plan. **The motion passed.**
4. Discussion and possible action on the Education/Conservation Committee recommendation to re-adopt the District Drought Contingency Plan. **The motion passed.**
5. Discussion and possible action on the Personnel Committee recommendation for contracted services for FY2024. **The motion passed.**
6. Discussion and possible action on Resolution 10-12-23.6 relating to suggested revisions to the District Personnel Policy by the Personnel Committee. **The motion passed.**
- 7.
- 8.
- 9.
- 10.
11. Election of a new Secretary for the District Board of Directors. **The motion passed.**

Thursday, November 16, 2023 at 2:00 p.m.

1. Discussion and possible action on minutes of the October 12, 2023 Permit Hearing & Regular Board Meeting. **The motion passed.**
2. Financial Report for the month of October 2023. **The motion passed.**
3. Discussion and possible action on Resolution 11-16-23.3 to adopt the revised District Management Plan prepared for the Texas Water Development Board and required under Chapter 36 of the Texas Water Code. **The motion passed.**
4. Discussion and possible action on the adoption of the FY2024 District Operating Budget. **A motion was made by Jayson Barfknecht, second by Jeff Kennedy to approve the adoption of the FY2024 District Operating Budget as presented to the Board. The motion passed unanimously.**
5. Discussion and possible action on Resolution 11-16-23.5 setting the FY2024 water production and export fee schedule following a public hearing. **The motion passed.**
6. Discussion and possible action to adopt the state agency Prohibited Technologies Security Policy mandated by the passage of SB 1893 during the 88th Legislative Session. **The motion passed.**
- 7.

Thursday, May 16, 2024 at 2:00 p.m.

1. Discussion and possible action on the minutes of the April 11, 2024 Permit Hearing & Regular Board Meeting. **The motion passed.**
2. Financial Report – April 2024. **The motion passed.**
- 3.
4. Discussion and possible action on processing of pending transport permit applications for groundwater from the Simsboro Aquifer. **The motion passed.**
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. **The motion passed.**
- 6.

Monday, June 3, 2024 at 10:00 a.m.

1. Discussion and possible action on authorizing the purchase of the H&R Block building located at 118 W 3rd Street in Hearne, Texas **The motion passed.**