



**Minutes**  
**BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT**  
**Regular Board Meeting**  
**District Office**  
**112 W 3<sup>rd</sup> Street - Hearne, Texas 77859**  
**Thursday, November 14, 2024 | 2:00 p.m.**

**Jayson Barfknecht, President called the meeting to order at 2:15 p.m.**

Directors present:	Jayson Barfknecht	President
	Gary Mechler	Vice-President
	Jeff Kennedy	Secretary
	Mark Carrabba	Director
	Stephen Cast	Director
	John Elliott	Director
	Lisa Rolke	Director
Director absent:	Chris Zeig	Treasurer
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Monique Norman	Attorney

**Regular Board Meeting**

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment:

- a) Non-Agenda Items, Paulina Williams, Attorney for UW Brazos Farm and Robertson County landowners
- b) Agenda Items

1. Discussion and possible action on the minutes of the October 10, 2024 Public Permit Hearing & Regular Board Meeting. **A motion was made by Mark Carrabba, second by John Elliott to approve the Minutes of the November 14, 2024 Public Permit Hearing and Regular Board meeting as presented to the Board. The motion passed unanimously.**
2. Financial Report – October 2024 **A motion was made by Gary Mechler, second by Lisa Rolke, to approve the financial report for the month of October 2024 as presented to the Board. The motion passed unanimously.**
3. Presentation and discussion of the draft 2025 District Operating & Capitals budgets. **No action taken.**
4. Discussion of FY2025 water production, export and administrative fee schedule. **No action taken.**

5. Discussion & possible action entering into a contract with GLS regarding engineering services associate with combining the H&R Block property and the District office. **A motion was made by Mark Carrabba, second by John Elliott to approve the GLS Engineering contract for design and construction administration as presented to the Board. The motion passed unanimously.**
6. Discussion and possible action to approve an Interlocal Agreement with all GMA 12 member districts to share in expenses incurred involving joint management planning and surrounding the adoption of the 2026 Desired Future Conditions. **A motion was made by Gary Mechler, second by Mark Carrabba to renegotiate the proposed Interlocal Agreement regarding financial responsibility assigned to each GMA 12 member as presented to the Board. The motion passed unanimously.**
7. Executive Session:
  - Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
    - pending 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; ongoing settlement discussions, and related mediation by the State Office of Administrative Hearings as required by District Board Order No. 1;
    - pending Writ of Mandamus filed by the Texas A&M University System in Brazos County District Court, Cause No. 24-002626-CV-472, and related petitions for interventions and declaratory judgment; and
    - water production, export, and administrative fees.
8. 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, ongoing settlement discussions, and related mediation by the State Office of Administrative Hearings as required by District Board Order No. 1. **No action taken.**
9. Discussion and possible action on the pending Writ of Mandamus filed by the Texas A&M University System in Brazos County District Court, Cause No. 24-002626-CV-472, and related petitions for interventions and declaratory judgment. **No action taken.**
10. General Manager's Report, **Alan Day, presented the Board with the reports 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 (GAM Run presentation for GMA 12)
- e) District Business & Activities
- f) Management Plan Update

11. Discussion and possible future agenda items.

12. Adjourn

**Signed this 12<sup>th</sup> day of December 2024**

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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**