



Minutes

BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

Public Hearing and Regular Board Meeting

District Office

112 W 3rd Street - Hearne, Texas 77859

Thursday, December 12, 2024 | 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
	Stephen Cast	Director
	Lisa Rolke	Director
Director absent:	John Elliott	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Megan Lamb	Education Coordinator
	Monique Norman	Attorney

Public Hearing District Fee Schedule Adoption – FY 2025

Call Permit Hearing to order

Roll call of members present

Public Comment:

- Paulina Williams, Attorney for UW Brazos Farm & Robertson County landowners, Ed McCarthy, Attorney, Cathy Gaas

Regular Board Meeting

Call meeting to order

Pledge of Allegiance

Declare quorum present

Public Comment:

- a) Agenda Items, Paulina Williams, Attorney for UW Brazos Farm & Robertson County landowners (#4), Ed McCarthy, Cathy Gaas, Lynn Sherman, Texas A&M, Attorney (#8)
- b) Non-Agenda Items

1. Discussion and possible action on the minutes of the November 14, 2024 Regular Board Meeting. **A motion was made by Mark Carrabba , second by Chris Zeig to approve the minutes of the November 14, 2024. Regular Board meetings as presented to the Board. The motion passed unanimously.**

2. Financial Report – November 2024. **A motion was made by Chris Zeig, second by Lisa Rolke, to approve the financial report for the month of November 2024, as presented to the Board. The motion passed unanimously.**
3. Presentation, discussion and possible action on the adoption of the proposed 2025 District Operating & Capital budgets. **A motion was made by Lisa Rolke, second by Chris Zeig to approve the proposed 2025 District Operating & Capital budgets as presented to the Board. The motion passed unanimously.**
4. Discussion and possible action on the adoption by resolution of FY2025 water production, export and administrative fee schedules following a public hearing. **A motion was made by Gary Mechler, second by Mark Carrabba to approve by resolution the FY2025 water production, export and administrative fee schedules as presented to the Board. The motion passed with one opposed, Director Chris Zeig.**
- 5.. Discussion & possible action entering a contract with Boenigk Masonry Inc. related to the repair of the western brick wall of the District Office. **A motion was made by Mark Carrabba, second by Chris Zeig to approve the contract with Boenigk Masonry Inc. allowing up to an additional \$3,000 above the contract amount for sealing of the wall. The motion passed unanimously.**
6. Discussion & possible action entering a contract with Sabrina T. Brown related to legislative consultant services during FY 2025. A motion was made by **Chris Zeig, second by John Elliott to approve the contract with Sabrina T. Brown for FY2025 as presented to the Board. The motion passed unanimously.**
7. Executive Session: @ 3:35 p.m.
 - 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 @ 4:09 p.m.

Signed this 9th day of January 2025

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**