



Minutes
BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT
Special Called Board Meeting
District Office
112 W 3rd Street - Hearne, Texas 77859
Tuesday, June 17, 2025 | 9:00 a.m.

Jayson Barfknecht, President called the meeting to order at 9:00 a.m.

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

Call meeting to order
Pledge of Allegiance
Declare quorum present
Public Comment

- a) Non-agenda items**
- b) Agenda items**

1. Executive Session: 9:02 a.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 contested permit applications for groundwater from the Simsboro Aquifer: (BVDO-0108, BVDO-0317) for Clifford A. Skiles III; (BVDO-0315, BVDO-0316) for James C. Brien; (BVDO-0377, BVDO-0378, BVDO-0379, BVDO-0380, BVDO-0381, BVDO-0382, BVDO-0383, BVDO-0384) for Ely Family Partnership LP; (BVDO-0385, BVDO-0386, BVDO-0387,

- BVDO-0388., BVDO-0389) for RH2O LLC; (BVDO-0394, BVDO-0395, BVDO-0396, BVDO-0397, BVDO-0398, BVDO-0399) for Fazzino Investments LP; (BVDO-0401, BVDO-0402) for L. Wiese Moore LLC; (BVDO-0408, BVDO-0409, BVDO-0410, BVDO-0411, BVDO-0412, BVDO-0413, BVDO-0414) for Cula d’Brazos LLC: and BVTP-001 for UW Brazos Valley Farm LLC;
 - 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 court filings;
 - District Rule 8.3 regarding the permitting of wells;
 - water production, export, and administrative fees; and
2. Discussion and possible action on items listed and deliberated in Executive Session, as noticed above in Agenda Item 1, including but not limited a Settlement and Release Agreement. **Executive Session open @ 9:34 a.m.**

A motion was made by Jayson Barfknecht, second by Lisa Rolke to approve the general concepts presented to the Board in Executive Session on June 17, 2025, of the Settlement and Release Agreement between the Brazos Valley Groundwater Conservation District (BVGCD) Board , it’s General Manager, Texas A&M University System, Brazos County, City of Bryan, and the City of College Station on the listed matters;

(1) and to instruct legal counsel and the General Manager to finalize the Full and Final Settlement Agreement to be presented to the Board for discussion and possible action at the next posted Board meeting.

3. Discussion and possible future agenda items.
4. Adjourn @ 9:45 am

Signed this 10th day of July 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**