



Minutes
BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT
Public Rules Hearing & Regular Board Meeting
District Office
112 W 3rd Street - Hearne, Texas 77859
Thursday, October 9, 2025 | 2:00 p.m.

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

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

Public Rules Hearing
LEGAL NOTICE

The **Brazos Valley Groundwater Conservation District (District)**, in compliance with Ch. 36, Tex. Water Code, will receive public comments on proposed amendments to the District Rules during a Public Rules Hearing at 2:00 p.m. on Thursday, October 9, 2025, at the District Office in Hearne, Texas (112 W. 3rd Street). The proposed rule amendments include, but are not limited to: statutory updates, joint planning, production limits on smaller tracts; permit exemptions, operating and transport permits requirements; and well completion reports. Complete copies of the current and proposed District Rules are available at <https://brazosvalleygcd.org> and the District Office.

No comments received either written or oral.
The Public Rules Hearing was adjourned.

Regular Board Meeting

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 September 11, 2025, Public Rules Hearing & Regular Board Meeting. **A motion was made by Mark Carrabba, second by Chris Zeig to approve the minutes of September 11, 2025 as presented to the Board. The motion passed unanimously.**
2. Financial Report – September 2025 **A motion was made by John Elliott, second by Lisa Rolke to approve the Financial Report for the month of September 2025 as presented to the Board. The motion passed unanimously.**
3. Discussion and possible action on Resolution 10-9-25.3 establishing a District Capitalization policy. **A motion was made by Mark Carrabba, second by Chris Zeig to adopt Resolution 10-9-25.3 establishing a District capitalization policy. The motion passed unanimously.**
4. Discussion and possible action on the Budget/Finance Committee recommendation for contracted services for FY 2026. **A motion was made by Jeff Kennedy, second by John Elliott to approve the Budget/Finance Committee recommendation for contracted services for FY2026. The motion passed unanimously.**
5. Presentation and discussion of the draft 2026 District Operating & Capital budgets.
6. Discussion of potential FY2026 water production, export and administrative fee schedules.
7. Executive Session: **Executive Session at 3:14 p.m.**
 - Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
 - pending lawsuit Fazzino Investments, LP v. Brazos Valley Groundwater Conservation District, CASE NO. 6:25-cv-00001, filed in the United States District Court for the Western District of Texas, Waco Division;
 - socioeconomic impact study for use in establishing 2026 Desired Future Conditions
 - establishing Desired Future Conditions for all aquifers within the boundaries of the BVGCD and related statutory considerations; and
 - District Rules
8. Discussion and possible action on the proposed revisions to the District Rules including but not limited to statutory updates, joint planning, production limits on smaller tracts; permit exemptions, operating and transport permit requirements; and well completion reports. subdivision, and other minor amendments. **A motion was made by Jayson Barfknecht, second by John Elliott to approve the rule revisions as we posted and presented to the Board with the changes noted and read by Monique Norman, attorney for the District. The motion passed unanimously.**
9. Discussion and possible action on items listed and deliberated in **Executive Session, as noticed above in Agenda Item 7. Executive Session open at 4:32 p,m,**

- Fazzino Investments LLC v. BVGCD
- Socioeconomic impact study for use in determining 2026 Desired Future Conditions
- Matters related to the adoption of Desired Future Conditions

A motion was made by Jayson Barfknecht, second by Chris Zeig to allow the District to engage with West Water Research to conduct a regional socioeconomic impact study for use in the Desired Future Conditions (DFC's) process and delegate the authority to the District's General Manager to negotiate and execute the agreement with the cost not to exceed \$200,000. The cost will ultimately be shared on a pro-rata basis with other stakeholders. The motion passed unanimously.

10. General Manager's Report, **Alan Day**, briefly gave the Board an update on the items listed below.
 - a) Drought Monitor Report
 - b) Wells permitted pursuant to District Rule 8.3(j)(1)
 - c) District Business & Activities
 - d) Management Plan Update
11. Discussion and possible future agenda items
12. Adjourn @ 4:41 p.m.

Signed this 13th day of November 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.

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Agenda items may be taken out of order at the discretion of the Board Chairman