Minutes
BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT
Regular Board Meeting
District Office
112 W 3rd Street - Hearne, Texas 77859
September 10, 2026 | 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
	Mark Carrabba	Director
	John Elliott	Director
	Lisa Rolke	Director
	Lewis Varvel	Director
	Campbell Young	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Kathy Polzar	Education Coordinator
	John Crabtree	Field Technician

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 August 13, 2026, Public Comment Hearing for 2026 Proposed Desired Future Conditions, Public Permit Hearing & Regular Board Meeting. **A motion was made by Mark Carrabba, second by John Elliott for approval of the August 13, 2026 minutes of the Public Comment Hearing for 2026 Proposed Desired Future Conditions, Public Permit Hearing & Regular Board Meeting. The motion passed unanimously.**

2. Financial Report – August 2026 **A motion was made by Campbell Young, second by Lewis Varvel for approval of the Financial Report as presented to the Board with corrections on Budget Expenditure. The motion passed unanimously.**

3. Discussion and possible action on the Budget/Finance Committee recommendation for contracted services for FY2027. **A motion was made by**

John Elliott, second by Lisa Rolke for approval of the Budget/Finance Committee recommendation for contracted services for FY2027. The motion was passed unanimously.

4. Update of the tasks listed in the approved TWDB Science & Data Collection grant.

5. Executive Session: Close for Executive Session at 2:25 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;
        - establishing Desired Future Conditions for all aquifers within the boundaries of the BVGCD and related statutory considerations and associated rules
        - GMA-wide well mitigation under interlocal agreements

6. Discussion and possible action on items listed and deliberated in Executive Session, as noticed above in Agenda Item 5. Open at 3:14 p.m. from Executive Session. **A motion was made by Jayson Barfknecht, second by John Elliott to delegate the authority to Alan Day, serving as the Brazos Valley GCD's representative to Groundwater Management Area (GMA 12), to submit public comments to other GMA 12 districts and propose and vote on DFC's that are in the best interest of the Brazos Valley Groundwater District (BVGCD). The motion passed unanimously.**

    - Fazzino Investments, LP v. BVGCD
    - Matters related to the adoption of Desired Future Conditions and statutory considerations
    - GMA-wide well mitigation under interlocal agreement

7. General Manager's Report, **Alan Day, General Manager briefly updated the Board on the items listed below.**

    a) Drought Monitor Report
    b) Wells permitted pursuant to District Rule 8.3(j)(1)
    c) Update of Upcoming Permits yet to be drilled
    d) District Business & Activities
    e) Management Plan Update

8. Discussion and possible future agenda items.

9. Adjourn at 3:27 p.m.

Signed this 8th day of October, 2026

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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**