



**Minutes**  
BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT  
112 W. 3<sup>rd</sup> Street – Hearne, Texas

**Public Permit Hearing and Regular Board Meeting**  
**Thursday, October 11, 2018 at 2:00 p.m.**

**President, Jan A. Roe called the Public Permit Hearing and Regular Board Meeting to order at 2:00 p.m.**

Directors present:

Jan A. Roe	President
Mark Carrabba	Vice President
Stephen Cast	Treasurer
David Stratta	Secretary
Pete Brien	Director
Jayson Barfknecht	Director
Bill L. Harris	Director

Absent: Bryan F. Russ, Jr. Director

Staff present:

Alan M. Day	General Manager
Cynthia Lopez	Office Manager
Monique Norman	Attorney

Call Permit Hearing to order  
Roll call of members present  
Public Comment

- a) Non-agenda items
- b) Agenda items (1-2)

3. Discussion and possible action on the following Operating Permit Application:

- One (1) existing well for Indian Lakes Homeowners Association

**Well #1 (BVOP-0300)** - Located at: N 30.50799366° W 96.24869869° 0.75 miles SSW of the intersection of Indian Lakes Drive and Chaco Canyon Drive in Brazos County for Industrial Use. The well produces from the Yegua-Jackson Aquifer. **A motion was made by Bill Harris, second by Pete Brien to approve the Indian Lakes Homeowners Association operating permit application as presented. The motion passed unanimously.**

4. Discussion and possible action on the following Drilling/Operating Permit Application:

- One (1) new well for Ken Hajduk

**Well #1 (BVDO-0246)** – Located at: N 31.018067° W 96.621933° 0.65 miles SSE of the intersection of FM 979 and Hunter Road in Robertson County for Agricultural Use. The well will produce from the Calvert Bluff Aquifer. **A motion was made by Jayson Barfknecht, second by Mark Carrabba to approve Ken Hajduk drilling/operating permit as presented. The motion passed with Pete Brien abstaining.**

## Adjourn Permit Hearing

### 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 from the September 13, 2018 Regular Board Meeting. **A motion was made by Mark Carrabba, second by Bill Harris to approve the Minutes from September 13, 2018 as presented. The motion passed unanimously.**
2. Review and authorization of payments made for services rendered for the month of September, 2018. **A motion was made by Pete Brien, second by Bill Harris to approve authorization of payments made for services rendered as presented. The motion passed unanimously.**
3. Financial Reports – September, 2018. **A motion was made by Bill Harris, second by Mark Carrabba to approve the financial report as presented. The motion passed unanimously.**
4. Discussion and possible action to allow the District Manager to insert any new water budget data created by the Texas Water Development Board running the new groundwater model into the revised District Management Plan currently under preapproval review. **A motion was made by Pete Brien, second by Bill Harris to grant the District Manager the capability to modify our previous submittal of the District Management Plan to the Texas Water Development Board (TWDB). The motion passed unanimously.**
5. Discussion and possible action on purchasing a comprehensive well bore information database from Allan R. Standen, LLC to populate the District's LeapFrog 3D groundwater model. **A motion was made by Pete Brien, second by Mark Carrabba to approve the agreement with Allan Standen for tasks, 1, 2, and 3 totaling \$15,000.00 for a comprehensive wellbore information database. The motion passed unanimously.**
6. Discussion regarding draft rule amendments including District Rules 1.1(8), 1.1(27), 1.6, 7.1(b), 7.2(d)(1)(F), 8.1, 8.5, 9.2, 10.3(b), and inclusion of statute-compliant rules pertaining to Aquifer Storage & Recovery projects; and possible action to set a hearing date for the draft rules. **After much discussion on the draft rule amendments a motion was made by Bill Harris, second by Pete Brien to schedule a Rules Hearing for Thursday, November 8, 2018. The motion passed unanimously.**
7. Discussion and possible action on amending budgeted expenditures within the 2018 District budget including (1) Travel Expenses; (2) Unfunded Act. Accrued Liability; and (3) Engineering/Hydrology and new data associated with the District 3D model. **A motion was**

**made by Bill Harris, second by Mark Carrabba to approve the amendments to the 2018 budget as presented and discussed. The motion passed unanimously.**

8. Discussion and possible action on recommendations by the Personnel/RFP Committee for contracting of professional services in 2019: **A motion was made by Pete Brien, second by Bill Harris to approve the Personnel/RFP Contracts for 2019. The motion passed with David Stratta opposing.**

- WSP USA (John Seifert) – Hydrology
- Monique Norman – Legal
- Heather Harward – Legislative Consultant
- Halff Associates (Erin Atkinson) – Database
- Milberger, Nesbitt & Ask, LLP (Russell Armagost) – Auditor
- Jeff Skelton – Information & Technology

9. Presentation and discussion of the draft 2019 District budget by the Budget/Finance Committee. **No action taken on this agenda item.**

10. Discussion of Budget/Financial Committee proposed 2019 water production fee schedule. **No action taken on this agenda item.**

11. General Manager's Report

- a) Drought Monitor Report
- b) Wells permitted pursuant to District Rule 8.3(j)
- c) District Business & Activities
- d) Management Plan Update

**Alan Day, General Manager, briefed the Board on the reports listed.**

12. Discussion and possible future agenda items.

- Adoption of the 2019 District Budget
- Adoption of Water Production Fee schedule for 2019
- Rules Hearing
- Desired Future Conditions methodology
- Possible Executive Session Fazzino-Stratta Lawsuit
- 2017 TWDB irrigation numbers

13. Adjourn

**David Stratta made a motion to adjourn the meeting. Second by Jayson Barfknecht. The motion passed unanimously.**

Signed this 8th day of November, 2018

---

**David Stratta, 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**

DRAFT



## Minutes

BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT  
112 W. 3<sup>rd</sup> Street – Hearne, Texas

**Special Board Meeting, Tuesday, October 30, 2018 at 10:00 a.m.**

**President, Jan A. Roe called the Special Board Meeting to order at 10:00 a.m.**

Directors present:	Jan A. Roe	President
	Mark Carrabba	Vice President
	Stephen Cast	Treasurer
	Pete Brien	Director
	Jayson Barfknecht	Director
	Bill L. Harris	Director
Absent:	David Stratta	Director
	Bryan F. Russ, Jr.	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Monique Norman	Attorney

Call meeting to order  
Pledge of Allegiance  
Declare quorum present

1. Executive session: Texas Government Code 551.071 - To discuss the Fazzino and Stratta lawsuit filed in the United States District Court for the Western District of Texas, Waco Division, and related matters, Civil Action No. 6:18-CV-00114.
2. Discussion and possible action related to the delegation of authority to litigation counsel to determine the appropriate procedures and strategy in the Fazzino and Stratta lawsuit filed in the United States District Court for the Western District of Texas, Waco Division, and related matters, Civil Action No. 6:18-CV-00114 and any related litigation. **A motion was made by Bill L. Harris, second by Jayson Barfknecht to delegate the authority to the litigation counsel to determine the appropriate procedures and strategy in the Fazzino and Stratta lawsuit filed in the United States District Court for the Western District of Texas, Waco Division, and related matters, Civil Action No. 6:18-CV-00114 and any related litigation. The motion passed with Pete Brien abstaining.**

**President Jan A. Roe asked for a motion to adjourn. Motion was made by Jayson Barknecht, second by Mark Carrabba. Motion passed unanimously.**

**Signed this 8<sup>th</sup> day of November, 2018**

---

**David Stratta, 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