



Minutes
BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT

Regular Board Meeting
District Office
Thursday, May 10, 2018 at 2:00 p.m.

President, Jan A. Roe called the Regular Board Meeting to order at 2:00 p.m.

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

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 April 10, 2018 Public Permit Hearing and Regular Board Meeting and April 18, 2018 Special Board Meeting. **A motion was made by Bill Harris, second by Mark Carrabba to approve the Minutes from April 10, 2018 with correction. The motion passed with two abstentions from David Stratta and Pete Brien not present at the meeting. A second motion was made by Bill Harris, second by Jayson Barfknecht to approve the Minutes from April 18, 2018 as presented. The motion passed with one abstention from Jan A. Roe not present at the meeting.**
2. Review and authorization of payments made for services rendered for the month of April 2018. **A motion was made by Mark Carrabba, second by Bill L. Harris to approve the authorization of payments made for services rendered for the month of April 2018 as presented. The motion passed with David Stratta opposing.**

3. Financial Reports. **A motion was made by Bill L. Harris, second by Pete Brien to approve the Financial Reports for the month of April 2018 as presented. The motion passed unanimously.**
4. Discussion and possible action on the approval of a 1.30 Modeled Available Groundwater Peaking Factor for Brazos County in response to a proposed groundwater project for the City of College Station. **A motion was made by Bill Harris, second by Jayson Barfknecht to approve 1.2 for the area specified. The motion passed unanimously.**
5. Discussion and possible action regarding legal counsel for Director Pete Brien in the Fazzino and Stratta lawsuit filed in the United States District Court for the Western District of Texas, Waco Division. **Monique Norman referred Pete Brien to the Texas Municipal League Risk Pool the District insurance carrier so that they can process action regarding separate legal counsel for him. No action taken by the Board.**
6. Discussion and possible action on items listed as Interim Charges for both the House Natural Resources and Senate Agriculture, Water & Rural Affairs committees and other items relating to groundwater and having possible impact on aquifer management within the District. **No action taken on this agenda item.**
7. Executive session: Texas Government Code § 551.071—to discuss the Fazzino lawsuit filed in the 82nd District Court, the Fazzino and Stratta lawsuit filed in the United States District Court for the Western District of Texas, Waco Division, and related matters. **A motion was made by Jayson Barfknecht, second by Mark Carrabba to adjourn into an into executive session pursuant to Texas Government Code Section 551.071 to discuss the lawsuit filed in the United States District Court for the Western District of Texas only. The motion passed.**

Monique Norman stated that the Executive Session was separated for attorney/client privileged information on Agenda Item No. 7 into two separate discussions. The Board met only in executive session for discussion of the federal lawsuit filed in the Western District of Texas, Waco Division by Fazzino and Stratta. Director Stratta left the room and was not part to the executive session. The Board did not meet on the 82nd District Court state case that is still pending. Monique Norman did not believe that they had any reason to meet on the 82nd District courts issue other than they're currently talking about attorney's fees. So the Board will not be going into the 82nd into executive session to discuss that state court case.

8. General Manager's Report
 - Drought Monitor Report
 - Monitoring Well Report
 - Wells permitted pursuant to District Rule 8.3(j)
 - District Activities
 - Management Plan Update

Alan Day, and Megan Haas briefed the Board on the general manager reports and Education.

9. Discussion and possible future agenda items.
10. Adjourn

Signed this day of Thursday, June 13th, 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**