



**Public Permit Hearing**  
**BRAZOS VALLEY GROUNDWATER**  
**CONSERVATION DISTRICT**  
112 W. 3rd Street – Hearne, Texas  
**April 13, 2017, at 2:00 p.m.**

Call Permit Hearing to order  
Roll call of members present

**Permit Hearing followed by discussion and possible action on:**

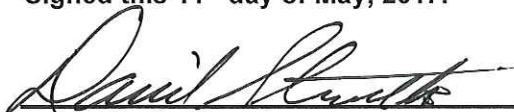
Complaint by the Brazos Valley Groundwater Rights Association and Tony Fazzino, filed with the District on January 30, 2017, against **one (1) existing well for the City of Bryan Well #18 (BVDO-0003)**, located at N 30.726820° W 96.477623° 0.05 miles WNW of the intersection of Peyton Road and W. OSR in Brazos County, producing from the Simsboro Aquifer for Municipal use. Current total maximum permitted production from the well is 4,838 acre feet/year.

**A motion was made by Bryan F. Russ, Jr., second by, Bill L. Harris that the District take no action at this time on Brazos Valley Groundwater Right Association and Mr. Fazzino's complaint regarding Bryan Well # 18, other than that it is in the public's interest to refer the complaint to a hearings examiner, which may be the State Office of Administrative Hearings, if requested by complainants or the City of Bryan. The hearing examiner should conduct any necessary proceedings to determine if the complaint contains justiciable issues authorized under Chapter 36 of the Texas Water Code and the District's rules, if there are any affected parties, and any other proceedings to make a recommendation to the Board for its final action on the complaint. The motion passed with a six (6) vote, and two (2) oppositions, Jayson Barfknecht and Stephen Cast.**

**A motion was made by Bryan F. Russ, Jr., second by David Stratta move to delegate to the Board President and District General Manager the authority to negotiate and enter into a contract with the hearing examiner or the State Office of Administrative Hearings to conduct the proceedings related to the referred Brazos Valley Groundwater Right Association / Fazzino Complaint against the Bryan Well No. 18. The motion carried unanimously.**

Adjourn Permit Hearing at 3:16 p.m.

Signed this 11<sup>th</sup> day of May, 2017.

  
\_\_\_\_\_  
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**