



Minutes
BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT

Special Board Meeting
Wednesday, April 18, 2018 at 10:00 a.m.

Vice-President, Mark Carrabba called the Special Board Meeting to order at 10:00 a.m.

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

Special Board Meeting

Call meeting to order

Pledge of Allegiance

Declare quorum present

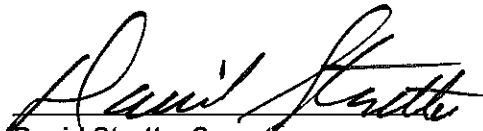
Public Comment

- a) Non-agenda items
- b) Agenda items

1. 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. **Executive Session 10:05 a.m. – 10:32 a.m.**
2. Discussion and possible action regarding the engagement of Mike Gershon and Lloyd Gosselink Rochelle & Townsend, P.C., to represent the District, including its staff and Board members, in 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 all other pending and future litigation matters; to work in association with the District's General Counsel, Monique Norman, as well as attorneys that may represent the District through its insurance policies. **A motion was made by Bill L. Harris, second by Jayson Barfknecht to approve the engagement of Mike Gershon and Lloyd Gosselink Rochelle & Townsend, P.C., to represent the District, including its staff and Board members, in 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 all other pending and future litigation matters; to work in association with the District's General Counsel, Monique Norman, as well as attorneys that may represent the District through its insurance policies. The motion passed with abstentions from Directors David Stratta and Pete Brien.**

3. Discussion and possible action regarding appointment of a litigation subcommittee of the Board of Directors; authorize communication between Board members, consultants, staff, and attorneys; and delegate authority to engage consultants/expert, as needed for litigation. **A motion was made by Bill L. Harris, second by Jayson Barfknecht to appoint a litigation subcommittee of the Board of Directors, and number 2, to authorize communication between Board Members, consultants, staff and attorneys, and number 3, to delegate authority to the general manager to engage consultants or experts as needed for litigation. The motion passed with a roll call, Stephen Cast, Mark Carrabba, Bill L. Harris and Jayson Barfknecht voted for. Pete Brien and David Stratta abstained.**
4. Adjourned

Signed this day of Thursday, May 10th, 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**