



**Minutes**  
**BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT**  
**Public Permit Hearing and Regular Board Meeting**  
**Thursday, June 9, at 2:00 p.m.**

**Stephen Cast, President called the meeting to order at 2:00 p.m.**

Directors present:	Stephen Cast	President
	Pete Brien	Vice-President
	Jayson Barfknecht	Secretary
	Mark Carrabba	Director
	Linda Pecina	Director
	Gary Mechler	Director
	Chris Zeig	Director
Directors absent:	David Stratta	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Monique Norman	Attorney
	John Seifert	Hydrologist

**Public Permit Hearing**

Call Permit Hearing to order  
Roll call of members present

4. Discussion and possible action on the following **Operating Permit Applications:**
- **Three (3) wells for Luminant Mining Company, LLC – Bremond Mine**

Well #1 – Luminant Mining (**BVOP-0317**) Located at: N 31.211278° W 96.547881° 0.75 miles ESE of the intersection of Morehead Rd and FM 2954 in Robertson County. The well will produce from the Simsboro Aquifer.

Well #2 – Luminant Mining (**BVOP-0318**) Located at: N 31.222681° W 96.547158° 0.36 miles E of the intersection of Taite Rd and FM 2954 in Robertson County. The well will produce from the Simsboro Aquifer.

Well #3 – Luminant Mining (**BVOP-0319**) Located at: N 31.149018° W 96.575154° 1.27 miles SW of the intersection of Peach Joe Rd and FM 2293 in Robertson County. The well will produce from the Simsboro Aquifer. **A motion was made by Pete Brien, second by Jayson Barfknecht to approve the Operating Permits for three (3) wells for Luminant Mining**

**Company, LLC -Bremond Mine to produce from the Simsboro Aquifer as presented to the Board. The motion passed unanimously.**

5. Discussion and possible action on the following **Drilling/Operating Permit Application:**
- **Two (2) new wells for Luminant Mining Company, LLC – Bremond Mine**

Well #4- Luminant Mining (**BVDO-0305**) Located at: N 31.157905° W 96.580965° 0.77 miles SW of the intersection of Peach Joe Rd and FM 2293 in Robertson County. The well will produce from the Simsboro Aquifer.

Well #5- Luminant Mining (**BVDO-0306**) Located at: N 31.155991° W 96.571279° 0.80 miles SW of the intersection of Peach Joe Rd and FM 2293 in Robertson County. The well will produce from the Simsboro Aquifer. **A motion was made by Chris Zeig, second by Pete Brien to approve the Drilling/Operating permits for two (2) wells for Luminant Mining Company, LLC-Bremond Mine to produce from the Simsboro Aquifer as presented to the Board. The motion passed unanimously.**

- **One (1) new well for Texas A&M University - Aggie Park (BVDO-0307)** Located at: N 30.609175° W 96.337295° 0.12 miles NE of the intersection of Houston St and George Bush Dr in Brazos County. The well will produce from the Yegua Jackson Aquifer. **A motion was made by Chris Zeig, second by Linda Pecina to approve the Drilling/Operating permit for Texas A&M University - Aggie Park to produce from the Yegua-Jackson aquifer as presented to the Board. The motion passed with Pete Brien abstaining from discussion and voting on this well permit.**

6. Discussion and possible action on the following **Operating Permit Amendment Application:**

- **One (1) existing permit for Luminant Mining Company, LLC – Kosse Mine:**

Well #3 (**BVDO-0291**) Located at: N 31.270025415° W 96.4467222437° 0.78 miles ESE of the intersection of Old Well Road and SH-7 in Robertson County. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) year to five (5) years. The well produces from the Simsboro Aquifer. **A motion was made by Jayson Barfknecht, second by Pete Brien to approve the Operating Permit Amendment for Luminant Mining Company, LLC - Kosse Mine from one (1) year to five (5) years as presented to the Board. The motion passed unanimously.**

7. **Adjourn Permit Hearing at 2:12 p.m.**

## 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 the April 14, 2022 Permit Hearing & Regular Board Meeting. **A motion was made by Mark Carrabba, second by Jayson Barfknecht to approve the minutes for the April 14, 2022 as presented to the Board. The motion passed unanimously.**
2. Review, discussion, and ratification of invoices paid for services rendered for the month of April & May 2022. **A motion was made by Linda Pecina, second by Chris Zeig to approve the ratification of invoices paid for the month of April and May 2022. The motion passed unanimously.**
3. Financial Report – **May 2022. A motion was made by Chris Zeig, second by Gary Mechler to approve the Financial reports for the month of May 2022 as presented to the Board. The motion passed unanimously.**
4. Review, discussion, and possible action on the readoption of the District Investment Policy. **A motion was made by Pete Brien, second by Chris Zeig to adopt the District Investment Policy as presented. Jayson Barfknecht questioned ?? for correction to read 77 before signing the District Investment Policy. Pete Brien amended his motion Chris Zeig seconded. The motion passed unanimously with correction to be made.**
5. Executive Session: Texas Government Code 551.071 – For discussion with legal counsel on a District mitigation policy. **Executive Session at 2:29 p.m. to 3:59 p.m. no action taken.**
6. General Manager's Report **General Manager discussed the following items:**
  - a) Drought Monitor Report
  - b) Wells permitted pursuant to District Rule 8.3(j)
  - c) GMA 12 DFC Update
  - d) District Business & Activities
  - e) Management Plan Update
7. Discussion and possible future agenda items.
  - Audit to be presented to the Board
  - Fazzino case outcome to the public

8. **Adjourn at 4:10 p.m.**

**Signed this 20<sup>th</sup> day of July 2022**

  
**Jayson Barfknecht, 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**