Minutes
BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT
Public Rules Hearing & Regular Board Meeting
District Office
112 W 3rd Street - Hearne, Texas 77859
Wednesday, July 15, 2026 | 2:00 p.m.

Jayson Barfknecht, President called the meeting to order at 2:04 p.m.

Directors present:	Jayson Barfknecht	President
	Jeff Kennedy	Secretary
	Mark Carrabba	Director
	John Elliott	Director
	Lisa Rolke	Director
	Campbell Young	Director
	Lewis Varvel	Director
Absent:	Gary Mechler	Vice-President
Staff present:	Alan M. Day	General Manager
	Monique Norman	Attorney
	Cynthia Lopez	Office Manager
	Kathy Polzar	Education Coordinator
	John Crabtree	Field Technician

Public Rules Hearing

Call meeting to order
Declare a quorum present
Pubic Comment

a) **Non-agenda items**
b) **Agenda items**
   - **Cathy Gaas – Comments pertaining to proposed rules**
   - **Eddie McCarthy – McCarthy & McCarthy – Comments pertaining to proposed rules**

Adjourn @ 2:20 p.m.

Regular Board Meeting

Call meeting to order
Pledge of Allegiance
Declare quorum present

Public Comment

a) Non-agenda items - None

b) Agenda items - None

1. Discussion and possible action on the minutes of June 11, 2026, Regular Board Meeting. **A motion was made by Mark Carrabba, second by John Elliott for approval of the June 11, 2026, Regular Board Meeting minutes. The motion passed unanimously.**

2. Discussion and possible action on the minutes of July 9, 2026, Regular Board Meeting. **A motion was made by Mark Carrabba, second by John Elliott for approval of the June 9, 2026, Regular Board Meeting minutes. The motion passed unanimously.**

3. Financial Report – June 2026 A **motion was made by Campbell Young, second by Lisa Rolke for approval of the Financial Report as presented to the Board. The motion passed unanimously.**

4. Presentation of discussion, and possible action on the adoption of the FY2025 District Financial Audit by Seidel Schroeder, Certified Public Accountants. **A motion was made by John Elliott, second by Jayson Barfknecht for approval of the FY2025 District Financial Audit as presented by Taylor Boeker with Siedel Schroeder, Certified Public Accounts. The motion passed unanimously.**

5. Discussion and possible action on draft rule amendments including but not limited to the enforcement of the adopted desired future conditions, transport permit requirements, and well spacing. **A motion was made by Jayson Barfknecht, second by John Elliott to adopt the rules as presented following a Public Rules Hearing with modifications as discussed and presented and end the moratorium that had been enacted as of this date. The motion passed unanimously.**

6. Presentation by Advanced Groundwater Solutions detailing the average artesian head change for each aquifer, comparison of the average head change for each aquifer, and the compliance with the corresponding Desired Future Condition. **Chris Drabek, representing Advanced Groundwater Solutions, presented compliance data to the Board regarding all Desired Future Conditions.**

7. Discussion and possible action on prioritizing tasks listed in the approved TWDB Science & Data Collection grant and budgeting needs associated with those tasks. **A motion was made by Jeff Kennedy, second by Lisa Rolke to proceed with all tasks enumerated in the grant funding application. The motion passed unanimously.**

8. Executive Session: Close for Executive Session at 2:31 p.m.

    - Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
        - pending lawsuit Fazzino Investments, LP v. Brazos Valley Groundwater Conservation District, CASE NO. 6:25-cv-00001, filed in the United States District Court for the Western District of Texas, Waco Division;
        - establishing Desired Future Conditions for all aquifers within the boundaries of the BVGCD and related statutory considerations and associated rules

- GMA-wide well mitigation under interlocal agreements

9. Discussion and possible action on items listed and deliberated in Executive Session, as noticed above in Agenda Item 8. Open at 3:30 from Executive Session. No action taken.

   - Fazzino Investments, LP v. BVGCD
   - Matters related to the adoption of Desired Future Conditions and statutory considerations and associated rules
   - GMA-wide well mitigation under interlocal agreement

10. General Manager's Report, **Alan Day, General Manager briefly updated the Board on the items listed below.**

    a) Drought Monitor Report
    b) Wells permitted pursuant to District Rule 8.3(j)(1)
    c) Update of Upcoming Permits yet to be drilled
    d) District Business & Activities
    e) Management Plan Update

11. Discussion and possible future agenda items.

12. Adjourn at 4:32 p.m.

Signed this 13th day of August 2026

Jeff Kennedy
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**