

MINUTES
FORT BEND SUBSIDENCE DISTRICT
REGULAR MEETING
OF THE BOARD OF DIRECTORS
August 23, 2017
3:00 P.M.

MEMBERS OF THE BOARD PRESENT: Clifton Aldrich, J. D. Anderson, Karl Baumgartner, Bob DeForest, Quart Graves, Marvin Marcell, Morris Mitchell, Jon Strange, William Wallace, B. T. Williams, Greg Wine, and Benny Wleczyk.

MEMBERS OF THE BOARD ABSENT: Mark Gehringer, Bobby Kunz and Lawrence Vaccaro.

STAFF PRESENT: Mike Turco, Robert Thompson, Kevin Ebrom, Greg Ellis, Wanda Sebesta, and Jennifer Welch.

PRESIDING: Chairman, Marvin Marcell.

Chairman Marcell called the meeting to order in the sixth floor meeting room of the Wm. B. Travis Building, in Richmond, Texas, announced the presence of a quorum.

PLEDGE OF ALLEGIANCE

2. Mr. Williams led the Pledges of Allegiance.

APPROVAL OF THE MINUTES

3. Mr. Strange moved that the minutes of the regular meeting, July 26, 2017, be approved; it was seconded by Mr. Wallace. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

RECEIVE HEARING EXAMINER'S REPORT AND CONSIDER GRANTING, DENYING OR AMENDING APPLICATIONS FOR WATER WELL PERMITS HEARD AT THE AUGUST 10, 2017, HEARING

4. Robert Thompson presented the Hearing Examiner's Report from the August 10, 2017, Hearing, and noted the corrected pages for Gulf Coast Stabilized and KB Notes, Ltd. (Exhibit #1)
 - 4.2 Mr. DeForest moved to approve the Hearing Examiner's Report from the August 10, 2017, Hearing; it was seconded by Mr. Aldrich. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

PRESENTATION REGARDING CORRELATIVE RIGHTS AND RULE OF CAPTURE

5. Greg Ellis presented a report regarding correlative rights and rule of capture.
 - 5.1 Mr. Baumgartner now absent.

GENERAL MANAGER'S REPORT

6. Mr. Turco updated the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting.

COMMENTS FROM MEMBERS OF THE PUBLIC

7. Members of the public present were Colleen Spencer, with the City of Sugar Land, Christina Miller and Lindsay Kovar, with the North Fort Bend Water Authority, Evan Kirkpatrick, with the City of Rosenberg, Chris Varella, with the City of Houston, and John Loper.

CONSULTATION WITH THE GENERAL COUNSEL ON RECENT LITIGATION ON GROUNDWATER ISSUES

8. Greg Ellis updated the Board on recent litigation on groundwater issues.

EXECUTIVE SESSION


9. The Board of Directors went into Executive Session at 4:21 p.m. as authorized under the Open Meetings Act, Section 551.071, Government Code, to discuss Item J of the Agenda.

- 9.1 Following the Executive Session, the Board then resumed the open meeting at 4:40 p.m.

COMPROMISE AND SETTLEMENT AGREEMENTS

10. Kevin Ebrom reviewed the circumstances regarding the violations for 1) Covey Trails Civic Club, Inc., 2) Geophysical Drilling, Inc., and 3) Simon's Tree Nursery.
- 10.1 Mr. Wallace moved to accept the staff's recommendation and authorize the General Manager to offer Compromise and Settlement Agreements on behalf of the Board to 1) Covey Trails Civic Club, Inc., 2) Geophysical Drilling, Inc., and 3) Simon's Tree Nursery.; it was seconded by Mr. Wine. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED.

BY: 
Chairman

ATTEST:


Secretary