

**MINUTES**  
*FORT BEND SUBSIDENCE DISTRICT*  
REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
*JANUARY 28, 2015*  
3:00 P.M.

**MEMBERS OF THE BOARD PRESENT:** Karl Baumgartner, Clifton Aldrich, Bob DeForest, Bobby Kunz, Marvin Marcell, Jon Strange, Lawrence Vaccaro, William Wallace, B. T. Williams, Greg Wine and Benny Wleczyk.

**MEMBERS OF THE BOARD ABSENT:** James Clark, Mark Gehringer, Harvey Ludwig and Morris Mitchell.

**STAFF PRESENT:** Greg Ellis, Robert Thompson, Kevin Ebrom, Wanda Sebesta and Stan Ulcak.

**PRESIDING:** Chairman, Marvin Marcell.

Chairman Marcell called the meeting to order in the first floor meeting room of the Wm. B. Travis Building, 301 Jackson Street, Richmond, Texas, and announced the presence of a quorum.

**OATH OF OFFICE**

2. Wanda Sebesta administered the Oath of Office to Karl Baumgartner, Jon Strange, Lawrence Vaccaro, B. T. Williams, Greg Wine and Benny Wleczyk.

**ELECTION OF OFFICERS**

3. Chairman Marcell asked for nominations for the offices of Chairman, Vice Chairman, and Secretary. Mr. Strange moved to keep the current slate of officers as Mr. Marcell, Chairman, Mr. Williams, Vice-Chairman, and Mr. Wallace, Secretary; it was seconded by Mr. Aldrich. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

**APPROVAL OF THE MINUTES**

4. Mr. Wallace moved that the minutes of the regular meeting, December 9, 2014, be approved; it was seconded by Mr. Strange. 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 JANUARY 8, 2015, HEARING**

5. Robert Thompson presented the Hearing Examiner's Report from the January 8, 2015, Hearing (Exhibit #1).
  - 5.1 Mr. Williams moved to approve the Hearing Examiner's Report from the January 8, 2015, Hearing; it was seconded by Mr. Strange. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

**EMERGENCY APPROVALS**

6. Robert Thompson stated that Emergency Approval had been granted by the General Manager for Hilcorp Energy and Vietnamese Buddhist Center, Inc., and discussion followed.
  - 6.1 Mr. DeForest moved to ratify the action taken by the General Manager granting Emergency Approval for Hilcorp Energy and Vietnamese Buddhist Center, Inc.; it was seconded by Mr. Wleczyk. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

**RESOLUTION DIRECTING THE GENERAL MANAGER TO REPRESENT THE DISTRICT IN MATTERS BEFORE THE 84<sup>TH</sup> LEGISLATURE**

7. Mr. Marcell introduced the resolution directing the General Manager to represent the District in matters before the 84<sup>th</sup> Legislature.

**CAPTION**

**RESOLUTION DIRECTING THE GENERAL MANAGER TO REPRESENT THE DISTRICT IN MATTERS BEFORE THE 84<sup>TH</sup> LEGISLATURE**

(This Resolution is of record in Resolution Book IV of the Fort Bend Subsidence District being Resolution 15-354).

- 7.1 Mr. Strange moved to approve Resolution 15-354 directing the General Manager to represent the District in matters before the 84<sup>th</sup> Legislature; it was seconded by

Mr. Aldrich. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

7.2 Mr. Marcell swore in Jill Savory who had comments regarding Item G.

## **RESOLUTION CERTIFYING THE INVESTMENT POLICY AND INVESTMENT STRATEGIES**

8. Mr. Wallace introduced the resolution certifying the Investment Policy and Investment Strategies and stated there were no changes to the existing policy

CAPTION

### **RESOLUTION CERTIFYING THE INVESTMENT POLICY AND INVESTMENT STRATEGIES**

(This Resolution is of record in Resolution Book IV of the Fort Bend Subsidence District being Resolution 15-355).

8.1 Mr. Aldrich moved to approve Resolution 15-355 certifying the Investment Policy and Investment Strategies; it was seconded by Mr. Wine. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

## **RESOLUTION AUTHORIZING CONTRACTING FOR AUDIT SERVICES**

9. Mr. Wallace introduced the Resolution authorizing contracting for audit services.

CAPTION

### **RESOLUTION AUTHORIZING CONTRACTING FOR AUDIT SERVICES**

(This Resolution is of record in Resolution Book IV of the Fort Bend Subsidence District being Resolution 15-356).

9.1 Mr. DeForest moved to approve Resolution 15-356 authorizing contracting for audit services; it was seconded by Mr. Wleczyk. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

## **MEMBERS OF THE PUBLIC**

10. Members of the public present were Charles Shumate, with the North Fort Bend Water Authority, Robert Upton, with the City of Missouri City, John Maresh, with the City of Rosenberg, Valeria Rodriguez, Water Resources Manager for the City of Sugar Land, John Loper and Jill Savory.

10.1 Jill Savory addressed the Board.

**CONSULTATION WITH THE GENERAL COUNSEL ON PENDING OR CONTEMPLATED LITIGATION**

11. Greg Ellis updated the Board on pending and contemplated litigation.

**EXECUTIVE SESSION**

12. The Board of Directors went into Executive Session at 3:56 p.m. as authorized under the Open Meetings Act, Section 551.071, Government Code, to discuss Item M of the Agenda.

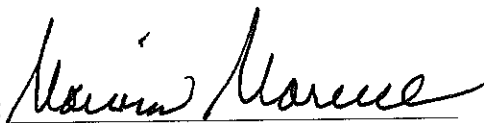
12.1 Following the Executive Session, the Board then resumed the open meeting at 4:32p.m.

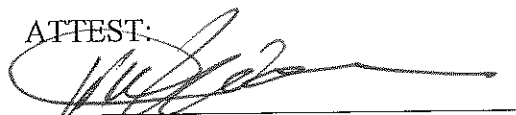
**COMPROMISE AND SETTLEMENT AGREEMENTS**

13. Kevin Ebrom reviewed the circumstances regarding the violation for Sandra Smith Dompier.

13.1 Mr. Strange moved to make the standard offer and authorize the General Manager to offer a Compromise and Settlement Agreement on behalf of the Board, to Sandra Smith Dompier; it was seconded by Mr. Wallace. 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