

MINUTES
FORT BEND SUBSIDENCE DISTRICT
REGULAR MEETING
OF THE BOARD OF DIRECTORS
MAY 27, 2015
3:00 P.M.

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

MEMBERS OF THE BOARD ABSENT: James Clark, Morris Mitchell and Bobby Kunz.

STAFF PRESENT: Mike Turco, Robert Thompson, Greg Ellis, Kevin Ebrom, Mike Chrismer, Daniel Newcomb, and Wanda Sebesta.

PRESIDING: Chairman, Marvin Marcell.

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

OATH OF OFFICE

2. Chairman Marcell introduced Lisa Stasney, the new Director replacing Mr. Ludwig, appointed by Commissioners Court.
 - 2.1 Wanda Sebesta administered the Oath of Office to Lisa Stasney.
 - 2.2 Mr. Strange now present.

APPROVAL OF THE MINUTES

3. Mr. Williams moved that the minutes of the regular meeting, March 25, 2015, be approved; it was seconded by Mr. Aldrich. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

RECEIVE HEARING EXAMINER'S REPORTS AND CONSIDER GRANTING, DENYING OR AMENDING APPLICATIONS FOR WATER WELL PERMITS HEARD AT THE APRIL 2, 2015, AND MAY 7, 2015, HEARINGS

4. Robert Thompson presented the Hearing Examiner's Reports from the April 2, 2015, and May 7, 2015, Hearings (Exhibit #1).
 - 4.1 Mr. Strange moved to approve the Hearing Examiner's Reports from the April 2, 2015, and May 7, 2015, Hearings; it was seconded by Mr. Wleczyk. Mr. DeForest abstained from voting on Ft. Bend Co. M.U.D. 143. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

EMERGENCY APPROVAL

5. Robert Thompson stated that the Emergency Request had been denied by the General Manager for the City of Fulshear and discussion followed.
 - 5.1 David Leyendecker, representing the City of Fulshear, gave testimony regarding the need for the emergency approval.
 - 5.2 Mr. Strange moved to grant the Emergency Request for the City of Fulshear; it was seconded by Mr. Strange. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

RECOMMENDATION FROM THE FINANCE COMMITTEE TO ACCEPT THE ANNUAL AUDIT

6. Mr. Wallace reviewed the audit and Chris Breaux, with Whitley Penn, answered questions from the Board. Action regarding acceptance of the annual audit was deferred to the June 24, 2015, Board meeting.

REPRESENTATIVES TO THE AWBD CONFERENCE

7. Mr. Strange was chosen to represent the Board at the AWBD conference.

RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING TESTIMONY AND AMENDING THE RULES OF THE DISTRICT AND ORDERING THE POSTING AND PUBLICATION OF NOTICE OF THE HEARING

8. Mr. Williams introduced the Resolution calling a Public Hearing for the purpose of receiving testimony and amending the Rules of the District and ordering the posting and publication of notice of the hearing.

CAPTION

RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING TESTIMONY AND AMENDING THE RULES OF THE DISTRICT AND ORDERING THE POSTING AND PUBLICATION OF NOTICE OF THE HEARING

(This Resolution is of record in Resolution Book V of the Fort Bend Subsidence District being Resolution 15-358).

- 8.1 Mr. Aldrich moved to approve Resolution 15-358 calling a Public Hearing for the purpose of receiving testimony and amending the Rules of the District and ordering the posting and publication of notice of the hearing; it was seconded by Mr. Strange. Chairman Marcell put the question and, after the vote, announced the motion carried unanimously.

MEMBERS OF THE PUBLIC

9. Members of the public present were Charles Shumate, with the North Fort Bend Water Authority, John Maresh and Charles Kalkomey, with the City of Rosenberg, Valeria Rodriguez, with the City of Sugar Land, David Leyendecker, with the City of Fulshear, and Jill Savory.

- 9.1 Jill Savory addressed the Board.

CONSULTATION WITH THE GENERAL COUNSEL ON PENDING OR CONTEMPLATED LITIGATION.

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

EXECUTIVE SESSION

11. The Board of Directors went into Executive Session at 3:51 p.m. as authorized under the Open Meetings Act, Section 551.071, Government Code, to discuss Item L of the Agenda.

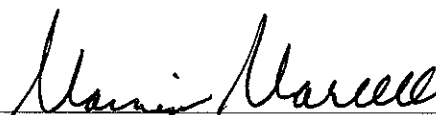
- 11.1 Following the Executive Session, the Board then resumed the open meeting at 4:05 p.m.

COMPROMISE AND SETTLEMENT AGREEMENTS

12 Kevin Ebrom reviewed the Compromise and Settlement Agreements for Sandra Smith Dompier and Vulcan Construction Materials.

12.1 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 Vulcan Construction Materials, and to void the previous offer to Sandra Smith Dompier; it was seconded by Mr. Gehringer. 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