

MINUTES
FORT BEND SUBSIDENCE DISTRICT
REGULAR MEETING
OF THE BOARD OF DIRECTORS
December 13, 2017
3:00 P.M.

MEMBERS OF THE BOARD PRESENT: Clifton Aldrich, Jay Anderson, Karl Baumgartner, Bob DeForest, Mark Gehringer, Quart Graves, Morris Mitchell, Jon Strange, Lawrence Vaccaro, William Wallace, B. T. Williams, Greg Wine and Benny Wleczyk.

MEMBERS OF THE BOARD ABSENT: Bobby Kunz and Marvin Marcell.

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

PRESIDING: B. T. Williams, Vice Chairman.

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

PLEDGE OF ALLEGIANCE

2. Mr. Graves led the Pledges of Allegiance.

APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING

3. Mr. Strange moved that the minutes of the regular meeting, October 25, 2017, be approved; it was seconded by Mr. Wallace. Chairman Williams put the question and, after the vote, announced the motion carried unanimously.

APPROVAL OF THE MINUTES OF THE BUDGET WORKSHOP

4. Mr. Aldrich moved that the minutes of the budget workshop on November 16, 2017, be approved; it was seconded by Mr. Strange. Chairman Williams put the question and, after the vote, announced the motion carried unanimously.

- 4.1 Mr. DeForest now present.

RECEIVE HEARING EXAMINER'S REPORT AND CONSIDER GRANTING, DENYING OR AMENDING APPLICATIONS FOR WATER WELL PERMITS HEARD AT THE NOVEMBER 2, 2017, HEARING, AND THE NOVEMBER 30, 2017, HEARING

5. Robert Thompson presented the Hearing Examiner's Report from the November 2, 2017, and November 30, 2017, Hearings. (Exhibit #1)
 - 5.1 Mr. Strange moved to approve the Hearing Examiner's Report from the November 2, 2017, and November 30, 2017, Hearings; it was seconded by Mr. Gehringer. Chairman Williams put the question and, after the vote, announced the motion carried unanimously.

RESOLUTION ADOPTING A BUDGET FOR THE FORT BEND SUBSIDENCE DISTRICT FOR THE PERIOD BEGINNING JANUARY 1, 2018, AND ENDING DECEMBER 31, 2018, AND AUTHORIZING AN INTER-LOCAL AGREEMENT WITH THE HARRIS GALVESTON SUBSIDENCE DISTRICT

6. Chairman Williams and Robert Thompson reviewed Resolution 17-392 adopting a budget for the Fort Bend Subsidence District for the period beginning January 1, 2018, and ending December 31, 2018, and authorizing an inter-local agreement with the Harris Galveston Subsidence District.

CAPTION

RESOLUTION ADOPTING A BUDGET FOR THE FORT BEND SUBSIDENCE DISTRICT FOR THE PERIOD BEGINNING JANUARY 1, 2018, AND ENDING DECEMBER 31, 2018, AND AUTHORIZING AN INTER-LOCAL AGREEMENT WITH THE HARRIS GALVESTON SUBSIDENCE DISTRICT

(This Resolution is of record in Resolution Book V of the Fort Bend Subsidence District being Resolution 17-392.)

- 6.1 Mr. Wleczyk moved to approve Resolution 17-392 adopting a budget for the Fort Bend Subsidence District for the period beginning January 1, 2018, and ending December 31, 2018, and authorizing an inter-local agreement with the Harris Galveston Subsidence District, including full reimbursement for Fort Bend Subsidence District office employee costs (Account 511) and Harris Galveston Subsidence District Inter-local Agreement costs (Account 510); it was seconded by Mr. Aldrich. Chairman Williams put the question and, after the vote, announced the motion carried. Mr. Mitchell opposed.

RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT-FUNDING AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY TO PROVIDE FOR A COOPERATIVE RESEARCH PROGRAM FOR THE COLLECTION AND PUBLICATION OF WATER RESOURCE AND SUBSIDENCE DATA FOR THE YEAR ENDING DECEMBER 31, 2018; AND AUTHORIZING THE EXPENDITURE OF FUNDS

7. Chairman Williams and Robert Thompson discussed Resolution 17-393 authorizing the execution of a joint-funding agreement with the United States Geological Survey to provide for a cooperative research program for the collection and publication of water resource and subsidence data for the year ending December 31, 2018; and authorizing the expenditure of funds.

CAPTION

RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT-FUNDING AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY TO PROVIDE FOR A COOPERATIVE RESEARCH PROGRAM FOR THE COLLECTION AND PUBLICATION OF WATER RESOURCE AND SUBSIDENCE DATA FOR THE YEAR ENDING DECEMBER 31, 2018; AND AUTHORIZING THE EXPENDITURE OF FUNDS

(This resolution is of record in Resolution Book V of the Fort Bend Subsidence District being Resolution 17-393.)

- 7.1 Mr. DeForest moved to approve Resolution 17-393 authorizing the execution of a joint-funding agreement with the United States Geological Survey to provide for a cooperative research program for the collection and publication of water resource and subsidence data for the year ending December 31, 2018; and authorizing the expenditure of funds; it was seconded by Mr. Aldrich. Chairman Williams put the question and, after the vote, announced the motion carried unanimously.

RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH WHITLEY PENN, LLC, FOR AUDIT SERVICES

8. Chairman Williams introduced Resolution 17-394 authorizing the General Manager to enter into a professional services agreement with Whitley Penn, LLC, for audit services.

CAPTION

RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH WHITLEY PENN, LLC, FOR AUDIT SERVICES

(This resolution is of record in Resolution Book V of the Fort Bend Subsidence District being Resolution 17-394.)

- 8.1 Mr. Strange moved to approve Resolution 17-394 authorizing the General Manager to enter into a professional services agreement with Whitley Penn, LLC, for audit services; it was seconded by Mr. Gehringer. Chairman Williams put the questions, and, after the vote, announced the motion carried unanimously.

GENERAL MANAGER'S REPORT

9. 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

10. Members of the public present were Katy Clayton, with the City of Sugar Land, Lindsay Kovar, with the North Fort Bend Water Authority, Scott Fajkus, with the City of Richmond, David Brown, with the United States Geological Survey, David Harbers and John Loper.
 - 10.1 David Harbers was sworn in by Chairman Williams and gave testimony regarding the meter provision on his well. Staff is to review the circumstances on his meter provision.
 - 10.2 John Loper questioned when the 2018 budget information would be available on the website.

CONSULTATION WITH THE GENERAL COUNSEL ON RECENT LITIGATION ON GROUNDWATER ISSUES

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

EXECUTIVE SESSION

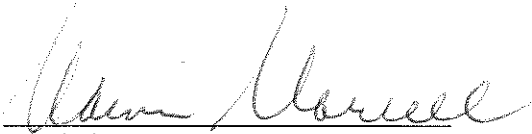
12. The Board of Directors went into Executive Session at 3:46 p.m. as authorized under the Open Meetings Act, Section 551.071, Government Code, to discuss Item M of the Agenda.
 - 12.1 Following the Executive Session, the Board then resumed the open meeting at 4:03 p.m.

COMPROMISE AND SETTLEMENT AGREEMENTS

13. Kevin Ebram reviewed the circumstances regarding the violations for Capital Turf Farms, Omar Kasani, Parks Youth Ranch and Daniel Sebesta.

13.1 Mr. Aldrich moved to authorize the General Manager to offer Compromise and Settlement Agreements on behalf of the Board to Capital Turf Farms, Omar Kasani, Parks Youth Ranch and Daniel Sebesta; it was seconded by Mr. Wallace. Chairman Williams 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