

MINUTES
FORT BEND SUBSIDENCE DISTRICT
REGULAR MEETING
OF THE BOARD OF DIRECTORS
February 26, 2020
3:00 P.M.

MEMBERS OF THE BOARD PRESENT: Karl Baumgartner, Bob DeForest, Mark Gehringer, Quart Graves, Linda Harnist, Richard Morrison, Stan Steele, Jon Strange, Lawrence Vaccaro, William Wallace, B. T. Williams, Greg Wine, and Benny Wleczyk.

MEMBERS OF THE BOARD ABSENT: Jay Anderson and Morris Mitchell.

STAFF PRESENT: Michael Turco, Robert Thompson, Kevin Ebrom, Tina Petersen, 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

1. Mr. Williams led the pledges of allegiance.

COMMENTS FROM MEMBERS OF THE PUBLIC

2. There were no comments from members of the public. Members of the public present were Christina Miller and Lindsay Kovar with the North Ft. Bend Water Authority, and Katy Clayton with the City of Sugar Land.

OATH OF OFFICE

3. Wanda Sebesta administered the Oath of Office to Bob DeForest, Mark Gehringer, Linda Harnist, Richard Morrison, Stan Steele, and William Wallace.

ELECTION OF OFFICERS

4. Chairman Williams opened the floor for nominations for the Board positions of Chairman, Vice-Chairman, and Secretary.
 - 4.1 Mr. Gehringer nominated Mr. Wine for Chairman, Mr. Williams for Vice-Chairman, and Mr. Wallace for Secretary; it was seconded by Mr. DeForest.
 - 4.2 Mr. Graves moved to divide the question to separate the vote for the Chairman position from the other offices; it was seconded by Mr. Morrison. Chairman Williams put the question and, after the vote, announced the motion passed.
 - 4.3 Mr. Graves nominated Mr. Strange for Chairman; it was seconded by Mr. Morrison.
 - 4.4 A vote was taken for the position of Chairman with Mr. Wine receiving 7 votes and Mr. Strange receiving 6 votes. The Chairman announced that action by the Board requires the affirmative vote of a majority of the Board membership, which is 8 votes and therefore neither candidate was elected.
 - 4.5 The Chairman called for a vote on the second part of the original motion to elect Mr. Williams as Vice-Chairman and Mr. Wallace as Secretary. Chairman Williams put the question and, after the vote, announced the motion carried unanimously.
 - 4.6 The Chairman called for a second vote on the first part of the severed motion to elect a Chairman; Chairman Williams put the question with Mr. Wine receiving 7 votes and Mr. Strange receiving 6 votes. Chairman Williams announced neither candidate was elected and that the election of Chairman would be postponed to the March Board meeting.

APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING

5. Mr. Strange moved that the minutes of the regular meeting, January 22, 2020, be approved; it was seconded by Mr. Gehringer. Chairman Williams 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 FEBRUARY 5, 2020, HEARING

6. Robert Thompson presented the Hearing Examiner's Report from the February 5, 2020, Hearing. (Exhibit #1).
 - 6.1 Mr. Wallace moved to approve the Hearing Examiner's Report from the February 5, 2020, Hearing, it was seconded by Ms. Harnist. Chairman Williams put the question and, after the vote, announced the motion carried unanimously.

EMERGENCY APPROVALS

7. Robert Thompson stated that Emergency Approval had been granted by the General Manager for Danny Lenderman.
 - 7.1 Mr. DeForest moved to ratify the action taken by the General Manager granting Emergency Approval to Danny Lenderman; it was seconded by Mr. Strange. Chairman Williams put the question and, after the vote, announced the motion carried unanimously.

CONSIDER A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF HEARING TESTIMONY REGARDING THE DETERMINATION OF EFFECTS OF GROUNDWATER WITHDRAWAL ON LAND SUBSIDENCE DURING THE YEAR ENDING DECEMBER 31, 2019

8. Mr. Turco presented the resolution to the Board and discussion followed.

CAPTION

RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF HEARING TESTIMONY REGARDING THE DETERMINATION OF EFFECTS OF GROUNDWATER WITHDRAWAL ON LAND SUBSIDENCE DURING THE YEAR ENDING DECEMBER 31, 2019

(This Resolution is of record in Resolution Book V of the Fort Bend Subsidence District being Resolution 20-424.)

- 8.1 Mr. Wallace moved to approve Resolution 20-424 calling a Public Hearing for the purpose of hearing testimony regarding the determination of effects of groundwater withdrawal on land subsidence during the year ending December 31, 2019; it was seconded by Ms. Harnist. Chairman Williams put the question and, after the vote, announced the motion carried unanimously.

RESOLUTION UPDATING DESIGNATED SIGNATORIES OF THE DISTRICT

9. No action was taken on the resolution updating designated signatories of the District, and the resolution will be considered at the March Board meeting.

BRIEFING FROM STAFF ON THE STATUS OF THE JOINT REGULATORY PLAN REVIEW

10. Tina Peterson updated the Board on the status of the Joint Regulatory Plan Review.

GENERAL MANAGER'S REPORT

11. 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.

CONSULTATION WITH THE GENERAL COUNSEL ON RECENT LITIGATION AND GROUNDWATER ISSUES

12. Greg Ellis updated the Board on recent litigation and groundwater issues.

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

BY: B Williams
Chairman

ATTEST:


Secretary