

**DRAINAGE DISTRICT BOARD MINUTES**

BE IT REMEMBERED, That on this 14th DAY of DECEMBER, 2010, The Drainage District Board of Fort Bend County, Texas, met at a scheduled meeting with the following present:

ROBERT E. HEBERT	COUNTY JUDGE
RICHARD MORRISON	COMMISSIONER PRECINCT 1
GRADY PRESTAGE	COMMISSIONER PRECINCT 2
ANDY MEYERS	COMMISSIONER PRECINCT 3
JAMES PATTERSON	COMMISSIONER PRECINCT 4
SHERRY FISK for DIANNE WILSON	COUNTY CLERK
MARK VOGLER	DRAINAGE DISTRICT MANAGER

When the following were heard and the following orders were passed:

**1. Call to Order.**

Call to Order by Judge Hebert at 1:03 p.m.

**2. Approve transfer in the amount of \$125,000 as detailed on Auditor's form dated December 9, 2010 to reallocate excess funds from FY 2010 into Drainage District projects for FY 2011.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve transfer in the amount of \$125,000 as detailed on Auditor's form dated December 9, 2010 to reallocate excess funds from FY 2010 into Drainage District projects for FY2011.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

3. **Take all appropriation action on Resolution Nominating a Candidate for Position on the Board of Directors of the Fort Bend Central Appraisal District, for a term effective through December 31, 2011, to fill the vacancy created by the resignation of David King.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to approve Resolution Nominating Paul Stamatis, Jr. for Position on the Board of Directors of the Fort Bend Central Appraisal District, for a term effective through December 31, 2011, to fill the vacancy created by the resignation of David King.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

4. **Take all appropriate action on First Amendment to the Tax Abatement Agreement between the Fort Bend County Drainage District, Biotics Building LLC, and Biotics Research Corporation, to extend the completion date for improvements until December 31, 2011.**

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to approve First Amendment to the Tax Abatement Agreement between the Fort Bend County Drainage District, Biotics Building LLC, and Biotics Research Corporation, to extend the completion date for improvements until December 31, 2011.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

**Recess:**

Recessed at 1:06 p.m.

**5. Meet in Closed Session to deliberate the following matters as authorized by the Texas Government Code:**

**§ 551.071. Consultation With Attorney.** Fort Bend County Drainage District Board of Directors will meet in Closed Session to seek the advice of its attorney about pending or contemplated litigation; a settlement offer; or on a matter in which the duty of the attorney to Fort Bend County Drainage District under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551.

- A. Cause No. 10-CCV-43690; James E. Eiteman and Ludy Eiteman v. Fort Bend County Drainage District; In the County Court at Law No. 4 of Fort Bend County, Texas.**
- B. Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens v. Fort Bend County Drainage District; In the County Court at Law No. 2 of Fort Bend County, Texas.**

**Closed Session:**

Convened at 1:36 p.m.  
Adjourned at 1:43 p.m.

**Reconvene:**

Reconvened at 1:46 p.m.

**6. Reconvene Open Session and consider taking action on the following matters:**

**§ 551.071. Consultation With Attorney.**

- A. Cause No. 10-CCV-43690; James E. Eiteman and Ludy Eiteman v. Fort Bend County Drainage District; In the County Court at Law No. 4 of Fort Bend County, Texas.**
- B. Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens v. Fort Bend County Drainage District; In the County Court at Law No. 2 of Fort Bend County, Texas.**

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered that the County Attorney is authorized to incur litigation expenses for Cause No. 10-CCV-43690; James E. Eiteman and Ludy Eiteman v. Fort Bend County Drainage District; In the County Court at Law No. 4 of Fort Bend County, Texas and Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens v. Fort Bend County Drainage District; In the County Court at Law No. 2 of Fort Bend County, Texas in an amount not to exceed \$7,000.00 each.

Judge Hebert	Yes
Commissioner Morrison	Yes
Commissioner Prestage	Yes
Commissioner Meyers	Yes
Commissioner Patterson	Yes

December 14, 2010

**7. Adjournment.**

The Drainage District Board adjourned at 1:47 p.m. on Tuesday, December 14, 2010.