

DRAINAGE DISTRICT BOARD MINUTES

BE IT REMEMBERED, That on this 5th DAY of APRIL, 2011, 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
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 1:06 p.m.

2. Take all appropriate action on RFP #11-042 for a 60-Ton Trailer.

Moved by Commissioner Morrison Seconded by Commissioner Meyers

Duly put and unanimously carried (5-0), it is ordered to take all appropriate action on RFP #11-042 for a 60-Ton Trailer.

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

Recess:

Recessed at 1:07 p.m.

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

§ 551.071. Consultation With Attorney. Commissioners Court 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 Commissioners Court 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. 11-CCV-044046; Fred E. Bray v. Fort Bend County Drainage District; In the County Court at Law Number One (1) of Fort Bend County, Texas.**
- B. **Cause No. 10-CCV-043690; James E. Eiteman and Ludy Eiteman, v. Fort Bend County Drainage District in County Court at Law #4 in Fort Bend County, Texas.**
- C. **Cause No. 11-CCV-044047; Kerry A. Kilburn and Cynthia H. Kilburn v. Fort Bend County Drainage District in County Court at Law #1 in Fort Bend County, Texas.**
- D. **Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens, v. Fort Bend County Drainage District in County Court at Law #4 in Fort Bend County, Texas.**

Closed Session:

Convened at 1:43 p.m.
Adjourned at 1:45 p.m.

Reconvene:

Reconvened at 2:08 p.m.

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

§ 551.071. Consultation With Attorney.

- A. **Cause No. 11-CCV-044046; Fred E. Bray v. Fort Bend County Drainage District; In the County Court at Law Number One (1) of Fort Bend County, Texas.**
- B. **Cause No. 10-CCV-043690; James E. Eiteman and Ludy Eiteman, v. Fort Bend County Drainage District in County Court at Law #4 in Fort Bend County, Texas.**
- C. **Cause No. 11-CCV-044047; Kerry A. Kilburn and Cynthia H. Kilburn v. Fort Bend County Drainage District in County Court at Law #1 in Fort Bend County, Texas.**

Item 4 continued - 551.071 Consultation with Attorney:

D. Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens, v. Fort Bend County Drainage District in County Court at Law #4 in Fort Bend County, Texas.

Moved by Commissioner Meyers Seconded by Commissioner Patterson

Duly put and unanimously carried (5-0), it is ordered to authorize the County Attorney to incur litigation expenses in an additional amount not to exceed \$10,000.00 each for Cause No. 11-CCV-044046; Fred E. Bray v. Fort Bend County Drainage District, Cause No. 10-CCV-043690; James E. Eiteman and Ludy Eiteman, v. Fort Bend County Drainage District, Cause No. 11-CCV-044047; Kerry A. Kilburn and Cynthia H. Kilburn v. Fort Bend County Drainage District and Cause No. 10-CCV-043691; Christiaan H. Stevens and Aldegondis Stevens, v. Fort Bend County Drainage District.

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

5. Adjournment.

The Drainage District Board adjourned at 2:10 p.m. on Tuesday, April 5, 2011.