

**Minutes**  
Columbus Community and Industrial Development Corporation  
Board of Directors Meeting

The Columbus Community & Industrial Development Corporation met in Special session on Monday, **December 1, 2014** at 6:30 p.m., in the Council Chambers of City Hall located at 605 Spring Street, Columbus, Texas. The following CCIDC Members were present:

President	-	Curtiss Schonenberg
Vice President	-	Byron Marburger
Treasurer	-	Lori An Gobert
Secretary	-	Elizabeth Flint
Board Member	-	DyAnn Lauzon (absent)
Board Member	-	Joel Usher (Arrived at 6:33 p.m.)
Board Member	-	Barbara Peterman (absent)
City Manager	-	Donald Warschak

**1. Call to Order.**

President, Curtiss Schonenberg, called the CCIDC Special Meeting to order at 6:32 pm.

**2. Pledge of Allegiance and Invocation.**

This item was skipped.

**3. Discussion and Action, if necessary, regarding the agricultural exemption and hay lease of the 54 acres at the Crossroads Business Park.**

Joel Usher arrived at 6:33 p.m.

Curtiss Schonenberg explained that he and Donald Warschak consulted with Billy Mitchell, Chief Appraiser at the Colorado County Central Appraisal District, and asked if the eight bales of hay that were on the 54 acres would constitute enough for an agricultural exemption. Billy Mitchell said it would not make an agricultural exemption at this point. Curtiss then took that information to City Attorney, Pat Gillespie, and she said the Board needed to have something in writing stating that they were not in compliance. Curtiss then went back to Billy Mitchell and got him to draft a letter to that effect. The letter was taken to Pat Gillespie and she said the letter was a little ambiguous. Pat Gillespie contacted Billy Mitchell and he rewrote the letter stating that CCIDC was not in compliance.

Curtiss stated the Board needed to vote to terminate and to move to another contractor that could fulfill the agricultural exemption. Billy Mitchell also said that, even with a second cutting, we may not be in compliance this year because it needs to be 6 months of production, but it would put us in better standing in case it would go to an appeal. He said we still probably need to make that cut this year and then they will look at it again. Joel Usher asked about the 6 months of production and Lori An asked what constituted production. Curtiss read a section from the letter from Billy Mitchell. It stated, "I do know based on a current time line that approximately eight bales of hay in two and one-half years would fall short of the requirements for qualifying either as a history year or current agricultural use practice in almost all cases. As of this point in time, the tract is out of compliance for qualifying because of the intensity standards have not been achieved. The first reason is the 70% of land in some type of agricultural endeavor has not been met and second reason is the lack of hay production for a tract this size. With this tract being located in the river bottom, the production should be a minimum of two bales per acre."

Joel Usher asked about the number of bales needed. Curtiss stated that two bales per acre would be 108 round bales, which is based upon a year. Byron Marburger asked if we did another cut and got some more hay production, could we go back to Billy Mitchell and have him re-evaluate it? Then if he shoots us down again, can we then appeal? Curtiss stated that we would have to appeal it and with the second cutting, it would put us in better standing with the appeal board. Byron said the board is comprised of citizens, so we can appeal to their better instincts as well because of what we are trying to do here. Elizabeth said she thought the board would be very apprehensive of us establishing any sort of precedence that might be applied to some other private citizen. She didn't think there would be any favoritism at all. However, this was not a second cutting. A lot of that land has not been cut at all, so we might be able to do that.

Lori An Gobert made a motion to terminate the contract with Mr. Ruether, based on not meeting contractual stands and obligations. Joel Usher seconded the motion. The vote was as follows:

Ayes: Gobert, Usher, Flint, Marburger, and Schonenberg  
Absent: Peterman and Lauzon

The motion passed.

Lori An Gobert made a motion to contract with Brushline Dozer Works for an immediate cutting of any available hay. Curtiss Schonenberg, before accepting the motion, recused himself and asked Vice President, Byron Marburger, to take over the discussion and action. The motion was seconded by Elizabeth Flint. The vote was as follows:

Ayes: Gobert, Usher, Flint, and Marburger  
Abstain: Schonenberg  
Absent: Peterman and Lauzon

The motion passed.

Byron turned the meeting back over to the President. Curtiss said the second letter had not been read by Pat Gillespie yet. He did not think there would be any problems with it, and all this would be contingent on the fact that the second letter is okay with her. Lori An said we needed to get Brushline out there to do it, and the paper trail could come later. Warnings have already been given, and he is still not in compliance. We are trying to meet our obligations, and one does not have to wait on the other. All the Board agreed with Lori An.

Joel Usher asked if Mr. Mitchell had been asked about the requirements for the agricultural exemption. Elizabeth said we have had many talks with him. Joel said this was the first time he had heard about the set number of bales. Elizabeth stated she had mentioned a number of bales a meeting or two ago. Lori An said he told her a number of bales, but not as large as 100. He was more in the 50-75 range. Elizabeth said she hoped that when Curtiss had to go to the appeal board, that he would go armed with all the conversations that have been mentioned in all our meetings concerning all the times he had met with and spoken to Mr. Ruether and what he said he was going to do, so they will know we have been doing our best.

**4. Executive Session: In accordance with Texas Government Code, Subchapter D, Section 551.072 deliberation regarding real property and Section 551.087 consultation with Attorney.**

No action was needed on this item.

**5. Reconvene into Regular Session and consideration and action, if any, regarding Executive Session, deliberations regarding real property and consultation with Attorney.**

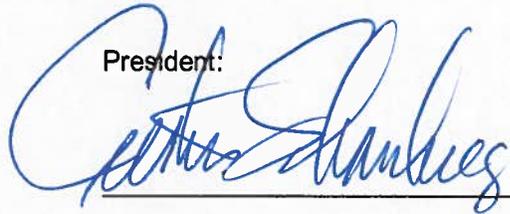
No action was needed on this item.

**6. Discussion of items to be placed on future agendas and announcements.**

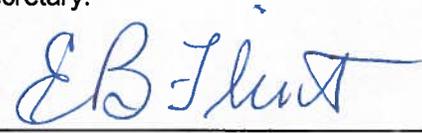
Elizabeth asked that the agricultural exemption of the 54 acres be placed on the next agenda.

**5. Adjournment**

President, Curtiss Schonenberg, adjourned the meeting at 6:44 pm.

President:  
  
\_\_\_\_\_

Attest  
Secretary:

  
\_\_\_\_\_