

**HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110  
MINUTES OF MEETING OF BOARD OF DIRECTORS**

**May 3, 2007**

**THE STATE OF TEXAS  
COUNTY OF HARRIS  
HARRIS COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 110**

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The Board of Directors (the "Board") of Harris County Water Control and Improvement District No. 110 (the "District") met in **special session**, open to the public, at the designated meeting place of the Board in the District on **May 3, 2007**, whereupon the roll was called of the duly constituted officers and members of the Board, to-wit:

James N. Williams	-	President
Jeannie Satterwhite	-	First Vice President
Jerry A. Strickland	-	Second Vice President
Texas H. Stevens	-	Secretary
Tom Dowdy	-	Treasurer/Investment Officer

All members of the Board were present, thus constituting a quorum.

Also attending the meeting were David Caramanidis, Executive Facilities Coordinator; Art Gerzak, Project Manager for the District; John Davis of Langford Engineering, Inc., Engineers for the District; Emmott Poindexter, resident of the District; Maria Salinas Parker and Lauren M. Gray of Coats, Rose, Yale, Ryman & Lee, P.C. ("Coats-Rose"), Attorneys for the District.

The meeting was called to order and the following business was conducted.

**ATTORNEY'S REPORT**

The Board recognized Ms. Parker and Ms. Gray, who presented the Attorney's Report.

**Summer Camp**

Ms. Parker noted that the issue of proper insurance coverage for the summer camp is still outstanding. Ms. Parker noted that the insurance broker is awaiting answers from Mr. Caramanidis on several questions relating to insurance for the camp.

The Board discussed the issue of insurance for the camp, whether the District should sponsor the camp, and whether any profit made from the summer camp should be divided between the District and Mr. Caramanidis.

Upon motion made by Director Dowdy and seconded by Director Stevens, the Board unanimously authorized the District to sponsor the summer camp and to have Mr. Caramanidis operate the camp, with

twenty-five percent (25%) of any profit from the camp to go to the District and seventy-five percent (75%) of any profit to go to Mr. Caramanidis.

### **Newsletter**

Ms. Parker stated that the District newsletter is reviewed for content by the District's attorneys once the newsletter is received by the Attorneys.

### **District Website**

Ms. Parker noted that the website is complete and will be accessible to the public on May 4, 2007. Ms. Parker informed Mr. Caramanidis that he should contact Russell Lambert and Barbara Payne regarding the placement of additional recreational information on the website.

### **General Insurance Matters**

A memorandum addressed to the Board regarding insurance and District property matters, along with a proposed Vehicle and District Property Policy, proposed contract for the Summer Camp, and Surveillance Policy was presented to the Board for review. Mr. Davis presented the Board with a revised list of District facilities and property that was compiled for insurance valuation purposes. A copy of the list is attached hereto.

Ms. Parker brought to the Board's attention Mr. MacDonald's recommendation that the District eliminate its all-terrain vehicle ("ATV") due to the high risks associated with the ATV. After some discussion, the Board stated its desire to keep the ATV for the purpose of search and rescue operations on the District's lakes. The Board noted that the ATV would otherwise be kept on District property at all times.

The Board next discussed the issue of properly categorizing employees for purposes of Worker's Compensation Insurance.

### **Construction Projects**

Ms. Parker noted that for construction jobs the law requires the District to bid out such projects. However, the District may use the employees for construction projects, but hiring employees solely for the purpose of performing such projects is not allowed.

### **Peace Officers**

Ms. Parker next raised the issue of maintaining proper insurance for the District's peace officers. Ms. Parker stated that based on Mr. MacDonald's recommendation, any peace officers not working under the District's contract with Harris County must be added to the District's insurance policy. Ms. Parker also stated that, per the requirements of the Water Code, the District must bond every peace officer working for the District.

### **Vehicle and District Property Policy**

Ms. Gray presented the Board with a proposed Vehicle and District Property Policy, a copy of which is attached hereto. Among other things, the proposed policy includes limiting the operation of District vehicles to the Executive Facilities Coordinator and Project Manager for the District; the requirement that

District vehicles be restricted to business use only as opposed to any personal use; that District vehicles not be kept at the residence of the Executive Facilities Coordinator, Project Manager, any District official or employee, or any other person; and that mileage logs be maintained for each District vehicle. The policy also noted that as to all District property, District employees and officials are required to use such property for and in furtherance of District business only and that personal use of District Vehicles or any other District property could give rise to a violation under the Penal Code.

After discussing the policy, the Board asked the District's attorneys to amend the policy in order to allow the Executive Facilities Coordinator and Project Manager to maintain District vehicles at their residences under specified circumstances and to authorize other District employees to operate District vehicles. The Board also asked the District's attorneys to follow up on whether a mileage log is necessary or helpful to the District.

### **Surveillance Policy**

Ms. Gray next presented the Board with a proposed Surveillance Policy, a copy of which is attached hereto. Among other things, the policy outlines the proper use of videotaping "public" areas on District property as opposed to "non-public" areas and limiting the viewing of any recorded surveillance to only certain District employees.

The Board requested that the District's attorneys revise the policy to allow District peace officers, and all District Board members, the Executive Facilities Coordinator, and other District personnel to have access to recorded surveillance. However, it was noted that if anyone asked to view the recorded tapes, Mr. Caramanidis would first bring the request to the Board. Director Williams noted that the surveillance would be in "live time", allowing District personnel with a password and necessary software to monitor District property at all times. District peace officers would be automatically linked to the surveillance cameras. Director Williams also noted that there are two (2) existing security cameras in the recreation center's fitness room, but that such cameras are not equipped for "live time" access. Director Williams also noted that District peace officers do not have access to the recorders in the fitness room.

As a final matter, Director Strickland requested that the District's attorneys research whether security cameras may be used by the District to photograph license plates.

Upon motion made by Director Strickland and seconded by Director Satterwhite, the Board unanimously approved the implementation of a District vehicle and property use policy and a District surveillance policy, subject to the revisions requested by the Board.

Upon a second motion regarding surveillance made by Director Strickland and duly seconded, the Board unanimously approved the purchase of two (2) surveillance cameras in the amount pursuant to a Work Order request by Gordon Safe & Lock, Inc.

### **Use of Bond Surplus Money**

In response to the Board's inquiry on whether bond surplus money may be used for renovations to the sewer treatment plant, Ms. Parker stated that this issue is being researched.

**Access to District Park**

Ms. Parker confirmed that access to the District's park may be properly restricted to District residents. Ms. Parker also noted that enclosing the park with ballards and chains should not be necessary at this time, but said that such a measure may be used if trespassing into the park persists. Mr. Davis also added that if the District uses landscaping and built up earth as a barrier around the park to deter trespassers, it may require permits due to the fact that earth would be moved around on the flood plain.

**District Lakes**

Ms. Parker stated that a policy for rules governing the use of District lakes was drafted and that the Board should decide upon the restrictions it wishes to impose.

**Texas Department of Wildlife, Fisheries and Sciences**

Ms. Gray stated that the District's attorneys will follow up on whether the District's lakes are public property subject to the jurisdiction of the Texas Department of Wildlife, Fisheries and Sciences.

**Project Manager's Computer**

Director Strickland brought the replacement of Art Gerzak's computer to the attention of the District's attorneys. Director Strickland stated that a check was issued to Mr. Gerzak in the amount of \$3,100.00 to purchase a laptop computer to replace the laptop recently stolen out of Mr. Gerzak's truck. It was noted that Mr. Gerzak has not yet submitted any receipts for the purchase of the laptop.

Upon motion duly made by Director Strickland and seconded by Director Dowdy, the Board unanimously approved the purchase of a lap top computer by the District for Mr. Gerzak, with associated computer and technical support, subject to Mr. Gerzak submitting documentation evidencing the purchase.

There being no further business to come before the Board, upon motion duly made and seconded, the meeting was adjourned.

APPROVED THIS \_\_\_\_\_.

  
Secretary, Board of Directors