

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

**JULY 24, 2008**

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

§  
§  
§  
§

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 **July 24, 2008**, 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 Lori Rosenbower, Parks and Recreation Manager for the District; Kay Divin, the District's Water and Sewer Operations Manager; Art Gerczak, Construction Projects Manager for the District; John Davis of Langford Engineering, Inc. ("Langford"), Engineers for the District; J. Dickson Rogers and Cindy Englebert with Dickson Partners; Brannon Boozer with Portrait Homes-Parkside Trails, LLC, a developer of property in the District; John Cannon of Coats, Rose, Yale, Ryman & Lee, P.C. ("Coats-Rose"), Attorney for Portrait Homes-Parkside Trails, LLC; and Maria S. Parker and Josh J. Kahn of Coats-Rose, Attorneys for the District.

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

**HEAR FROM PUBLIC**

The Board noted that there were no members of the public who wished to address the Board.

**ENGINEERING/DEVELOPMENT REPORT**

The Board recognized Mr. Davis who presented the Engineering/Development Report.

**Parkside Trails**

The Board recognized Mr. Boozer and Mr. Cannon, who discussed with the Board the proposed First Amendment to Development and Financing Agreement (the "First Amendment") with Portrait Homes-Parkside Trails, LLC. Mr. Kahn reviewed the terms of the First Amendment with the Board.

Upon motion duly made by Director Strickland and seconded by Director Satterwhite, the Board voted unanimously to approve the First Amendment to Development and Financing Agreement (the "First Amendment") with Portrait Homes-Parkside Trails, LLC.

Mr. Davis stated that he would now proceed with his approval of the plans for such project.

Mr. Davis next explained that Portrait Homes-Parkside Trails, LLC would also like to obtain authorization from the Board to advertise for bids for the construction of the next phase of development in Parkside Trails.

Upon motion duly made by Director Strickland and seconded by Director Dowdy, the Board voted unanimously to authorize the engineer for Portrait Homes-Parkside Trails, LLC to advertise for bids for the construction of the next phase of development in Parkside Trails, subject to review and approval of the form of the construction contract documents by the District's Attorney.

### **Spring Park Village**

The Board recognized Mr. Rogers, who requested payment of the approximately \$50,000 that was withheld by the District from his prior reimbursement due to issues with Harris County Water Control and Improvement District No. 99 ("WCID 99"). Ms. Parker explained to the Board that the District funded approximately \$80,000 in drainage improvements on the lots in Spring Park Village that back-up to the homes in WCID 99 and that the District was supposed to be reimbursed by WCID 99 for approximately \$40,000 of such costs. The District withheld an amount equal to the amount to be funded by WCID 99 from previous reimbursement to Mr. Rogers. Ms. Parker continued that WCID 99 has yet to reimburse the District for its portion of the costs because the engineer for WCID 99 has indicated that the facilities are not being maintained.

After further discussion and upon a motion duly made by Director Strickland and seconded by Director Satterwhite, the Board voted unanimously to authorize the District's Attorney to research the matter to determine if Mr. Rogers has any further legal obligations under his reimbursement agreement with the District. The Board noted that if it was determined that Mr. Rogers has no further legal obligations, the Board will consider approving the remaining reimbursement due to Mr. Rogers at its meeting on August 13, 2008.

### **Siding /Roof/ Bar Screen For Wastewater Treatment Plant**

Mr. Davis reminded the Board that at its meeting on May 29, 2008, the Board awarded the contract for the installation of the automatic bar screen at the wastewater treatment plant to Neil Technical Services, Corp. ("NTS") in the amount of \$312,350.00. Mr. Davis noted that the Notice to Proceed for such project has been given to NTS and the pre-construction meeting has been held with NTS.

### **North Harris County Regional Water Authority ("NHCRWA")**

Mr. Kahn presented to and reviewed with the Board a proposed Right of Entry and Possession Agreement with the NHCRWA, which would allow the NHCRWA to make its connection to the District's water plant. Mr. Davis recommended that the Board approve the agreement, but hold it pending his review and approval of the plans for the connection.

Upon motion duly made by Director Strickland and seconded by Director Satterwhite, the Board voted unanimously to approve the Right of Entry and Possession Agreement with the NHCRWA, subject to the District Engineer's review and approval of the plans for the connection.

## **WATER AND SEWER OPERATIONS MANAGER'S REPORT**

The Board recognized Ms. Divin, who discussed the District's flows into the Harris County Municipal Utility District No. 249 ("MUD 249") wastewater treatment plant. Ms. Divin noted that the District's records show that the District has been exceeding its allowable flows into such plant for the past several months, however, the issue has never been mentioned by any representative for MUD 249. Ms. Divin noted that she and the District's Operator would look into the matter and report back to the Board.

The Board next discussed access into the MUD 249 wastewater treatment plant site to read the meter and the District's lift station located within such site. Ms. Divin recommended that the District construct a fence within the site to allow access for the District to the lift station without allowing access to the remainder of the site.

After further discussion, the Board authorized Directors Williams and Satterwhite, along with the District's Engineer, Operator and Water and Sewer Operations Manager, to meet with representatives from MUD 249 to discuss any and all issues relating to flows in the wastewater treatment plant and access to the wastewater treatment plant site and determine mutually agreeable solutions to such issues.

## **RECREATION REPORT**

The Board recognized Ms. Rosenbower, who presented the Recreation Report. The Board noted that no action is needed in conjunction with the Recreation Report.

## **CONSTRUCTION PROJECTS MANAGER'S REPORT**

The Board recognized Mr. Gerczak, who presented to and reviewed with the Board the Construction Projects Manager's Report. The Board noted that no action is needed in conjunction with the Construction Projects Manager's Report.

## **ATTORNEY'S REPORT**

The Board recognized Mr. Kahn, who presented the Attorney's Report.

### **Approve Minutes of May 29, 2008, June 11, 2008 (Special Meeting), June 11, 2008 (Regular Meeting) and June 19, 2008**

Proposed minutes of the meetings held May 29, 2008, June 11, 2008 (special meeting), June 11, 2008 (regular meeting) and June 19, 2008, previously distributed to the Board were presented for consideration and approval.

Upon motion duly made by Director Strickland and seconded by Director Satterwhite, the Board voted unanimously to approve the minutes of the meetings held May 29, 2008, June 11, 2008 (special meeting), and June 19, 2008, as presented, and the minutes of the meeting held June 11, 2008 (regular meeting), amended.

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

APPROVED THIS           ~~2008~~ August 13, 2008          

          *Joseph Steven*            
Secretary, Board of Directors