

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

**May 13, 2009**

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

00000000

The Board of Directors (the "Board") of Harris County Water Control and Improvement District No. 110 (the "District") met in **regular session**, open to the public, at the designated meeting place of the Board in the District on **May 13, 2009 at 6:00 p.m.**, 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 Kay Divin, the District's Water and Sewer Operations Manager; Jody Dellinger, Parks and Recreation Manager for the District; Art Gerczak, Construction Projects Manager for the District; John Davis of Langford Engineering, Inc. ("Langford"), Engineers for the District; Mary Jarmon of Myrtle Cruz, Inc. ("Myrtle Cruz"), Bookkeeper for the District; Kenneth Byrd of Equi-Tax, Inc. ("Equi-Tax"), Tax Assessor/Collector for the District; Mike Ammel and Karl Skarboszewski of Environmental Development Partners ("EDP"), the District's Operator; Deputy Constable George Beck with Harris County Precinct No. 4; David Aguilar with Republic Waste; Phil Halbert with Champions Hydro-Lawn; Bob Sordahl and Emmett Poindexter, residents of the District; members of the public listed on the attached Attendance Sheet; and Maria S. Parker and Josh J. Kahn of Coats, Rose, Yale, Ryman & Lee, P.C. ("Coats|Rose"), Attorney for the District.

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

**TAX ASSESSOR/COLLECTOR'S REPORT**

The Board recognized Mr. Byrd, who presented the Board with the Tax Assessor/Collector's Report, a copy of which is attached hereto and checks for payment from the District's Tax Account. Mr. Byrd noted that approximately 97.2% of the District's 2008 taxes have been collected as of this meeting date.

Upon motion duly made by Director Dowdy and seconded by Director Satterwhite, the Board unanimously voted to (i) approve the Tax Assessor/Collector's Report and (ii) authorize the payment of checks listed therein.

**HEAR FROM THE 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.

### **North Harris County Regional Water Authority ("NHCRWA")/Conversion to Surface Water**

Mr. Davis updated the Board on the status of the proposed construction of a surface water transmission line by the NHCRWA along Cypresswood Drive. Mr. Davis reminded the Board that once the NHCRWA's surface water line is installed, the District will have to convert the District's water system to treatment by chloramines rather than chlorine.

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

Mr. Davis reminded the Board that bids were received on May 2, 2008 for the installation of the automatic bar screen at the wastewater treatment plant with the low bidder being Neil Technical Services, Corp. ("NTS") in the amount of \$312,350.00. Mr. Davis explained that the installation of the bar screen is complete and presented to and reviewed with the Board (1) Pay Estimate No. 5 and Final from NTS in the amount of \$59,037.40, (2) Change Order No. 1 from NTS in the amount of \$950.00, (3) the Engineer's Certificate of Completion, and (4) the Acceptance Letter to NTS providing for a 1-year warranty period through May 12, 2010.

Upon motion made by Director Strickland and seconded by Director Satterwhite, the Board unanimously voted to approve (1) Pay Estimate No. 5 and Final from NTS in the amount of \$59,037.40, (2) Change Order No. 1 from NTS in the amount of \$950.00, (3) the Engineer's Certificate of Completion, and (4) the Acceptance Letter to NTS providing for a 1-year warranty period through May 12, 2010.

### **Spring Park Village Detention Ponds**

Mr. Davis then presented to and reviewed with the Board a letter from Harry Jones, which requests the District to take over the permitting for the detention ponds serving Spring Park Village. Mr. Davis requested that the Board allow him to contact the current owner of the commercial tracts adjacent to Spring Park Village to see if they would be willing to take over the permitting for such pond, as the permit was only required once the commercial area was developed.

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

The Board recognized Ms. Divin, who presented the Water and Sewer Operations Manager's Report. Ms. Divin discussed the issue at the home of Mr. and Mrs. VonMinden. Mr. Kahn presented to and reviewed with the Board a draft of a letter to the VonMindens.

Ms. Divin next discussed the need to concrete an area at the wastewater treatment plant to allow access for the garbage collection truck and also the need to grade the area for drainage. Mr. Gerczak noted he could perform the work for approximately \$3,000.00. The Board instructed Mr. Gerczak to perform the work.

### **Cypresswood Lake Detention Ponds**

Ms. Divin next presented to and reviewed with the Board written bids for the initial clean-up and annual maintenance of the detention ponds in Cypresswood Lake. Ms. Divin explained that the low bidder is Champions Hydro-Lawn with a bid of \$46,550.00 for the initial clean-up, plus an estimated \$25,000.00 for repairs that will need to be made once the ponds can be assessed after the initial clean-up, and \$27,083.00 for the annual maintenance. The Board then discussed the best alternative for passing such costs onto the residents of Cypresswood Lake.

Upon motion made by Director Strickland and seconded by Director Dowdy, the Board unanimously voted to authorize Ms. Divin and Director Satterwhite to proceed with the award of the contract to the contractor they determine to be best suited to perform the necessary work.

### **BOOKKEEPER'S REPORT/INVESTMENT REPORT**

The Board next recognized Ms. Jarmon, who submitted to and reviewed with the Board the Bookkeeper's Report and Investment Report, copies of which are attached hereto, and certain invoices for payment by the Board.

Upon motion made by Director Strickland and seconded by Director Dowdy, the Board unanimously voted to (i) approve the Bookkeeper's Report, (ii) approve the Investment Report, as presented, and (iii) to approve the checks presented for payment.

### **OPERATOR'S REPORT**

The Board next recognized Mr. Ammel, who presented to the Board the Operator's Report, a copy of which is attached hereto.

Upon motion made by Director Satterwhite and seconded by Director Stevens, the Board unanimously voted to (1) approve the Operator's Report, (2) authorize replacement of the 8-inch valve on the water main near I-45 at Tilson Homes with a 12-inch valve for an estimated cost of \$7,000.00, and (3) authorize re-painting of the fire hydrants, subject to approval by Director Satterwhite and Ms. Divin.

#### **Termination of Water Service**

Consideration was then given to the termination of water service to certain accounts for failure to pay their water bills. At this time, Mr. Ammel presented to the Board a list of proposed terminations. The Board noted that there were no persons present at the meeting to protest their utility bills and/or the termination of water service to their property.

Upon motion made by Director Satterwhite and seconded by Director Stevens, the Board voted unanimously to authorize termination of water service with the assistance of a peace officer, if necessary, to the accounts listed in the Termination Report, a copy of which is attached hereto.

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

The Board recognized Mr. Gerczak, who presented to and reviewed with the Board the Construction Projects Manager's Report. Mr. Gerczak discussed the extension of the berm from Forest Lake to the high point near Enchanted Lake in order to control the flow and velocity of water during flooding. Mr. Gerczak noted that he would like to have Mr. Davis review the proposed improvements prior to submitting a cost estimate to the Board.

After further discussion and upon a motion by Director Dowdy, seconded by Director Stevens, the Board voted unanimously to approve additional funds in the amount of \$6,500.00 for Job No. 9062, subject to approval of the District's Engineer.

### **ATTORNEY'S REPORT**

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

#### **Minutes of Meetings of April 8, 2009 and April 23, 2009**

Proposed minutes of the meetings held April 8, 2009 and April 23, 2009, previously distributed to the Board were presented for consideration and approval.

Upon motion made by Director Strickland and seconded by Director Stevens, the Board voted unanimously to approve the minutes from the meetings of April 8, 2009 and April 23, 2009, as amended.

**Rate Order**

Consideration was then given to amending the District's Rate Order. The Board discussed (1) including language in the Rate Order to allow for the District to pass the costs associated with detention pond maintenance for a particular subdivision onto the residents of such subdivision and (2) increasing the sewer rate by \$1.00 to cover the increase in the cost of recycling.

Upon motion made by Director Strickland and seconded by Director Satterwhite, the Board voted unanimously to amend the District's Rate Order to include language to allow for the District to pass the costs associated with detention pond maintenance for a particular subdivision onto the residents of such subdivision. The Board decided not to increase the sewer rate at this time.

**Insurance**

The Board next considered renewing the District's insurance. Mr. Kahn presented to and reviewed with the Board proposals for insurance from ANCO McDonald and AquaSurance.

After further discussion regarding the two proposals and upon a motion by Director Strickland, seconded by Director Satterwhite, the Board voted 4-0, with Director Stevens abstaining, to approve the renewal of the District's insurance with ANCO McDonald.

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

APPROVED THIS June 10, 2009

  
Secretary, Board of Directors