

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

MARCH 24, 2011

**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 **March 24, 2011 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 Sebastian	-	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 Jody Dellinger, Parks and Recreation Manager for the District; Kay Divin, the District's Water and Sewer Operations Manager; John Davis of Langford Engineering, Inc. ("Langford"), Engineers for the District; George Beck with Harris County Precinct No. 4; Bob Sordahl and Greg Hebert, residents of the District; and Joshua J. Kahn of Sanford Kuhl Hagan Kugle Parker Kahn LLP ("SK Law"), Attorneys for the District.

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

PEACE OFFICER'S REPORT

The Board recognized Mr. Beck, who presented the Peace Officer's Report. Mr. Beck noted that due to recent budget cuts in Harris County, the Precinct 4 Constables office has cut approximately 97 Constables, one of which is in the District. Mr. Beck explained that this means that as of March 25, 2011 the District will only have 4 Constables working in the District. The Board then discussed contracting with Precinct 4 Constables for overtime work in the District park. The Board explained to Mr. Beck that the preferred hours of patrol in the District's park would be anytime from 4:00 p.m. to 9:00 p.m. Monday through Saturday and from 10:00 a.m. to 9:00 p.m. on Sunday.

Upon motion duly made by Director Strickland and seconded by Director Sebastian, the Board unanimously voted to contract with Precinct 4 for up to 30 hours a week of overtime patrol in the District's park for the next 6 months.

HEAR FROM PUBLIC

The Board recognized Mr. Hebert, who explained that his driveway is on a very steep slope due to it being graded at the same level as the District's manhole adjacent to such driveway. Because of the steep slope, his cars scrape on the driveway when pulling into his garage. Mr. Davis stated that he would investigate the matter to determine if the District's manhole could be lowered to allow for the grade of the driveway to be lowered to prevent such a steep slope.

WATER AND SEWER OPERATIONS MANAGER'S REPORT

The Board recognized Ms. Divin, who presented the Water and Sewer Operations Manager's Report. Ms. Divin reminded the Board that the District recently received a letter from the North Harris County Regional Water Authority ("NHCRWA") relating to the District's use of surface water. Ms. Divin continued that such letter states that any members of the NHCRWA that are capable of receiving surface water and are not using 100% surface water need to begin doing so or the NHCRWA will pass on any disincentive fees assessed against the NHCRWA by the Harris-Galveston Coastal Subsidence District ("HGCSO") to such members. Ms. Divin then presented to and reviewed with the Board a spreadsheet showing that in the previous 12 months the District has had 36% of its water usage on the east side of IH-45 and 64% of its water usage on the west side of IH-45. Ms. Divin noted that despite these numbers, the District is using approximately 80% surface water per month. Mr. Davis requested Board authorization to have the District's Attorneys respond to the letter from the NHCRWA stating that (1) because of the District's water plant on the east side of IH-45 the District cannot use 100% surface water but will attempt to use at least 80% surface water and (2) because of this unique situation the District should not have to pay any disincentive fees assessed by the HGCSO.

Ms. Divin next explained that a sink hole was recently discovered in one of the detention ponds serving the Cypresswood Lake ("CWL") subdivision that is maintained by the District. Ms. Divin noted that she sent notice to the HOA in CWL that the costs to repair the sink hole would be passed to the residents of CWL. Ms. Divin stated that the HOA President has objected to the District passing such costs to the residents of CWL. Mr. Kahn noted that he would look at the agreement between the District and the CWL HOA to determine if such costs are to be passed on to the residents of CWL.

Upon a motion made by Director Sebastian and seconded by Director Dowdy, the Board unanimously voted to (1) approve the Water and Sewer Operations Manager's Report and (2) authorize the District's Attorneys to prepare a response to the March 1, 2011 letter from the NHCRWA, as discussed above.

ENGINEERING/DEVELOPMENT REPORT

The Board recognized Mr. Davis, who presented the Engineering/Development Report. Mr. Davis presented to and reviewed with the Board a letter from the NHCRWA stating that District will receive a credit from the NHCRWA in the amount of \$425,259.06 for the cost of the District's chloramines system. Mr. Davis explained that the District will receive a monthly credit from the NHCRWA in the amount of \$2,574.55 for the next 30 years.

The Board noted that no action is necessary in connection with the Engineering/Development Report.

PARKS AND RECREATION MANAGER'S REPORT

The Board recognized Mr. Dellinger, who presented the Parks and Recreation Manager's Report.

Mr. Dellinger requested authorization to purchase an additional 8 picnic tables with benches for the District's park at an estimated cost of \$5,121.00.

Upon a motion made by Director Strickland and seconded by Director Sebastian, the Board unanimously voted to approve the purchase of 8 picnic tables with benches for the District's park.

Mr. Dellinger next requested authorization to purchase cantilever shade umbrellas for the pool area, with roller kits.

Upon a motion made by Director Strickland and seconded by Director Stevens, the Board unanimously voted to approve the purchase of cantilever shade umbrellas for the pool area, with roller kits, at a cost not to exceed \$15,000.00.

Mr. Dellinger next discussed the need to purchase new lights for the back parking lot behind the tennis courts.

Upon a motion made by Director Strickland and seconded by Director Sebastian, the Board unanimously voted to approve the purchase of new lights for the back parking lot behind the tennis courts, at a cost not to exceed \$12,000.00, subject to the approval of Director Stevens.

Mr. Dellinger next discussed with the Board proposed items for the July 31, 2012 recreational budget.

ATTORNEY'S REPORT

The Board recognized Mr. Kahn, who presented the Attorney's Report. Mr. Kahn discussed with the Board to recent law requiring all public pools to be accessible to disabled persons. Mr. Kahn noted that there is no "safe harbor" provision so the District would need to comply or it could face penalties for a violation of such law. Mr. Dellinger noted that he is looking into the most feasible alternative to provide access to the District's pool.

Mr. Kahn next discussed a request from CNP Utility District ("CNP") to enter into an interlocal agreement with the District for constables to patrol the new park being constructed by CNP. Mr. Kahn also noted that CNP has inquired as to whether the District would be interested in connecting the two parks via a bridge over Cypress Creek. The Board noted that with the recent layoff of Constables by Precinct 4 that they would be unable to enter into an interlocal agreement with CNP at this time. The Board also noted that there would be no benefit to the residents of the District to connect the District's park with CNP's park.

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