

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

**APRIL 21, 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 **regular session**, open to the public, at the designated meeting place of the Board in the District on **April 21, 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; Karl Skarboszewski of Environmental Development Partners ("EDP"), the District's Operator; Deputy Constable George Beck with Harris County Precinct No. 4; Bob Sordahl and Emmett Poindexter, Jr., 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.

**HEAR FROM PUBLIC**

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

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

The Board recognized Ms. Divin, who presented the Water and Sewer Operations Manager's Report. Ms. Divin: (1) updated the Board on the status of the construction of Main Street America by Design Tech Homes, (2) noted that Furr's Cafeteria is having its grand opening on May 11, 2011, (3) noted that Juan & Lefty's Mexican Cantina is open for business, and (4) noted that Panera Bread is under construction.

The Board next recognized Mr. Skarboszewski, who explained that the North Harris County Regional Water Authority ("NHCRWA") has not been supplying enough water to allow the District to use approximately 90% surface water as requested by the NHCRWA. Mr. Skarboszewski continued that EDP contacted the NHCRWA to request additional water but was told that the NHCRWA does not have enough water to supply the District as they have met their surface water requirements through the end of June.

Ms. Divin next discussed the District's sponsorship of Lemm Elementary School and McNabb Elementary School under the Save H2O Texas sponsorship program. Ms. Divin noted that Barbara Payne called her after being told that the District would donate \$1,000.00 per school and told Ms. Divin that she would need at least \$4,000.00 per school for a sponsorship. After further discussion, the Board decided to withdraw their offer and advised Ms. Divin to use such funds to provide information on water conservation to the schools.

### **PEACE OFFICER'S REPORT**

The Board recognized Mr. Beck, who presented the Peace Officer's Report. The Board noted that no action is necessary in connection with the Peace Officer's Report.

### **PARKS AND RECREATION MANAGER'S REPORT**

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

Mr. Dellinger discussed the installation of three additional concrete pads in the park. Mr. Dellinger noted that he would report back to the Board at a later meeting with more definitive cost estimates for such pads.

Mr. Dellinger also discussed the increased insurance premium for the District having employees under the age of 25 driving District vehicles/equipment. The Board noted that no District employee under the age of 25 operates a licensed vehicle of the District. The Board instructed Mr. Kahn to look into the matter and report back to the Board.

Mr. Dellinger next requested that the District use direct deposit to process the payroll checks. The Board instructed Mr. Kahn to discuss the issue with the District's Bookkeeper to see if it could be arranged.

Mr. Dellinger next requested authorization to purchase a storage shed for use by the tennis professional, at an estimated cost of \$4,000.00.

Upon a motion made by Director Sebastian and seconded by Director Strickland, the Board unanimously voted to approve the purchase of a storage shed for use by the tennis professional, at a cost not to exceed \$4,000.00.

Mr. Dellinger next presented to and reviewed with the Board proposed amendments to the District's Facilities Use Agreement to address the rental/reservation of pavilions, picnic areas, etc. in the park. Director Strickland also presented to and reviewed with the Board his proposed rules regarding same.

Upon a motion made by Director Strickland and seconded by Director Stevens, the Board unanimously voted to adopt the revisions to the Facilities Use Agreement as proposed by Director Strickland and to authorize Mr. Dellinger and Director Strickland to determine any additional rules necessary regarding vehicle access in the park, over-65 access, and any additional rules deemed necessary for the park.

### **ATTORNEY'S REPORT**

The Board recognized Mr. Kahn, who presented the Attorney's Report. Mr. Kahn discussed with the Board proposed HB 3555. After further discussion regarding HB 3555, the Board authorized Director Williams to sign a letter of opposition in connection with such bill.

Mr. Kahn next presented to and reviewed with the Board the documents necessary to proceed with the annexation into the District of approximately 12.4079 acres owned by Design Tech Homes.

Upon a motion made by Director Sebastian and seconded by Director Strickland, the Board unanimously voted to approve the documents necessary to proceed with the annexation into the District of approximately 12.4079 acres owned by Design Tech Homes including, but not limited to, the Petition for Addition of Certain Land to the District and a Petition for Consent to Annex Land into a Water Control and Improvement District.

**CLOSED SESSION**

Upon motion duly made by Director Sebastian and seconded by Director Strickland, the Board voted unanimously to convene in closed session at 9:00 p.m. to discuss personnel matters.

**OPEN SESSION**

Upon motion duly made by Director Strickland and seconded by Director Dowdy, the Board voted unanimously to reconvene in open session at 9:45 p.m.

Upon motion duly made by Director Dowdy and seconded by Director Sebastian, the Board voted unanimously to approve the performance bonus for Mr. Dellinger in the amount discussed in Closed Session. The Board noted that there would be no guarantees to Mr. Dellinger of future performance bonuses or salary increases, but the Board would review the matter around each May 1.

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

APPROVED THIS May 11, 2011

  
Secretary, Board of Directors