

**Resolution in support of changing the Colorado County Groundwater Conservation District (CCGCD)
Enabling Act in order to provide for compensation to Board Directors**

WHEREAS, the CCGCD's current enabling act does not entitle a director to receive compensation for performing the duties of a director beyond reimbursement for a director's reasonable expenses incurred while engaging in activities on behalf of the district,

WHEREAS, the Section 36.060 of the Texas Water Code does allow for Director compensation,

WHEREAS, Section 101.106(f) of the Texas Tort Claims Act allows an employee who is sued individually to file a motion requiring the Plaintiff to dismiss them from the suit and name the governmental entity as a defendant in their place,

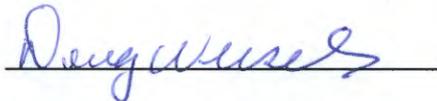
WHEREAS, Section 101.106(f) is only available as a defense to an "employee" as defined in Section 101.001(2) of the Texas Tort Claims Act and that definition includes "any person, including an officer or agent, who is in the paid service of the governmental unit...",

WHEREAS, unpaid elected officials and board members are often unable to assert this defense and obtain their quick dismissal from the lawsuit,

NOW THEREFORE BE IT RESOLVED, that the Commissioners Court of Colorado County is in support of a change to the District's Enabling Act to allow for compensation to Board members not to exceed \$100 for each day the director actually spends performing the duties of a director and not to exceed \$1,200 a year.

DONE IN OPEN COURT, this 23rd day of February, 2015 upon motion by Commissioner Wessels, seconded by Commissioner Kubesch, and 3 members of the Court being present and voting "aye".


Ty Prause, County Judge


Doug Wessels, Commissioner, Pct #1

Doug Wessels, Commissioner, Pct #1


Tommy Hahn, Commissioner, Pct #3

Tommy Hahn, Commissioner, Pct #3


Darrell Kubesch, Commissioner, Pct #2

Darrell Kubesch, Commissioner, Pct #2


Darrell Gertson, Commissioner, Pct #4

Darrell Gertson, Commissioner, Pct #4

ATTEST


Kimberly Menke, County Clerk

Kimberly Menke, County Clerk

