

**MINUTES OF REGULAR MEETING  
OF  
WINDFERN FOREST UTILITY DISTRICT**

August 19, 2014

The Board of Directors of Windfern Forest Utility District of Harris County, Texas, met in regular session, open to the public, at a regular meeting place inside the boundaries of the District, at the Windfern Forest Utility District Administration Building ("DAB"), 14410 Mauna Loa Drive, Houston, Texas, on August 19, 2014, and the roll was called of the duly constituted officers and members of the Board, to wit:

Eddie Mendel	President
Vacant	Vice President
Kurt Schoelman	Secretary/Treasurer
Shari North	Assistant Secretary
Pat Going	Director

and all of said persons were present, thus constituting a quorum.

Also present were Karla Efigenio of McLennan & Associates; Jaison Sanwald and Gene Connors of TOPS; Shawn Sharkey of Jacobs Engineering Group, Inc.; Ryan Fortner of Wheeler & Associates; Sergeant Lowery of Harris County Constable's Office, Precinct 4; David Hanna of Royal Waste Disposal; and Clark Lord and Debbie Russell of Bracewell & Giuliani LLP.

**APPEARANCES BEFORE THE BOARD**

Director Mendel introduced Mr. Connors to the Board. Mr. Connors stated that Teri Schoener and Corey Bostick had left TOPS. He then introduced Mr. Sanwald as the new TOPS representative for the District.

**SECURITY REPORT**

Sergeant Lowery reported on security matters within the District for the month of July 2014.

**APPROVE MINUTES**

The Board reviewed the minutes of July 15, 2014. Following discussion, upon a motion made by Director Schoelman and seconded by Director Going, the Board voted unanimously to approve the minutes of July 15, 2014 as revised.

**BOOKKEEPER'S REPORT, APPROVE PAYMENT OF BILLS AND REVIEW INVESTMENT OF DISTRICT FUNDS**

Ms. Efigenio presented the bookkeeper's report, a copy of which is attached to these minutes, for the period July 15, 2014 to August 19, 2014. She next reviewed the checks

presented for payment, the District's investments and a comparison of actual versus budgeted revenues and expenses for the period ending July 31, 2014.

Following discussion on the bookkeeper's report, upon a motion made by Director North and seconded by Director Schoelman, the Board voted unanimously to approve the bookkeeper's report, payment of the bills and investment of the District's funds.

The Board then reviewed the draft operating budget for the fiscal year ending September 30, 2015, but took no action on the matter.

### **TAX ASSESSOR/COLLECTOR'S REPORT AND APPROVE PAYMENT OF BILLS**

Mr. Fortner next presented the tax assessor/collector's report for the month of July , a copy of which is attached. He reviewed the report, stating that as of July 2014, the District's 2013 taxes are 99.20% collected and the 2012 taxes are 99.85% collected. Mr. Fortner also presented checks nos. 2450-2452 for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director Schoelman and seconded by Director North, the Board voted unanimously to approve the tax assessor/collector's report and payment of the tax bills.

### **DELINQUENT TAX ATTORNEY'S REPORT**

The Board reviewed the District's delinquent tax attorney's report, a copy of which is attached, regarding the status of collection of the District's delinquent taxes. The Board took no action in connection with the delinquent tax attorney's report.

### **OPERATOR'S REPORT**

Mr. Sanwald presented the operator's report for July 2014, a copy of which is attached to these minutes.

Mr. Sanwald then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 92%.

Mr. Sanwald reported on repairs and maintenance at District facilities. He stated that the hydrant inspection was completed during the month.

Mr. Sanwald then presented a list of delinquent accounts to be turned over to collections.

Following discussion on the operator's report, upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to approve the operator's report and authorize the list of delinquent accounts to be sent to collections.

**CONDUCT HEARING ON TERMINATION OF WATER SERVICE TO DELINQUENT WATER AND SEWER ACCOUNTS AND AUTHORIZE APPROPRIATE ACTION**

The Board next considered termination of utility service to customers with delinquent accounts. Mr. Sanwald reported that the residents appearing on the termination list were given proper notice and the opportunity to be heard in order to explain, contest or correct the utility service bill and show reason why utility service should not be terminated for reason of nonpayment, all as required by the District's Rate Order and stated there were no appeals from residents.

Following discussion, a motion was made by Director Going to terminate utility service to customers with delinquent accounts. Director North seconded the motion, which carried by unanimous vote.

**ENGINEER'S REPORT**

The Board next reviewed the engineer's report, a copy of which is attached, including the following matters:

**Elevated Storage Tank Waiver Application**

Mr. Sharkey had nothing new to report in connection with the TCEQ Elevated Storage Tank Waiver Application.

**Coating Repair of Water Plant No. 1's Ground Storage Tank and Hydropneumatic Tank**

Mr. Sharkey reported that the construction documents in connection with the coating of the hydropneumatic and ground storage tanks are complete, but noted that he will delay the actual contract until the beginning of 2015 because of the holidays and the lower water usage in January and February.

The Board then discussed the odor complaints from some of the apartment complexes about their water supply when well 3 went online. He stated the samples that were pulled did not have hydrogen sulfide. Director Mendel stated that in his opinion, water from well 3 should start being blended with water from well 1.

After discussion, Director Schoelman moved that the Board approve the engineer's report. Director North seconded the motion and it passed by unanimous vote.

**PROPOSAL FOR CPI RATE INCREASE FROM ROYAL DISPOSAL**

Mr. Hanna presented a proposal for a CPI rate increase for the Board's review. He reported that costs in the industry have continued to grow precipitating the need for the rate increase. After discussion, Director Schoelman moved that the Board approve the rate increase proposed by Royal Disposal effective on September 1, 2014. Director North seconded the motion and it carried by unanimous vote.

## **ATTORNEY'S REPORT**

### **Resolution Regarding Change in Scope and Release of Escrowed Funds**

Mr. Lord reported that the TCEQ has requested that the District revise its resolution from a release of escrowed funds to a change in scope. He presented the revised resolution for the Board's execution.

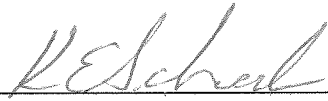
## **BUILDING OFFICE MANAGER'S REPORT**

Director Schoelman reported that Ms. Lueb had informed him that she was having someone come to check on the outside lights and repair a leak on the fountain.

## **REPORT ON MATTERS DISCUSSED AT THE MEETING OF THE WHITE OAK BAYOU JOINT POWERS BOARD**

Director Mendel reported on matters discussed at the August meeting. He stated that the bids for the blower replacement came in lower than estimated.

There being no further business to come before the Board, the meeting was adjourned.

  
Secretary, Board of Directors



**ATTACHMENTS**

bookkeeper's report .....1  
tax assessor/collector's report for the month of July .....2  
delinquent tax attorney's report .....2  
operator's report for July 2014 .....2  
engineer's report .....3