

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

December 16, 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 December 16, 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; Eric Martin of TOPS; Shawn Sharkey of Jacobs Engineering Group, Inc.; Sergeant Lowery and Constable Marquez of Harris County Constable’s Office, Precinct 4; and Clark Lord and Debbie Russell of Bracewell & Giuliani LLP.

**APPEARANCES BEFORE THE BOARD**

No one was present to address the Board.

**SECURITY REPORT**

Constable Marquez reported on security matters within the District for the month of November 2014.

**APPROVE MINUTES**

The Board reviewed the minutes of November 18, 2014. Following discussion, upon a motion made by Director Schoelman and seconded by Director Going, the Board voted unanimously to approve the minutes of November 18, 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 November 18, 2014 to December 16, 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 November 30, 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.

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

Due to the absence of the tax assessor/collector, there was no tax report for the month. After discussion, Director North moved that the Board authorize any tax transfers and/or checks that are needed before the next meeting. Director Schoelman seconded the motion and it carried by unanimous vote.

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

There was no delinquent tax attorney's report.

### **OPERATOR'S REPORT**

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

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

Mr. Martin reported on repairs and maintenance at District facilities.

Mr. Martin then reported that a commercial meter test was conducted in the District. He recommended that the Board authorize the recalibration of two of the meters, replacement of one 1-inch meter and replacement of one 4-inch meter at a total cost of \$7,250.

Mr. Martin reported that the restaurant manager at the Pizza Hut/Wing Street restaurant has refused to clean the grease trap in the restaurant and that it has caused a blockage in one of the lines. Mr. Lord stated that the District has the authority to fine the restaurant and/or terminate water service if the manager fails to comply with the District's rate order.

Mr. Martin next informed the Board that the District's lift stations need to be cleaned. He stated that Source Point Solutions has proposed to perform the cleaning at a cost of \$2100.

Mr. Martin then reported that lift pump 2 at lift station no. 2 has failed and can be repaired at a cost of \$9,415 or replaced at a cost of \$19,000.

Director Mendel questioned the amount of water that was billed. Mr. Martin stated that he would investigate and report back to the Board.

Director Schoelman questioned the status of the proposal for repair of the manholes near the sidewalk in the 8200 block of Windell that is uneven. Mr. Martin stated that he will check on the proposal and report back to the Board.

Following discussion on the operator's report, upon a motion made by Director Schoelman and seconded by Director Going, the Board voted unanimously to (i) approve the operator's report, (ii) approve the recalibration and replacement of the commercial meters as discussed, (iii) authorize preparation of a letter to the Pizza Hut regarding compliance with the District's rate order, (iv) authorize the cleaning of the District's lift stations and (v) authorize the repair of lift pump no. 2 at lift station no. 2.

**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. Martin 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 Schoelman to terminate utility service to customers with delinquent accounts. Director Going seconded the motion, which carried by unanimous vote.

**ATTORNEY'S REPORT**

Mr. Lord had nothing to report for the month.

**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 reported that the engineer for Harris County MUD No. 261 ("HC261") has prepared a letter requesting an extension of time to September 30, 2016, for completion of the generator project in connection with the response to the Elevated Storage Tank Waiver Application.

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

Mr. Sharkey presented the construction contracts in connection with the coating of the hydropneumatic and ground storage tanks for execution. Ms. Russell noted that she would review the payment and performance bonds for the project.

**BUILDING OFFICE MANAGER'S REPORT**

There was no report from the building office manager for the month.

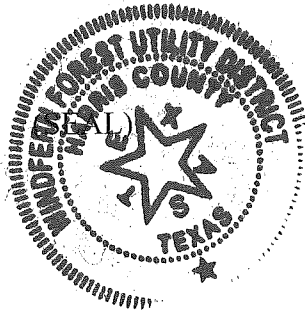
**REPORT ON MATTERS DISCUSSED AT THE MEETING OF THE WHITE OAK  
BAYOU JOINT POWERS BOARD**

Director Mendel reported on matters discussed at the November meeting. He stated metals are exceeding the permitted levels and that all participants in the plant are contributing to the problem. Director Mendel stated that the Joint Powers Board is working to determine what businesses might be contributing to the discharge. Mr. Sharkey stated that the aging infrastructure could be flaking off in the system. Director Mendel stated that the engineers for the plant are working to find the best solution to eliminating the metals.

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



Secretary, Board of Directors



**ATTACHMENTS**

bookkeeper's report .....1  
operator's report for November 2014 .....2  
engineer's report .....3