

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

May 19, 2015

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 May 19, 2015, and the roll was called of the duly constituted officers and members of the Board, to wit:

Eddie Mendel	President
Pat Going	Vice President
Kurt Schoelman	Secretary/Treasurer
Shari North	Assistant Secretary
Karen Hlavenka	Assistant Vice President

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

Also present were Mary Lutz of McLennan & Associates; Ryan Fortner of Wheeler & Associates; Eric Martin, Gene Connor and Bradley Jenkins of TOPS; Shawn Sharkey of Jacobs Engineering Group, Inc.; Lieutenant Jolly, Corporal Lopez and Constable Jennifer McCants of the Harris County Constable’s Office, Precinct 4; John Elder of Acclaim Energy; Clark Lord and Debbie Russell of Bracewell & Giuliani LLP and John Murray, a resident of the District.

SECURITY REPORT

Constable McCants reported on security matters within the District for the month of April 2015.

APPROVE DIRECTORS’ SWORN STATEMENTS, OFFICIAL BONDS, AND OATHS OF OFFICE

The Board next considered approving Directors’ Sworn Statements, Official Bonds, and Oaths of Office executed by Directors Mendel and North in conjunction with their re-election to the Board of Directors. Following discussion, a motion was made by Director Going and seconded by Director Schoelman to approve the Sworn Statements, Official Bonds, and Oaths of Office for Directors Mendel and North. The motion carried by unanimous vote.

ELECTRICITY CONTRACT – ACCLAIM ENERGY

Mr. Elder reported that the District is part of a consortium that purchases electricity under a contract arranged through Acclaim Energy. He stated that he is arranging a meeting with a member of each board in the consortium to vote on a new contract for electricity for the members of the consortium. After discussion, Director North moved that the Board designate

Director Hlavenka as the District's representative to vote on the decision for the new contract on the District's behalf. Director Schoelman seconded the motion and it carried by unanimous vote.

APPROVE MINUTES

The Board reviewed the minutes of April 21, 2015. Following discussion, upon a motion made by Director Schoelman and seconded by Director Going, the Board voted unanimously to approve the minutes of April 21, 2015, as revised.

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

Ms. Lutz presented the bookkeeper's report, a copy of which is attached to these minutes, for the period April 21, 2015 to May 19, 2015. 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 April 30, 2015.

Following discussion on the bookkeeper's report, upon a motion made by Director Schoelman and seconded by Director Going, 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

Mr. Fortner next presented the tax assessor/collector's report for the month of April, a copy of which is attached. He reviewed the report, stating that as of April 2015, the District's 2014 taxes are 98.23% collected and the 2013 taxes are 99.63% collected. Mr. Fortner also presented checks nos. 2501-2505 for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director Going 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 then reviewed the delinquent tax attorney report prepared by Perdue Brandon Fielder Collins & Mott. No action was required.

OPERATOR'S REPORT

Mr. Martin presented the operator's report for April 2015, 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 96%.

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

Mr. Martin next requested authorization to install a selector switch at the water plant at a cost of \$2495.

Mr. Martin then reported on the IRIS program that allows the District to send out an email blast to all residents who enroll in the program to distribute a message that requires immediate attention. He stated that the cost is \$0.10 per message and the program can be cancelled at any time.

Following discussion on the operator's report, upon a motion made by Director Going and seconded by Director Schoelman, the Board voted unanimously to approve the operator's report, authorize the installation of the selector switch at a cost of \$2495 and approve the IRIS program.

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.

ENGINEER'S REPORT

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

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

Mr. Sharkey presented and recommended for payment Pay Estimate No. 2 in the amount of \$108,855 from The Trey Evans Co. He next presented and recommended for approval Change Order No. 2 in the amount of \$5,200 to replace the overflow box that had rusted through.

After review and discussion, Director Schoelman moved that the Board approve Pay Estimate No. 2 and Change Order No. 2. Director Going seconded the motion and it carried unanimously.

Emergency Generator at Water Plant No. 1

Mr. Sharkey informed the Board that the estimated cost for the installation of an emergency generator at water plant no. 1 is \$400,000. He next presented a task order for same in the amount of \$69,800 which represents the fee for engineering services, including a water plant site survey, electrical engineering services and project representation.

Mr. Sharkey next reported that he met with representatives of Acclaim Energy regarding their services in relation to installation, operation and maintenance of the proposed generator.

He also reported that he had checked references in connection with same and found no performance issues. Mr. Elder then addressed the Board regarding the benefits of contracting with Acclaim in connection with the installation of the emergency generator. He stated that under the contract with Acclaim, the District can pay for the generator in ten years. Mr. Elder reported that Acclaim will perform maintenance and fuel monitoring on the generator. After further discussion, Director Mendel moved that the Board approve a contract with Acclaim Energy for installation of an emergency generator at Water Plant No. 1 subject to approval of the contract terms by the District's attorney. Director Schoelman seconded the motion and it carried unanimously.

After discussion, Director Going moved that the Board accept the engineer's report. Director North seconded the motion and it carried unanimously.

BUILDING OFFICE MANAGER'S REPORT

Director Schoelman reported that the lights in the meeting room had been replaced.

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

Director Mendel reported on matters discussed at the April meeting. Director Mendel stated that the White Oak Board engaged Allan Plummer Associates ("APA") to review the recommendation of Jones & Carter ("J&C"). He stated that J&C and APA believe that there may be a regulatory route to address the metals limits and J&C has requested an additional \$35,000 for J&C and APA to complete the regulatory review.

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



Secretary, Board of Directors



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