

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

January 17, 2017

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 Lane, Houston, Texas, on January 17, 2017, 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 Mark Eyring of Roth & Eyring; Diane Doyle of McLennan & Associates; Rebecca Olvera of B & A Municipal Tax Service, LLC; Eric Martin of TOPS; Deputy Marquez and Deputy Hall of the Harris County Constable’s Office, Precinct 4; Shawn Sharkey of Jacobs Engineering Group, Inc.; and Clark Lord and Debbie Russell of Bracewell LLP.

**SECURITY REPORT**

Deputy Hall reported on security matters within the District for the month of December, 2016.

**Interlocal Agreement for Law Enforcement Services with Harris County**

Mr. Lord presented the renewal Interlocal Agreement for Law Enforcement Services with Harris County for the Board’s consideration and stated that there is no increase in the rates for 2017. After discussion, Director Going moved that the Board approve the Agreement as presented. Director North seconded the motion and it carried by unanimous vote.

**APPROVE MINUTES**

The Board reviewed the minutes of December 20, 2016. Following discussion, upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to approve the minutes of December 20, 2016, as submitted.

**APPROVE AUDIT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2016**

Mr. Eyring presented the District’s draft annual audit for the fiscal year ending September 30, 2016, to the Board for review and approval. A copy of the District’s audit is attached to these minutes.

Following discussion on the audit, upon a motion made by Director North and seconded by Director Going, the Board voted unanimously to approve the audit for fiscal year ending September 30, 2016.

**AUTHORIZE CONSULTANTS TO PREPARE ANNUAL REPORT IN ACCORDANCE WITH DISTRICT 'S CONTINUING DISCLOSURE OF INFORMATION AGREEMENT AND AS REQUIRED BY SEC RULE 15(C)2-12 FOR THE DISTRICTS OUTSTANDING BONDS**

Mr. Lord stated that the District is required to file an annual report in accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12 for the District's outstanding bonds. Following discussion, a motion was made by Director North and seconded by Director Going authorizing the consultants to prepare an annual report in accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12 for the District's outstanding bonds. The motion passed unanimously.

**AUTHORIZE FILING OF AUDIT WITH STATE INFORMATION DEPOSITORY IN ACCORDANCE WITH THE DISTRICT'S CONTINUING DISCLOSURE OF INFORMATION AGREEMENT AND AS REQUIRED BY SEC RULE 15(C)2-12**

Mr. Lord next informed the Board that the District is required to file its annual audit with the state information depository in accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12 for the District's outstanding bonds. Following discussion, a motion was made by Director North authorizing filing of the annual audit with the state information depository in accordance with the District's Continuing Disclosure of Information Agreement and as required by SEC Rule 15c2-12 for the Series 2000 Bonds. The motion was seconded by Director Going and carried by unanimous vote.

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

Ms. Doyle presented the bookkeeper's report, a copy of which is attached to these minutes, for the period December 20, 2016 to January 17, 2017. 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 December 31, 2016. Ms. Doyle then presented the monthly investment report for the period ending December 31, 2016.

**Resolution Appointing Investment Officer for the District**

Ms. Russell stated that the bookkeeper requested that the District appoint a new investment officer for the District. She presented a Resolution Appointing Investment Officer (the "Resolution") appointing Jorge Diaz.

Following discussion on the bookkeeper's report, upon a motion made by Director Schoelman and seconded by Director Hlavenka, the Board voted unanimously to approve the

bookkeeper's report, payment of the bills, the investment report, investment of the District's funds and the Resolution.

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

Ms. Olvera next presented the tax assessor/collector's report for the month of December, a copy of which is attached. She reviewed the report, stating that as of January 2017, the District's 2016 taxes are 47.41% collected and the 2015 taxes are 99.65% collected. Ms. Olvera also presented the checks for payment.

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

### **DELINQUENT TAX ATTORNEY REPORT**

There was no delinquent tax attorney report from Perdue Brandon Fielder Collins & Mott for the month.

### **OPERATOR'S REPORT**

Mr. Martin presented the operator's report for December 2016, 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 101%. He stated that the meters will be recalibrated to insure that the readings are accurate. Mr. Martin then reported on repairs and maintenance at District facilities.

Upon a motion made by Director Going and seconded by Director Hlavenka, the Board voted unanimously to approve the operator's report.

### **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 Going to terminate utility service to customers with delinquent accounts. Director Hlavenka 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:

### **TCEQ Elevated Storage Tank Waiver Application**

Mr. Sharkey next informed the Board that the Elevated Storage Tank Waiver Application is under review by the TCEQ.

After discussion, Director Hlavenka moved that the Board accept the engineer's report. Director Going seconded the motion and it carried by unanimous vote.

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

There was no report 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 December meeting of the White Oak Bayou Joint Powers Board.

## **ATTORNEY'S REPORT**

### **Resolution Designating an Agent of the Board for the 2017 Directors Election**

Mr. Lord presented the Resolution Designating an Agent of the Board for the 2017 Directors Election which designates Bracewell LLP as the District's agent. Upon a motion made by Director Going and seconded by Director Hlavenka, the Board voted unanimously to adopt the Resolution as presented.

### **Adopt Order Calling Directors' Election**

Mr. Lord presented an Order Calling Directors' Election for the Board's review and approval. He stated that the election is scheduled for May 6, 2017, and that three positions are up for reelection. Following discussion, a motion was made by Director Going and seconded by Director Hlavenka to adopt an Order Calling Directors' Election. The motion passed unanimously. A copy of the Order, thus adopted, is attached to and considered a part of these minutes.

### **Set Pay Rate for Election Officials**

The Board next considered setting a pay rate for the election officials. Following discussion, the Board agreed to set a pay rate for election officials at the pay scale adopted by Harris County.

Association of Water Board Directors Conference

After discussion, Director North moved that the Board authorize all interested Board members to attend the 2017 summer AWBD conference. Director Schoelman seconded the motion and it carried unanimously.

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

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Secretary, Board of Directors

(SEAL)

**ATTACHMENTS**

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