

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

September 19, 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 September 19, 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 were Jorge Diaz of McLennan & Associates; Rebecca Olvera of B & A Municipal Tax Service, LLC; Nathan White and Deano Wright of TOPS; Sergeant Kirby and Constable Alvarez of the Harris County Constable’s Office, Precinct 4; Drew Masterson of Hilltop Securities; Shawn Sharkey of Jacobs Engineering Group, Inc.; Mari Mendez of the Kensington Apartments; and Clark Lord and Debbie Russell of Bracewell LLP.

**APPEARANCES BEFORE THE BOARD**

Ms. Mendez addressed the Board regarding the odor emanating from the water at the Kensington Apartments. She stated that the odor is so bad that people are moving out. Mr. White stated that the odor is coming from water well no. 3. He stated that the District is currently mixing the water from well 3 with the water from well 1 to try and eliminate the odor issue. Mr. Sharkey stated that a chlorine injection system might address the odor issues at a cost of approximately \$180,000. The Board requested that the District’s operator pull water from the model apartment at the complex and have it tested and deferred action on the matter until the October meeting.

**SECURITY REPORT**

Sergeant Kirby reported on security matters within the District for the month of August, 2017.

**APPROVE MINUTES**

The Board reviewed the minutes of August 15, 2017. Following discussion, upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to approve the minutes of August 15, 2017.

**PROPOSED TAX RATE FOR 2017 AND AUTHORIZE PUBLICATION OF NOTICE OF HEARING AND MEETING DATE FOR PUBLIC HEARING**

Mr. Masterson reviewed a tax rate analysis with the Board for the year 2017. Following discussion, a motion was made by Director North and seconded by Director Hlavenka to adopt a proposed tax rate of \$0.49 per \$100 valuation, comprised of a \$0.24 component for debt service and a \$0.25 component for maintenance and operation, authorize publication of a Notice of Hearing regarding the proposed tax rate, and establish October 17, 2017 to conduct the hearing on the tax rate. The motion 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:

Mr. Sharkey informed the Board that PowerSecure submitted an Air Quality Permit Application to the TCEQ on behalf of the District. He stated that a reviewer at the TCEQ informed him that the application has several deficiencies which will delay the issuance of the permit.

Mr. Sharkey reported that John Elder will attend the next meeting to report on the Acclaim Energy GenMax Program.

Mr. Sharkey next reported that the architect for the Fairbanks Baptist Church contacted his office regarding site development of the property the Church purchased that will be on the corner of Gessner Road and Mauna Loa Lane.

Mr. Sharkey then reported that the District's financial advisor had requested that he provide a damage assessment of District facilities related to Hurricane Harvey.

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

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

Mr. Diaz presented the bookkeeper's report, a copy of which is attached to these minutes, for the period August 15, 2017 to September 19, 2017. He 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 August 31, 2017. Mr. Diaz then presented the monthly investment report for the period ending August 31, 2017.

The Board next reviewed the draft operating budget for the fiscal year ending September 30, 2018.

Following discussion on the bookkeeper's report, upon a motion made by Director Schoelman and seconded by Director North, 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 operating budget for the fiscal year ending September 30, 2018.

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

Ms. Olvera next presented the tax assessor/collector's report for the month of August, a copy of which is attached. She reviewed the report, stating that as of September 2017, the District's 2016 taxes are 98.91% collected and the 2015 taxes are 99.83% collected. Ms. Olvera also presented the checks for payment.

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

### **OPERATOR'S REPORT**

Mr. White presented the operator's report for August 2017, a copy of which is attached to these minutes.

Mr. White then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 95%. He then reported on repairs and maintenance at District facilities. Mr. White next reported that he received an estimate in the amount of \$5,800 for pressure washing and painting of the wall surrounding the south side of water plant no 2. He also reported that the well meter at water plant no. 2 needs to be replaced at a cost of \$7,000. Mr. White informed the Board that he had stayed in constant contact with the TCEQ and the Health Department during Hurricane Harvey. The Board then discussed painting the air relief valves in the median and approved same.

Upon a motion made by Director North and seconded by Director Schoelman, the Board voted unanimously to approve the operator's report, authorize the painting of the wall on the south side of water plant 2 and replacing the water meter at water plant 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. White questioned whether the Board would want to waive terminations for the month due to Hurricane Harvey.

Following discussion, the Board agreed to waive termination of utility service for the month.

## **ATTORNEY'S REPORT**

### **Resolution Regarding Annual Review of Investment Policy and Disclosure Statement**

Mr. Lord informed the Board that the District is required to annually review its investment policy and adopt a resolution in connection therewith. He stated that legislative changes required minor revisions to the investment policy and noted that the broker/dealer list has been updated to reflect any banking changes. Mr. Lord also reported that the District's investment officer must annually prepare a disclosure statement that will be filed with the Texas Ethics Commission. He stated that the District's bookkeeper who is also the investment officer has prepared the statement for filing. After review and discussion, Director Going moved that the Board adopt the Resolution Regarding Annual Review of Investment Policy, a copy of which is attached to these minutes, and accept the Disclosure Statement from the Investment Officer. Director North seconded the motion and it carried unanimously.

### **Attendance at the AWBD Conference**

The Board next discussed attendance at the January AWBD conference. Upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to authorize all interested directors to attend the conference.

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

The Board discussed the damage to the ceiling in the meeting room and noted that Carol Lueb is working to have someone repair same.

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

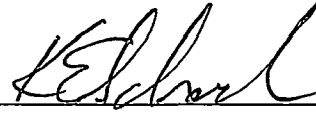
Director Mendel reported on matters discussed at the August meeting of the White Oak Bayou Joint Powers Board.

## **OTHER MATTERS**

Director Hlavenka reported on questions from the Woodwind Lakes HOA regarding maintenance of the detention pond in that subdivision. The Board reiterated that that the District would not maintain an amenity or wet pond in a gated subdivision.

Director North stated that in the aftermath of Harvey, the trash collection service was irregular and suggested that the phone number for WCA be added to the District's website. The Board concurred with the suggestion.

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



Secretary, Board of Directors

(SEAL)

**ATTACHMENTS**

engineer's report .....2  
bookkeeper's report .....2  
tax assessor/collector's report for the month of August .....3  
operator's report for August 2017.....3  
Resolution Regarding Annual Review of Investment Policy .....4