

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

February 20, 2018

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 February 20, 2018, 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 Diane Bailey of McLennan & Associates, LP; Avik Bonnerjee of B & A Municipal Tax Service, LLC; Nathan White and Deano Wright of TOPS; Sergeant Curry and Constable Alvarez of the Harris County Constable's Office, Precinct 4; Shawn Sharkey of Jacobs Engineering Group, Inc.; Ray Davia and Mendi Strnadell of Woodwind Lakes HOA; and Clark Lord and Sandy Rivera-Ramirez of Bracewell LLP.

**APPEARANCES BEFORE THE BOARD**

There were no appearances before the Board.

**SECURITY REPORT**

Sergeant Curry reported on security matters within the District for the month of January 2018.

**AMENITY POND MAINTENANCE REQUEST**

Director Mendel and Mr. Pavia discussed the matter of the detention pond. Mr. Pavia addressed the Board regarding responsibility for the repair and maintenance costs of the detention pond in the Woodwind Lakes subdivision, but no agreement was reached. Director Mendel stated that he would attend the next meeting of the Woodwind Lakes HOA.

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

Mr. Bonnerjee presented the tax assessor/collector's report for the month of January 2018, a copy of which is attached. He reviewed the report, stating that as of January 31, 2018, the District's 2017 taxes are 86.86% collected and the 2016 taxes are 99.18% collected. Mr. Bonnerjee also presented the checks for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director Hlavenka 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**

Ms. Bonnerjee next reported that the District's delinquent tax attorney had requested authorization to set the Walter Paige property for a tax sale. A motion was made by Director Hlavenka to authorize the District's delinquent tax attorney to set the Walter Paige property for a tax sale. Director North seconded the motion and it passed unanimously.

### **TAX RESOLUTIONS**

#### **Resolution Concerning Tax Collection Procedures**

Mr. Lord presented a Resolution Concerning Tax Collection Procedures for the Board's review and approval. Following discussion, Director Going moved that the Board approve a Resolution Concerning Tax Collection Procedures, which rejects the following optional procedures: (1) refraining from sending a tax bill for less than \$15.00, (2) permitting the split payment of taxes, and (3) allowing discounts for the early payment of taxes. Director Hlavenka seconded the motion, which passed unanimously. The Resolution, thus adopted, is attached to and considered a part of these minutes.

#### **Resolution Concerning Exemption Of Residence Homesteads From Taxation**

Mr. Lord next presented a Resolution Concerning Exemption of Residence Homesteads from Taxation, which provides for the exemption from ad valorem taxation by the District of \$10,000 of the appraised value of residence homesteads of individuals who are disabled or are sixty-five years of age or older and which rejects a general homestead exemption and exemptions for charitable organizations. Following discussion, Director North moved that the Board approve the Resolution Concerning Exemption of Residence Homesteads from Taxation. Director Going seconded the motion, which carried unanimously. The Resolution, thus adopted, is attached to and considered a part of these minutes.

#### **Resolution Providing For Additional Penalty For Tax Collection Costs**

Mr. Lord then presented a Resolution Providing for Additional Penalty for Tax Collection Costs, which establishes a penalty of 20% on all taxes, penalty, and interest that remain unpaid as of July 1, 2018, for real property, and as of February 1, 2018, for tangible personal property, as authorized by the Texas Property Tax Code. Following discussion and upon a motion made by Director North and seconded by Director Going, the Board voted unanimously to approve the Resolution Providing for Additional Penalty for Tax Collection Costs. A copy of the Resolution, thus adopted, is attached to and considered a part of these minutes.

### **APPROVE MINUTES**

The Board reviewed the minutes of December 19, 2017 and January 30, 2018. Following discussion, upon a motion made by Director Hlavenka and seconded by Director Schoelman, the Board voted unanimously to approve the minutes of December 19, 2017 and January 30, 2018.

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

Ms. Bailey presented the bookkeeper's report, a copy of which is attached to these minutes, for the period January 19, 2018 to February, 2018. 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 February 28, 2018. Ms. Bailey then presented the monthly investment report for the period ending February 28, 2018.

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

### **OPERATOR'S REPORT**

Mr. White presented the operator's report for January 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 96%.

Upon a motion made by Director Going and seconded by Director North, 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. White 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.

**CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.071, CHAPTER 551, TEXAS GOVERNMENT CODE**

Pursuant to Chapter 551.071 of the Texas Government Code, Subchapter D, of the Open Meetings Act, the president called the executive session to order at 4:36 p.m. to deliberate about matters of attorney-client privilege. The following were present for executive session: the Board of Directors, Mr. Lord and Ms. Rivera-Ramirez. At 4:50 p.m., the president declared the executive session over and resumed open session.

**RECONVENE IN OPEN SESSION AND TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

There was no action resulting from the executive session.

**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 final comments have been turned in and awaiting final approval from TCEQ for the Air Quality Permit which is expected to be issued in April 2018.

Mr. Sharkey then reported on the delay in operating the generator for profit. He stated that the delay has resulted in a shortfall of revenue to the District of approximately \$30,000.

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

**BUILDING OFFICE MANAGER'S REPORT**

Ms. Lueb emailed regarding repairs to dry wall caused by Hurricane Harvey and the leak from the freeze. After discussion, the Board authorized up to \$2,000 for paint and dry wall repairs.

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

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

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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