

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

March 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 March 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; Rebecca Olvera 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 Pavia, Mendi Stradel, Donna Gee, Jerry Smith, Darlene Guidry, Margaret Taylor, Laura Gomez Diane Hauser, Joel Kravitz, Laura LeRoy, Gail Ybarp, Carrie Wiseley, Yvette Neule and Linda Merigold of Woodwind Lakes HOA; Tom Tamborello and Ann Murphree of Laurel Creek and Clark Lord and Sandy Rivera-Ramirez of Bracewell LLP.

**APPEARANCES BEFORE THE BOARD**

Mr. Tamborello addressed the Board about issues with trash collection services.

**SECURITY REPORT**

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

**AMENITY POND MAINTENANCE REQUEST**

Mr. Pavia addressed the Board regarding responsibility for the repair and maintenance costs of the detention pond in the Woodwind Lakes subdivision. Director Mendel stated that he will work with Mr. Pavia regarding the repairs. Director Going stated that the District has no responsibility in the matter. Mr. Lord reported on the legal status of the land.

## **APPROVE MINUTES**

The Board reviewed the minutes of February 20, 2018. Following discussion, upon a motion made by Director Going and seconded by Director Hlavenka, the Board voted unanimously to approve the minutes of February 20, 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 February 20, 2018 to March 20, 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.

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

Ms. Olvera presented the tax assessor/collector's report for the month of February 2018, a copy of which is attached. She reviewed the report, stating that as of February 28, 2018, the District's 2017 taxes are 96.97% collected and the 2016 taxes are 99.18% 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 Schoelman, the Board voted unanimously to approve the tax assessor/collector's report and payment of the tax bills.

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

There was no delinquent tax attorney report for the month.

## **OPERATOR'S REPORT**

Mr. White presented the operator's report for February 2018, 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%.

Mr. White reported that water well no. 1 is out of operation indefinitely. Mr. Sharkey stated that production has decreased, but noted that there is no problem with the motor. He stated that the motor will need to be pulled so that a camera can be inserted to determine the problem. In response to a question posed by Director Mendel, Mr. Sharkey stated that the cost of the inspection would most likely exceed \$10,000. Director Mendel stated that the District should use water well

no. 3 and not repair water well no. 1. Mr. Sharkey stated that the District runs the risk that the odor in the water may return. He recommended that the Board consider a chlorine injection treatment.

Upon a motion made by Director Hlavenka 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 North 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:

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 August 2018. Director Going stated that Acclaim should reimburse the District for the loss of revenue from the generator. Mr. Sharkey stated that Acclaim hired a third party to acquire the permit.

Mr. Sharkey then reported on utility conflicts on Gessner Road. He stated that a waterline will need to be relocated at a cost of approximately \$150,000 to \$200,000. Mr. Sharkey stated that the repair can be delayed until fiscal year 2019.

After discussion, Director Going 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**

There was no report from the office manager.

**ATTORNEY'S REPORT**

Mr. Lord discussed the proposed repairs to the Woodwind Lakes amenity pond. The Board agreed to consider participating in the repairs. Mr. Lord stated that once an agreement is reached, we should prepare documentation establishing rights to usage and maintenance. Director Hlavenka stated that there are such bad feelings about the Board from District constituents.

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

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

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

Shari B. Nott  
Secretary, Board of Directors

(SEAL)

**ATTACHMENTS**

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