

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

March 19, 2013

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 March 19, 2013, and the roll was called of the duly constituted officers and members of the Board, to wit:

Eddie Mendel	President
Don Farrell	Vice President
Kurt Schoelman	Secretary/Treasurer
Shari North	Assistant Secretary
Pat Going	Director

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

Also present were Karla Efigenio of McLennan & Associates; Teri Schoener of TOPS; David Dybala of Jacobs Engineering Group, Inc.; Cindy Englebert of Wheeler & Associates; Sergeant Blackledge and Deputy Jennifer McCants of Harris County Constable's Office, Precinct 4; Carol Lueb, administrator of the DAB; John Nelson of LBG – Guyton Associates; and Clark Lord and Debbie Russell of Bracewell & Giuliani LLP.

APPEARANCES BEFORE THE BOARD

No one was present to address the Board.

APPROVE MINUTES

The Board reviewed the minutes of February 19, 2013. Following discussion, upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to approve the minutes of February 19, 2013.

SECURITY REPORT

Deputy McCants reported on security matters within the District for the month of February 2013.

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

Ms. Efigenio presented the bookkeeper's report, a copy of which is attached to these minutes, for the period February 19, 2013 to March 19, 2013. 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, 2013.

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

Ms. Engelbert next presented the tax assessor/collector's report for the month of February, a copy of which is attached. She reviewed the report, stating that as of February 2013, the District's 2012 taxes are 96.59% collected and the 2011 taxes are 99.84% collected. Ms. Engelbert also presented checks nos. 2332-2339 for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director Schoelman 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 reviewed the District's delinquent tax attorney's report, a copy of which is attached, regarding the status of collection of the District's delinquent taxes. Ms. Engelbert informed the Board that Linda Williams Willis paid her delinquent account in full. She then presented five delinquent accounts to be written off. After discussion, Director Schoelman moved that the Board authorize the five delinquent tax accounts to be written off as uncollectable. Director Going seconded the motion and it carried unanimously.

OPERATOR'S REPORT

Ms. Schoener presented the operator's report for February 2013, a copy of which is attached to these minutes.

Ms. Schoener then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 97%.

Ms. Schoener next reviewed the list of delinquent utility customers and stated there were no appeals from residents.

Ms. Schoener reported on repairs and maintenance at District facilities.

Following discussion on the operator's report, upon a motion made by Director Schoelman 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. Ms. Schoener 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. Following discussion, a motion was made by Director Schoelman to terminate utility service to customers with delinquent accounts. Director North 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:

Status of Water Transmission Line to Water Plant No. 2

Mr. Dybala reported that he had conducted a walkthrough of the project with representatives of Laurel Creek HOA, Rolling Fork HOA and Harris County MUD No. 261 and a punch list of issues to be corrected was created. He stated that the City of Houston still has to visit the site and conduct its testing.

Mr. Dybala next presented pay estimate no. 8 in the amount of \$28,560.76 from James Construction Group ("JCG") and recommended same for payment.

After review and discussion, Director Going moved that the Board approve pay estimate no. 8 to JCG as presented. Director Schoelman seconded the motion and it carried by unanimous vote.

Response from TCEQ for Exception to Well Capacity Requirement and Elevated Storage Tank Waiver Application

Mr. Dybala next reported that this project is on hold until completion of the proposed 12-inch water transmission line and Water Well No. 3 projects.

Water Well No. 3 at Water Plant No. 1

Mr. Dybala reported on the status of construction of Water Well No. 3. Mr. Nelson distributed logs of the results of testing for radiation in the well. He stated that three well samples have been taken and the fourth would be taken tomorrow. Mr. Nelson stated that the results of the testing should be complete within three to four weeks. The Board agreed to review the results of the testing at the next meeting of the Board. Mr. Dybala then presented pay estimate no. 2 in the amount of \$182,250 from W.W. Payton Corporation and recommended same for payment.

After review and discussion, Director Going moved that the Board approve pay estimate no. 2 as presented. Director Schoelman seconded the motion and it carried by unanimous vote.

ATTORNEY'S REPORT

Payment to Southwest Water Company

Mr. Lord stated that he had sent a letter to Southwest Water Company regarding the payment of the final invoices owed by the District. The Board took no action on the matter.

Status of Application for Funds for a Hike and Bike Trail

Director Schoelman had nothing new to report in connection with the application for funds for a trail in the District.

Authorize Attendance at the AWBD Conference

After discussion, Director Schoelman moved that the Board authorize all interested Board members to attend the AWBD conference in Corpus Christi in June. Director Going seconded the motion and it carried unanimously.

Accept Certificate Declaring Unopposed Status of Candidates

Mr. Lord next presented the Certificate Declaring Unopposed Status of Candidates for Election to the Board, a copy of which is attached to these minutes. He stated the certificate provides that three applications were received for the three positions that would have appeared on the ballot for the election. Mr. Lord reported that two other potential candidates had filed late applications, and that after review of the law and facts the District was required to reject the two late candidate applications. After discussion, Director Schoelman moved that the Board accept the Certificate as presented. Director North seconded the motion and it carried by unanimous vote.

Adopt Order Declaring Unopposed Candidates Elected to Office

Mr. Lord next presented the Order Declaring Unopposed Candidates Elected to Office, a copy of which is attached as an exhibit to these minutes. Upon a motion made by Director Schoelman and seconded by Director Mendel, the Board voted unanimously to adopt the Order as presented.

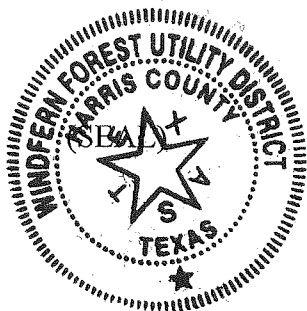
BUILDING OFFICE MANAGER'S REPORT

Ms. Lueb reported on vandalism to the fence around the DAB and stated that repair of same would cost \$2500. The Board authorized repair of the fence. Director Schoelman reported on the condition of the cover on the DAB monument. The Board requested that Ms. Lueb get a quote for repairing or replacing same.

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

The minutes of the February 26, 2013 meeting were distributed to the Board. The Board took no action in connection with same.

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




Secretary, Board of Directors

ATTACHMENTS

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