

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

April 16, 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 April 16, 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, thus constituting a quorum.

Also present were Karla Efigenio of McLennan & Associates; Teri Schoener and Mike Wassick 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; 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 March 19, 2013. Following discussion, upon a motion made by Director Schoelman and seconded by Director Going, the Board voted unanimously to approve the minutes of March 19, 2013.

SECURITY REPORT

Deputy McCants reported on security matters within the District for the month of March 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 March 19, 2013 to April 16, 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 March 31, 2013.

Following discussion on the bookkeeper's report, upon a motion made by Director Farrell and seconded by Director North, 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 March, a copy of which is attached. She reviewed the report, stating that as of March 2013, the District's 2012 taxes are 97.11% collected and the 2011 taxes are 99.85% collected. Ms. Englebert also presented checks nos. 2340-2350 for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director North and seconded by Director Farrell, 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.

OPERATOR'S REPORT

Ms. Schoener presented the operator's report for March 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 94%.

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. She then presented the flushing valve report and reported that 18 flushing valves require repairs at an estimated cost of \$7,000. Ms. Schoener also recommended that all of the hydrants should be water blasted and painted. She noted that a number of reflectors are missing and must be replaced. The Board requested that the painting and reflector installation should be delayed for one month.

Ms. Schoener then reported on issues with the renewal of the District's water well permits. She reported that there may be a penalty for overpumpage.

Ms. Schoener next reported that the Texas Commission on Environmental Quality has increased the coliform sampling requirements for the District as of June 1, 2013.

Ms. Schoener informed the Board that a problem with a waterline caused the District to interconnect with Rolling Fork Utility District.

Following discussion on the operator's report, upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to approve the operator's report and authorize the repairs to the flushing valves.

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 Going 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 the cleanup of the project site should be completed by the end of the week. He noted that representatives of the various HOAs will be consulted to confirm that no unresolved issues are outstanding. Mr. Dybala stated that the City of Houston is still in the process of flushing and testing the water line along Fairbanks North Houston to obtain acceptable bacteriological reports before inspecting the meter. He stated that the meter is scheduled to be installed before the end of the week.

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. He stated that CenterPoint Energy is now requiring that the transformer for the well be installed on a pad instead of a pole which could result in construction delays. Mr. Nelson reported on the results of the final test conducted at the well. Mr. Dybala then presented pay estimate no. 3 in the amount of \$119,880 from W.W. Payton Corporation and recommended same for payment.

After review and discussion, Director Going moved that the Board approve pay estimate no. 3 as presented. Director Farrell seconded the motion and it carried by unanimous vote.

Water/Storm Sewer Line Issue

Mr. Wassick reported that Harris County noticed that a District waterline has pierced a storm sewer line near the intersection of Windlawn and Windy Acres. He stated that the storm sewer line is very brittle so he proposed blocking the storm sewer to leave the waterline in place. Mr. Wassick stated that the District will wait to see how the County decides to handle the matter.

ATTORNEY'S REPORT

Settlement Agreement with Southwest Water Company

Mr. Lord stated that Southwest Water Company ("SWWC") has proposed to enter into a Settlement Agreement with the District regarding the funds owed by the District. He stated that SWWC agreed to accept the amount proposed by the District which was \$43,410.90. After discussion, Director Farrell moved that the Board approve the Settlement Agreement with SWWC as presented. Director North seconded the motion and it carried by unanimous vote.

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.

BUILDING OFFICE MANAGER'S REPORT

There was no report from the DAB manager for the month.

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

Director Mendel stated that he had not received the minutes of the March 26, 2013 meeting. He discussed work that needs to be done at the White Oak Plant and stated that Jones & Carter would be making a presentation regarding same at the next meeting of the Joint Powers 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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