

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

July 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 July 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 except for Director Farrell, thus constituting a quorum.

Also present were Mark Eyring of Roth and Eyring PLLC; Shirley McLennan of McLennan & Associates; Teri Schoener of TOPS; David Dybala of Jacobs Engineering Group, Inc.; Cathy Wheeler 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 May 18, 2013. Following discussion, upon a motion made by Director Farrell and seconded by Director North, the Board voted unanimously to approve the minutes of May 18, 2013.

SECURITY REPORT

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

ENGAGE AUDITOR TO CONDUCT ANNUAL AUDIT FOR FISCAL YEARS ENDING SEPTEMBER 30, 2013 AND 2014

Mr. Eyring presented a two-year engagement letter to perform the District’s annual audit for the fiscal years ending September 30, 2013 and 2014. He stated that the terms of the engagement letter were the same as approved by the Board for the previous two-year period and

the proposed fee is \$10,250.00 per year. Following discussion, a motion was made by Director Going and seconded by Director Schoelman to approve the engagement letter with Roth & Eyring PLLC to perform the District's annual audit for the fiscal years ending September 30, 2013 and 2014. The motion carried by unanimous vote.

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

Ms. McLennan presented the bookkeeper's report, a copy of which is attached to these minutes, for the period June 18, 2013 to July 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 June 30, 2013.

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 and investment of the District's funds.

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

Ms. Wheeler next presented the tax assessor/collector's report for the month of June , a copy of which is attached. She reviewed the report, stating that as of June 2013, the District's 2012 taxes are 98.87% collected and the 2011 taxes are 99.86% collected. Ms. Wheeler also presented checks nos. 2368-2371 for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director North and seconded by Director Mendel, 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. The Board discussed the delinquent account of Walter Paige. Ms. Wheeler stated that the District's delinquent tax attorney had made several additional attempts to reach Mr. Paige without success and had recently sent a demand letter. The Board requested that the delinquent tax attorney send an additional demand letter and took no further action.

OPERATOR'S REPORT

Ms. Schoener presented the operator's report for June 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 96%.

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

Ms. Schoener next reported that the resident at 14714 Windlea Lane had paid all delinquent amounts and invoices and had been reconnected to the District's facilities.

Ms. Schoener reported that the District needs an additional community involvement project to participate in the Waterwise Program with the Subsidence District. She suggested that the Board authorize the purchase of coloring books for Post Elementary School as the additional method of involvement.

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 purchase of the coloring books in connection with the Waterwise Program.

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 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.

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 City of Houston (the "City") still needs to complete the inspection of the off-site meter piping and backflow prevention devices in connection with finalizing the 12-inch waterline along Fairbanks North Houston. He stated that that once the District receives final approval it will begin receiving water from the City at the water plant no. 2. Mr. Dybala next reported that he is arranging meeting with the contractor, the inspector and representatives of the HOAs regarding the list of HOA items to be completed prior to release of the retainage to the contractor. He confirmed that Laurel Creek HOA is satisfied with the remediation in its subdivision.

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 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 reported on the results of testing at the site and stated that the water quality is good. Mr. Dybala reported on the cost to increase the final pumping capacity for the well. He stated that the cost to increase the capacity to 1200 gpm is \$650 and to 1500 gpm is \$1,200. Mr. Dybala noted that for both options, a flow control valve will be needed at a cost of \$9000. He noted that the flow control valve was an optional item under the original contract. Mr. Dybala then presented pay estimate no. 6 in the amount of \$41,400 from W.W. Payton Corporation ("Payton") and recommended approval of same.

After review and discussion, Director Going moved that the Board approve pay estimate no. 6 and option b increasing the capacity to 1500 gpm at a cost of \$1,200. Director Schoelman seconded the motion and it carried by unanimous vote.

ATTORNEY'S REPORT

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

Ms. Lueb presented proposals for replacement of the carpet in administration building and for painting. After review and discussion, Director North moved that the Board accept the proposal from Certapro Painting in the amount of \$1755 for painting in the building and the proposal from Texas Flooring in the amount of \$15,535 for replacement of the carpet. Director Schoelman seconded the motion and it passed by unanimous vote.

The Board then discussed the refurbishment of the sign in front of the building. Ms. Lueb stated that she is waiting on an additional bid for the project. After discussion, Director Mendel moved that the Board authorize the award of the contract for the sign work to the low bidder. Director Schoelman seconded the motion and it carried unanimously.

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

Director Mendel stated that he had not yet received the minutes of the June meeting. The Board discussed the cost sharing for proposed rehabilitation of the plant.

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




Secretary, Board of Directors

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