

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

November 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 November 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, thus constituting a quorum.

Also present were Karla Efigenio of McLennan & Associates; Corey Bostick of TOPS; David Dybala and Tojuana Cooper of Jacobs Engineering Group, Inc.; Yvonne Luevano of Wheeler & Associates; David Hanna and Randy Morgan of Royal Disposal and Recycling; Constable McCants of Harris County Constable’s Office, Precinct 4; Clark Lord and Debbie Russell of Bracewell & Giuliani LLP.

APPROVE MINUTES

The Board reviewed the minutes of October 15, 2013. Following discussion, upon a motion made by Director Schoelman and seconded by Director North, the Board voted unanimously to approve the minutes of October 15, 2013 as submitted.

SECURITY REPORT

Constable McCants reported on security matters within the District for the month of October 2013.

AMENDMENT OF WASTE COLLECTION AGREEMENT

Mr. Hanna presented a renewal proposal for waste collection services between the District and Royal Disposal and Recycling. He stated that the proposal would continue the agreement for an additional five years with no increase in rates. The Board discussed the possibility of converting to carts, but took no action. After further discussion, Director Farrell moved that the Board approve the proposal from Royal for an additional five year term with no increase in rates. Director Going seconded the motion and it carried by unanimous vote.

ATTENDANCE AT AWBD CONFERENCE

The Board next discussed attendance at the winter AWBD conference. Upon a motion made by Director North and seconded by Director Farrell, the Board voted unanimously to authorize all interested Board members to attend the AWBD conference.

RESOLUTION AUTHORIZING APPLICATION FOR RELEASE OF ESCROWED FUNDS

The Board then considered adopting a Resolution Authorizing Application to the TCEQ for the Release of Funds from Escrow to fund the additional costs of water well no. 3. After review and discussion, Director Farrell moved that the Board adopt the Resolution as presented. Director Going seconded the motion and it carried unanimously. A copy of the Resolution is attached to these minutes.

LAW ENFORCEMENT CONTRACT

Ms. Russell explained that the Harris County Constables Office ("Harris County"), in connection with the preparation of the renewal contracts for security services, had inquired whether the District wants to make adjustments to its contract. She noted that Harris County has determined that no rate increase will be needed for the coming year. After discussion, Director Going moved that the Board notify Harris County that no adjustments are needed to the contract for security services. Director Schoelman seconded the motion and it carried unanimously.

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 October 16, 2013 to November 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 October 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. Luevano next presented the tax assessor/collector's report for the month of October, a copy of which is attached. She reviewed the report, stating that as of October 2013, the District's 2013 taxes are 0.60% collected and the 2012 taxes are 99.29% collected. Ms. Luevano also presented checks nos. 2389-2393 for payment.

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

Mr. Bostick presented the operator's report for October 2013, a copy of which is attached to these minutes.

Mr. Bostick then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 98%.

Mr. Bostick reported on repairs and maintenance at District facilities.

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.

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. Bostick 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 contract for the 12-inch waterline along Fairbanks North Houston is complete. He next presented pay estimate no. 11 and final in the amount of \$160,127.58 from James Construction Group ("JCG") and recommended same for payment.

After discussion, Director Farrell moved that the Board approve the final pay estimate to JCG for the project based on the recommendation of the District's engineer. Director Schoelman seconded the motion and it carried unanimously.

City of Houston Take or Pay Letter

Mr. Dybala requested Board approval to request the ninth increase for surface water taking from the City of Houston (the "City") in the amount of a five percent increase.

Upon a motion made by Director Farrell and seconded by Director Schoelman, the Board voted unanimously to authorize the request for a five percent increase from the City.

Amend the Groundwater Reduction Plan

Mr. Dybala then requested the Board's authorization to investigate what is needed to amend the groundwater reduction plan (the "GRP") to meet the requirements of the Harris Galveston Subsidence District.

Director Farrell moved that the Board authorize the District's engineer to determine the actions necessary to amend the GRP. Director North seconded the motion and it carried unanimously.

CenterPoint Easement

Mr. Dybala next presented an Easement with CenterPoint Energy in connection with getting power to Water Plant No. 1.

Upon a motion made by Director Farrell and seconded by Director Schoelman, the Board voted unanimously to approve the Easement with CenterPoint Energy.

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 Water Well No. 3 project.

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 the contractor anticipates completion of construction by the end of February. Ms. Cooper presented a table reflecting the costs of the additional General Consultation funds associated with managing the methane gas issue at Water Well No. 3 for a total of \$12,156.98. After discussion, Director Going moved that the Board approve the additional \$12,156.98. Director North seconded the motion and it passed by unanimous vote.

Ms. Cooper requested the Board consider authorizing an agreement with LBG-Guyton for additional gas sampling and testing at a cost not to exceed \$6,000. After discussion, Director Going moved that the Board approve the agreement with LBG-Guyton at a cost not to exceed \$6,000. Director Farrell seconded the motion and it passed by unanimous vote.


BUILDING OFFICE MANAGER'S REPORT

Director Farrell stated that has been repaired and that work is being conducted on the lighting in the building.

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

Director Mendel review the minutes of the October meeting. He stated that the board approved replacing the four existing blowers with one new high efficiency blower at a cost of approximately \$850,000. Director Mendel noted that it will take approximately one year from the order to installation.

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



Secretary, Board of Directors



ATTACHMENTS

Resolution Authorizing Application to the TCEQ for the Release of Funds from Escrow.....2
bookkeeper’s report2
tax assessor/collector’s report for the month of October2
delinquent tax attorney’s report3
operator’s report for October 20133
engineer’s report3