

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

October 21, 2014

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 October 21, 2014, and the roll was called of the duly constituted officers and members of the Board, to wit:

Eddie Mendel	President
Vacant	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; Jaison Sanwald of TOPS; Shawn Sharkey of Jacobs Engineering Group, Inc.; Brandy Pagesh of Wheeler & Associates; Constable Jennifer McCants of Harris County Constable’s Office, Precinct 4; and Clark Lord and Debbie Russell of Bracewell & Giuliani LLP.

PUBLIC HEARING

The Board convened a public hearing to receive comments regarding a proposed tax rate for 2014. There were no residents in attendance to make comments on the proposed tax rate and the public hearing was adjourned upon a motion made by Director Schoelman and seconded by Director North.

CONVENE REGULAR MEETING OF THE BOARD

The Board next convened the regular monthly meeting of the Board of Directors.

ORDER LEVYING TAXES

The Board discussed adopting a tax rate for 2014. Following discussion, a motion was made by Director Schoelman and seconded by Director North to adopt an Order Levying Taxes establishing a tax rate for 2014 of \$0.52 per \$100 assessed valuation, consisting of a \$0.27 component for debt service and a \$0.25 component for operation and maintenance. The motion carried by unanimous vote. A copy of the Order, thus adopted, is attached and considered a part of these minutes.

AMENDED INFORMATION FORM

Mr. Lord stated that it is necessary for the District to file an Amended Information Form with the Texas Commission on Environmental Quality (the "TCEQ") and Harris County reflecting the newly adopted tax rate for 2014. Following discussion, a motion was made by Director Going to approve an Amended Information Form and authorize its filing with the TCEQ and Harris County. The motion was seconded by Director Schoelman and carried unanimously.

APPEARANCES BEFORE THE BOARD

No one was present to address the Board.

SECURITY REPORT

Constable McCants reported on security matters within the District for the month of September 2014.

APPROVE MINUTES

The Board reviewed the minutes of September 16, 2014. Following discussion, upon a motion made by Director Schoelman and seconded by Director Going, the Board voted unanimously to approve the minutes of September 16, 2014 as revised.

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 September 16, 2014 to October 21, 2014. 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 September 30, 2014. Director Mendel discussed the invoice from TOPS for a sanitary sewer repair on Mauna Loa. He stated that he did not believe that the contractor for that job spent the 23 hours that was charged for the job.

Following discussion on the bookkeeper's report, upon a motion made by Director Going and seconded by Director Schoelman, 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

Mr. Fortner next presented the tax assessor/collector's report for the month of September, a copy of which is attached. He reviewed the report, stating that as of September 2014, the District's 2013 taxes are 99.42% collected and the 2012 taxes are 99.84% collected. Mr. Fortner also presented checks nos. 2459-2462 for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director North 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. The Board took no action in connection with the delinquent tax attorney's report.

OPERATOR'S REPORT

Mr. Sanwald presented the operator's report for September 2014, a copy of which is attached to these minutes.

Mr. Sanwald then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 94%.

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

Director Schoelman reported that the sidewalk in the 8200 block of Winddale is very uneven. Mr. Sanwald stated that he will perform a dye test at the location and will try filling the low area with sand.

Mr. Sanwald requested the Board's authorization to write off four uncollectable accounts.

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 write off of the uncollectable accounts.

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. Sanwald 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:

Water Well No. 3

Mr. Sharkey reported that the lab analysis on the water from water well no. 3 almost no hydrogen sulfide. He stated that the sulphur reducing bacteria was somewhat elevated and the iron related bacteria was very high. He recommended that the Board authorize him to get a proposal to super chlorinate the well which will hopefully kill the bacteria. Mr. Sharkey noted that the process will have to be repeated every two to five years.

Elevated Storage Tank Waiver Application

Mr. Sharkey reported that the TCEQ has completed its review of the Elevated Storage Tank Waiver Application and has directed the District to submit plans and specifications to install a new generator, to construct, install and certify installation of same and update the emergency preparedness plan within 180 days. He stated that he is working with the engineer for Harris County MUD No. 261 to request additional time to complete the TCEQ's directive. The Board discussed the cost of engineering for the waiver application and asked the District's attorney to look at the contract with HC261 to determine whether there are provisions relating the division of costs.

Coating Repair of Water Plant No. 1's Ground Storage Tank and Hydropneumatic Tank

Mr. Sharkey stated that he advertised for bids in connection with the coating of the hydropneumatic and ground storage tanks. He stated that the bids will be opened on November 12, 2014, at 3:00 p.m.

After discussion, Director Schoelman moved that the Board approve the engineer's report. Director North seconded the motion and it passed by unanimous vote.

BUILDING OFFICE MANAGER'S REPORT

Director Schoelman reported that Ms. Lueb had sent a report on the building. He stated that some of the outside lights are not working properly and may have been struck by lightning. He stated that an electrician is working on rectifying the problem. Director Schoelman also stated that plans are under way to replace the fountain.

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

Director Mendel reported on matters discussed at the October meeting.

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



Shaw B. Nott
Secretary, Board of Directors

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