

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

February 17, 2015

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 February 17, 2015, 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 Mary Lutz of McLennan & Associates; Ryan Fortner of Wheeler & Associates; Gene Connor and Eric Martin of TOPS; Shawn Sharkey of Jacobs Engineering Group, Inc.; Sergeant Lowery and Constable Jennifer McCants of the Harris County Constable's Office, Precinct 4; Teri League of WCA and Clark Lord and Debbie Russell of Bracewell & Giuliani LLP.

APPEARANCES BEFORE THE BOARD

No members of the public were present to address the Board.

SECURITY REPORT

Constable McCants reported on security matters within the District for the month of January 2015.

APPROVE MINUTES

The Board reviewed the minutes of January 20, 2015. Following discussion, upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to approve the minutes of January 20, 2015 as revised.

ASSIGNMENT OF WASTE DISPOSAL CONTRACT WITH WCA

Ms. League informed the Board that David Hanna had been ill and made a decision to sell his shares of Royal Disposal to WCA. She noted that the District's contract allows for assignment to the new entity. After discussion, Director Going moved that the Board approve the assignment to WCA. Director Schoelman seconded the motion and it carried by unanimous

vote. The Board requested that the District's operator add a notation to the next utility bill containing a contact name and number for WCA.

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

Ms. Lutz presented the bookkeeper's report, a copy of which is attached to these minutes, for the period January 21, 2015 to February 17, 2015. 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 January 31, 2015. The Board asked Ms. Lutz to provide the hours worked and the rate of pay for Carol Lueb.

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

Mr. Fortner next presented the tax assessor/collector's report for the month of January, a copy of which is attached. He reviewed the report, stating that as of January 2015, the District's 2014 taxes are 93.49% collected and the 2013 taxes are 99.57% collected. Mr. Fortner also presented checks nos. 2477-2483 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.

TAX RESOLUTIONS

Resolution Concerning Tax Collection Procedures

Mr. Lord presented a Resolution Concerning Tax Collection Procedures for the Board's review and approval. Following discussion, Director Going moved that the Board approve a Resolution Concerning Tax Collection Procedures, which rejects the following optional procedures: (1) refraining from sending a tax bill for less than \$15.00, (2) permitting the split payment of taxes, and (3) allowing discounts for the early payment of taxes. Director North seconded the motion, which passed unanimously. The Resolution, thus adopted, is attached to and considered a part of these minutes.

Resolution Concerning Exemption Of Residence Homesteads From Taxation

Mr. Lord next presented a Resolution Concerning Exemption of Residence Homesteads from Taxation, which provides for the exemption from ad valorem taxation by the District of \$10,000 of the appraised value of residence homesteads of individuals who are disabled or are sixty-five years of age or older and which rejects a general homestead exemption and exemptions for charitable organizations. Following discussion, Director Going moved that the Board approve the Resolution Concerning Exemption of Residence Homesteads from Taxation. Director North seconded the motion, which carried unanimously. The Resolution, thus adopted, is attached to and considered a part of these minutes.

Resolution Providing For Additional Penalty For Tax Collection Costs

Mr. Lord then presented a Resolution Providing for Additional Penalty for Tax Collection Costs, which establishes a penalty of 20% on all taxes, penalty, and interest that remain unpaid as of July 1, 2015, for real property, and as of February 1, 2015, for tangible personal property, as authorized by the Texas Property Tax Code. Following discussion and upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to approve the Resolution Providing for Additional Penalty for Tax Collection Costs. A copy of the Resolution, thus adopted, is attached to and considered a part of these minutes.

OPERATOR'S REPORT

Mr. Martin presented the operator's report for January 2015, a copy of which is attached to these minutes.

Mr. Martin then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 91%.

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

The Board next discussed utilizing water well no. 3 on a sporadic basis and blending the water with that from the other two wells.

Mr. Martin then reported that lift pump one on lift station no. three needs to be replaced. The Board requested that the operator solicit proposals for same for review at the next meeting.

The Board next discussed the last flushing valve survey that was conducted in the District and requested that the operator provide a copy of same to the Board for review at the March meeting.

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. Martin 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:

Elevated Storage Tank Waiver Application

Mr. Sharkey reported that the District has not received a response to the request for an extension of time to September 30, 2016, for completion of the generator project in connection with the response to the Elevated Storage Tank Waiver Application.

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

Mr. Sharkey reported that The Trey Evans Co. has indicated that equipment will be mobilized to the site during the week beginning Monday, February 16, 2015, to commence work on the contract.

Installation of Polyphosphate Injection System

Mr. Sharkey next reported that the total estimated construction cost for the installation of polyphosphate injection systems at both of the water plants is \$20,000. He noted that engineering fees would be on a time and materials basis and are estimated to be \$30,000. Mr. Sharkey stated that site surveying fees for both plants are estimated to be \$16,000 with a total estimated project cost of \$66,000. The Board took no action in connection with the construction of the installation of the polyphosphate injection systems.

Utility Commitment Letter

Mr. Sharkey then informed the Board of a request from Vista Equities Group for 750 gpd of water and sewer capacity from the District to serve a proposed office building of approximately 10,750 square feet located near the southeast corner of the intersection of Gessner Road and Philippine Street. He stated that the District has sufficient capacity to grant the request. Upon a motion made by Director Going and seconded by Director Schoelman, the Board voted unanimously to approve the utility commitment letter as requested.

ATTORNEY'S REPORT

Adopt Order Calling Directors' Election

Mr. Lord presented an Order Calling Directors' Election for the Board's review and approval. He stated that the election is scheduled for May 9, 2015, and that two positions are up for reelection. Following discussion, a motion was made by Director Going and seconded by Director Schoelman to adopt an Order Calling Directors' Election. The motion passed unanimously. A copy of the Order, thus adopted, is attached to and considered a part of these minutes.

Set Pay Rate for Election Officials

The Board next considered setting a pay rate for the election officials. Following discussion, the Board agreed to set a pay rate for election officials at the pay scale adopted by Harris County.

Association of Water Board Directors Conference

After discussion, Director Going moved that the Board authorize all interested Board members to attend the 2015 summer AWBD conference. Director North seconded the motion and it carried unanimously.

BUILDING OFFICE MANAGER'S REPORT

There was no report from the building office manager for the month.

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

Director Mendel reported on matters discussed at the January meeting.

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




Secretary, Board of Directors

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