

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

October 20, 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 October 20, 2015, and the roll was called of the duly constituted officers and members of the Board, to wit:

Eddie Mendel	President
Pat Going	Vice President
Kurt Schoelman	Secretary/Treasurer
Shari North	Assistant Secretary
Karen Hlavenka	Assistant Vice President

and all of said persons were present, thus constituting a quorum.

Also present John Elder of Acclaim Energy; Mary Lutz and Diane Doyle of McLennan & Associates; Ryan Fortner of Wheeler & Associates; Eric Martin of TOPS; Shawn Sharkey of Jacobs Engineering Group, Inc.; Corporal Lopez, Lieutenant Jolly and Constable Stephanie Crystal Hall of the 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 2015. 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 Going 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 2015. Following discussion, a motion was made by Director Going and seconded by Director North to adopt an Order Levying Taxes establishing a tax rate for 2015 of \$0.50 per \$100 assessed valuation, consisting of a \$0.25 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 2015. Following discussion, a motion was made by Director North to approve an Amended Information Form and authorize its filing with the TCEQ and Harris County. The motion was seconded by Director Hlavenka and carried unanimously.

## **APPEARANCES BEFORE THE BOARD**

There were no appearances before the Board.

## **SECURITY REPORT**

Constable Hall reported on security matters within the District for the month of September 2015.

## **APPROVE MINUTES**

The Board reviewed the minutes of September 15, 2015. Following discussion, upon a motion made by Director Schoelman and seconded by Director Hlavenka, the Board voted unanimously to approve the minutes of September 15, 2015, as submitted.

## **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 September 15, 2015 to October 20, 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 September 30, 2015.

Following discussion on the bookkeeper's report, upon a motion made by Director North 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 2015, the District's 2014 taxes are 99.29% collected and the 2013 taxes are 99.71% collected. Mr. Fortner also presented checks nos. 2528-2532 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 REPORT**

There was no delinquent tax attorney report for the month.

## **OPERATOR'S REPORT**

Mr. Martin presented the operator's report for September 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.

Mr. Martin next reported that the priority two and three repairs are underway on the fire hydrants in the District. He reviewed color choices for painting same. After review and discussion, the Board approved the red and white color combination on the hydrants.

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.

## **AUTHORIZE ATTENDANCE AT THE ASSOCIATION OF WATER BOARD DIRECTORS CONFERENCE**

The Board discussed attendance at the January Association of Water Board Directors conference in Galveston. Upon a motion made by Director Schoelman and seconded by Director North, the Board voted unanimously to authorize all interested directors to attend the conference.

## **ENGINEER'S REPORT**

The Board next reviewed the engineer's report, a copy of which is attached, including the following matters:

### Emergency Generator at Water Plant No. 1

The Board next discussed installation of a generator at water plant no. 1. Mr. Elder reported that the District could enter a lease/purchase agreement with BB & T for the cost of the generator. He stated that the District can receive financing for 15 years for the purchase and installation cost and receive revenue sufficient to pay the cost of same. Director Schoelman discussed the asset management program previously mentioned by the District's engineer and financing options for conducting the preventive maintenance. Mr. Sharkey briefly reviewed the provisions of the asset management program, but the Board took no action on the matter. After discussion, the Board authorized the District's attorney to work with Mr. Elder and BB & T to finalize the details and negotiate a contract and lease/purchase agreement in connection with the possible purchase and installation of a generator as discussed. Mr. Sharkey stated that an electrical engineer in his office will revise the plans for the project to reflect the District's new plans and will submit same to Harris County and the City of Houston for review.

After discussion, Director Going moved that the Board accept the engineer's report. Director Hlavenka seconded the motion and it carried unanimously.


### **BUILDING OFFICE MANAGER'S REPORT**

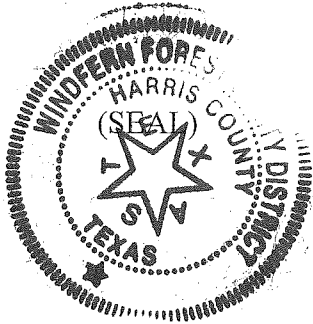
The Board noted that Ms. Lueb had been deleted as a signatory on the District's account and requested that the bookkeeper investigate and correct the matter.

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

Director Mendel reported on matters discussed at the September meeting. He stated that electrical work is being completed on the new blower for the Plant. Director Mendel also reported that he is optimistic that an agreement can be reached with the TCEQ regarding the possible removal of the metals requirement from the permit.

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

  
Secretary, Board of Directors



**ATTACHMENTS**

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bookkeeper's report .....2  
tax assessor/collector's report for the month of September.....2  
operator's report for September 2015 .....3  
engineer's report .....3