

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

June 18, 2019

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 Lane, Houston, Texas, on June 18, 2019, and the roll was called of the duly constituted officers and members of the Board, to wit:

Eddie Mendel	President
Pat Going	Vice President
Shari North	Secretary
Karen Hlavenka	Assistant Vice President
Ann Murphree	Assistant Secretary

All members of the Board of Directors were present, thus constituting a quorum.

Also present were Jason Van Loo, John Oyen and Milt Dooley of Harris County Municipal Utility District No. 261; Carole Lueb, Building Manager for the District; Demitra Berry of McLennan & Associates, LP (the “Bookkeeper”); Rebecca Olvera of B & A Municipal Tax Service, LLC (“TAC”); Nathan White and Deano Wright of TOPS (the “Operator”); Sergeant Curry of the Harris County Constable’s Office, Precinct 4; Shawn Sharkey of Jacobs Engineering Group, Inc.(“Jacobs”) the District’s Engineer (“Engineer”) and Clark Lord and Tiffany Ehmke of Bracewell LLP, the District’s legal counsel.

Whereupon, the meeting was called to order. A copy of the notice of the meeting is attached hereto as Exhibit “A”.

APPEARANCES BEFORE THE BOARD

There were no appearances before the Board.

SECURITY REPORT

Sergeant Curry reported on security matters within the District for the month of May 2019, a copy of which is attached hereto as Exhibit “B”.

APPROVE MINUTES

The Board reviewed the minutes of May 21, 2019. Following discussion, upon a motion made by Director Hlavenka and seconded by Director North, the Board voted unanimously to approve the minutes of May 21, 2019, as submitted.

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

Ms. Berry presented the bookkeeper's report, a copy of which is attached hereto as Exhibit "C", for the period of May 2019. 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 May 31, 2019. Ms. Berry then presented the monthly investment report for the period ending May 31, 2019.

Following discussion on the bookkeeper's report, upon a motion made by Director Hlavenka and seconded by Director Going, the Board voted unanimously to approve the bookkeeper's report, payment of the bills, the investment report and investment of the District's funds.

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

Ms. Olvera presented the tax assessor/collector's report for the month of May 2019, a copy of which is attached hereto as Exhibit "D". She reviewed the report, stating that as of May 31, 2019, the District's 2018 taxes are 97.84% collected. Ms. Olvera also presented the checks for payment.

Following discussion on the tax assessor/collector's report, upon a motion made by Director North and seconded by Director Murphree, the Board voted unanimously to approve the tax assessor/collector's report and payment of the tax bills.

DELINQUENT TAX ATTORNEY'S REPORT

There was no delinquent tax attorney report for the month.

OPERATOR'S REPORT

Mr. White presented the operator's report for May 2019, a copy of which is attached hereto as Exhibit "E". He then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 92.9%. Mr. White reported on maintenance and repairs conducted during the month.

Mr. White then reported on the fence at lift station no. 2 in need of replacement and stated that he plans on salvaging as much materials that can be re-used to construct the fence, however he anticipates that the fence will cost up to \$7,400. Director Going requested Mr. White find out the cost to stain the posts a cedar color and to coordinate with him regarding the additional cost for the stain.

Upon a motion made by Director Going and seconded by Director North, the Board voted unanimously to (i) approve the operator's report, and (ii) authorize the operator to replace the fence at lift station no. 2, not to exceed \$7,400.

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. White 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 hereto as Exhibit "F", including the following:

Upon a motion brought by Director Going moved that the Board accept the engineer's report, Director Hlavenka seconded the motion and carried by unanimous vote.

DISCUSS AERIAL EASEMENT REQUESTED BY CENTERPOINT NORTH OF DISTRICT WATER PLANT

Mr. Sharkey presented and outlined an aerial easement requested by CenterPoint to reach a nearby property. The Board instructed the Engineer provide the aerial easement to the District's attorney for review. After consideration, upon a motion brought by Director Hlavenka, seconded by Director Going, the Board unanimously authorized the Board to approve the aerial easement requested by CenterPoint, subject to attorney review.

AUTHORIZE ENGINEER TO PREPARE BOND APPLICATION

Consider approving Summary of Costs

Mr. Sharkey presented and outlined Summary of Costs, a copy of which is included in the Engineer's report. This matter was deferred.

Consider approving Reimbursement Resolution(s) for the projects included in the Bond Application's Summary of Costs

Mr. Sharkey requested the Board approve the Reimbursement Resolutions for the projects included in the Summary of Costs. Upon a motion brought by Director Hlavenka, seconded by Director North, the Board unanimously voted to approve the Reimbursement Resolution for the projects in the Summary of Costs.

Bond Application's Summary of Costs

Mr. Sharkey requested the Board authorize him to move forward on the Bond Application. Upon a motion brought by Director North, seconded by Director Hlavenka, the Board unanimously voted to authorize the Engineer to move forward with the Bond Application.

BUILDING OFFICE MANAGER'S REPORT

The Board recognized Ms. Lueb who reported on the recreation building.

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

Director Mendel reported on matters discussed at the May meeting of the White Oak Bayou Joint Powers Board.

CONVENE IN EXECUTIVE SESSION PURSUANT TO SECTION 551.074, CHAPTER 551, TEXAS GOVERNMENT CODE

Pursuant to Chapter 551.071 of the Texas Government Code, Subchapter D, of the Open Meetings Act, the President called the executive session to order at 5:00 p.m. to discuss matters of attorney-client privilege. The following were present for the executive session: the Board of Directors, Mr. White, Mr. Wright, Mr. Sharkey, Ms. Ehmke and Mr. Lord.

RECONVENE IN OPEN SESSION AND TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

The Board reconvene in open session at 5:16 p.m.

ATTORNEY'S REPORT

Water Supply and Construction Contract between Harris County Municipal Utility District No. 261

After review, upon a motion brought by Director Going, seconded by Director Hlavenka the Board unanimously voted to adopt a rate of \$1.10 per thousand gallons of water based on the calculations presented to the Board, to Harris County Municipal Utility District No. 261 with respect to the Water Supply and Construction Contract.

WASTE COLLECTION CONTRACT PROPOSAL

The Board recognized Ms. Ehmke who presented a solid waste proposal comparison sheet for the Board's review, a copy of which is attached hereto as Exhibit "G". After consideration, upon a motion brought by Director Hlavenka, seconded by Director North, the Board unanimously voted to (i) approve the proposal from Texas Pride Disposal for a 3 year fixed rate contract, which includes garbage collection at a rate of \$12.85, recycling for a 32 gallon can at a rate of \$4.20 and (ii) authorize legal counsel to prepare and send a letter to WCA terminating the Residential Solid Waste Collection Contract.

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

Shari B. North
Secretary, Board of Directors

