

MINUTES OF REGULAR MEETING  
OF  
WINDFERN FOREST UTILITY DISTRICT

May 21, 2024

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 May 21, 2024, and the roll was called of the duly constituted officers and members of the Board, to wit:

Karen Hlavenka	President
Eddie Mendel	Vice President
Phyllis Schoelman	Assistant Vice President
Shari North	Secretary/Treasurer
Ann Murphree	Assistant Secretary

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

Also present were Officer Curry of Harris County Constable’s Office, Precinct 4; Carole Lueb, Building Manager for the District; Jorge Diaz of McLennan & Associates, LP (the “Bookkeeper”); Tim Hardin of Langford Engineering Inc.(“Langford”) the District’s Engineer (“Engineer”); Rebecca Olvera of B & A Municipal Tax Service, LLC (“B&A”); Deano Wright of SiEnvironmental, LLC (the “Operator”); Clark Lord 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”.

**PUBLIC COMMENTS**

No comments.

**SECURITY REPORT**

The Board previously received a report on security matters within the District for the month of April 2024, a copy of which is attached hereto as Exhibit “B. No action was taken.

**APPROVE MINUTES**

The Board reviewed the minutes of April 16, 2024 meeting. After review, upon a motion made by Director Schoelman and seconded by Director North, the Board voted unanimously to approve the minutes of April 16, 2024 meeting.

## **WEB DESIGNER CONSULTANT AGREEMENT**

### **Touchstone District Services (“Touchstone”) Website & Compliance Maintenance Agreement and Emergency Alert System/OffCinco Services Agreement**

Director Hlavenka reported she had reviewed Touchstone’s other client websites and believed both services for Website, compliance and Emergency Alert System would be in the best interest of the District. Mr. Lord noted that the District had entered into an Agreement with Touchstone last year and if the Board approved the Website and Emergency Alert system those services would be added to the current contract with related fees. A copy of the information for Website, Compliance and Emergency Alert System is attached hereto as Exhibits “C” and “D” respectively.

After consideration, upon a motion brought by Director Scholeman, seconded by Director North to approve (i) Website, Compliance Agreement and Emergency Alert System; (ii) to terminate and authorize legal counsel to submit a termination letter to the District’s current website management company, OffCinco; and (iii) the Bookkeeper will update the District’s upcoming budget.

## **TAX ASSESSOR/COLLECTOR’S REPORT AND APPROVE PAYMENT OF BILLS**

Ms. Olvera presented the tax assessor/collector’s report for the month ending April 30, 2024, a copy of which is attached hereto as Exhibit “E”.

Following discussion on the tax assessor/collector’s report, upon a motion made by Director North and seconded by Director Schoelman, the Board voted unanimously to approve the tax assessor report.

## **DELINQUENT TAX ATTORNEY’S REPORT**

Ms. Olvera noted that there is a report from the delinquent tax attorney and that they are working on the real property accounts.

## **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 F”. 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 21, 2024. Ms. Berry presented the monthly investment report for the period ending April 30, 2024. The Board requested the Bookkeeper refund monies to Brinshore for the Senior Living Center.

Following discussion on the Bookkeeper’s report, upon a motion made by Director Mendel and seconded by Director Schoelman, the Board voted unanimously to approve the Bookkeeper’s Report.

## **OPERATOR’S REPORT**

Mr. Wright presented the Operator’s report, a copy of which is attached hereto as Exhibit “G”. He then reviewed a joint water production and accountability report with the Board and reported that water accountability for the prior month was 92.37% and the current connection count is 1,324.

Mr. Wright noted some damage on District property that may be eligible for insurance coverage. He reported that he has a generator on a trailer to use to power District facilities. Mr. Wright will be researching another generator for District use. Mr. Lord stated that perhaps the emergency preparedness plan may need to be reviewed. Director Hlavenka requested Mr. Elder from Acclaim attend the next meeting.

Mr. Wright then presented and reviewed the consumer confidence report (“CCR”), a copy of which is attached hereto as Exhibit “H”. Director Hlavenka reported a customer stopped by the meeting stating one of her bills was extremely high in comparison to her previous months. Mr. Wright reviewed her account history and stated there was a high usage month and the usage has returned to normal. The Board instructed Mr. Wright to bill the customer the normal rate for the one month.

#### Revised Lead and Copper Rule

No updates were made on this matter.

After consideration, upon a motion made by Director North and seconded by Director Schoelman, the Board voted unanimously to approve the Operator’s report and the CCR to be posted on the District’s website.

### **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. Wright 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 termination for reason of nonpayment, as required by the District’s Rate Order and stated there were no appeals from residents.

Following discussion, upon a motion made by Director North, seconded by Director Schoelman, the Board voted unanimously to terminate utility service to customers with delinquent accounts, including those reported for delinquent taxes in accordance with the provisions of the District’s Rate Order.

### **ENGINEER’S REPORT**

The Board recognized Mr. Hardin who reviewed the Engineer’s report, a copy of which is attached hereto as Exhibit “I” and previously distributed to the Board.

#### Well No. 1 Pump and motor Equipment Project

#### Additional Well Cleaning

Mr. Hardin reported on the attempt to televising the Well No. 1 and stated that there is too much build-up to evaluate the well structure. He noted that if the Board wanted to continue televising then the Board would need to clean Well No. 1, in the amount of \$55,560. Once the Well is cleaned then a determination of the well structure can be concluded. He noted that Well No. 1 is within the expected life of an average well.

The Board requested Mr. Hardin provide a quote to abandon the Well for review at the next Board meeting. No action was taken on this matter.

Series 2020 Bond Funds and related Application for Change in Use to TCEQ

Mr. Hardin stated that the Application has been administratively complete.

TCEQ Agreed Order for Enforcement

No additional information was given.

After consideration, upon a motion brought by Director North, seconded by Director Schoelman, the Board unanimously approve the Engineer's Report.

**ATTORNEY'S REPORT**

Insurance Proposals

This matter was deferred.

**BUILDING OFFICE MANAGER'S REPORT**

Maintenance and repairs

Ms. Lueb updated the Board on air conditioning maintenance.

Contract with Polar Express

The District will have Polar Express as their administrative building maintenance contractor.

Discuss and review bids for proposed new park playground and award contract

Ms. Lueb reported that she received additional proposals for the park playground. After review, upon a motion, second and unanimous vote, the Board unanimously voted to award the contract to Playground Boss, a copy of which is attached hereto as Exhibit "J".

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

A copy of the minutes from the White Oak Bayou Joint Powers Board, dated April 23, 2024, is attached hereto as Exhibit "K".

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

The Board did not meet in executive session.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

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

*Shavi B. North*

Secretary, Board of Directors

