

MINUTES OF REGULAR MEETING
OF
WINDFERN FOREST UTILITY DISTRICT

April 16, 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 April 16, 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, except Director Mendel thus constituting a quorum.

Also present were Officers V. Pierson and G. Doe of Harris County Constable’s Office, Precinct 4; Michael Willett of Touchstone District Services (“Touchstone”); 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 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”.

PUBLIC COMMENTS

No comments.

SECURITY REPORT

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

APPROVE MINUTES

The Board reviewed the minutes of March 19, 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 March 19, 2024 meeting.

TOUCHSTONE PRESENTATION

The Board recognized Mr. Willett who presented information for Website and Compliance Maintenance, a copy of which is attached hereto as Exhibit "C". Mr. Willett noted that the Board has previously entered into this agreement for the previous election and stated it had not been terminated. He then presented information for Emergency Alert System, a copy of which is attached hereto as Exhibit "D". No action was taken on this matter.

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

Ms. Olvera presented the tax assessor/collector's report for the month ending March 31, 2024, a copy of which is attached hereto as Exhibit "E".

Ms. Olver reported that a twelve (12) month payment plan was entered into for a customer for all delinquent years. She then stated that the statute of limitations for small accounts have been met and requested they get moved to uncollections.

Unclaimed Property

Ms. Olvera reported on unclaimed property and requested the Board's approval.

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 (i) approve the twelve (12) month payment plan; (ii) approve uncollectible accounts; (iii) approve the tax assessor report; and (iv) unclaimed property.

DELINQUENT TAX ATTORNEY'S REPORT

No report.

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

Mr. Diaz presented the Bookkeeper's report, a copy of which is attached hereto as Exhibit F". He 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 April 16, 2024. Mr. Diaz presented the monthly investment report for the period ending March 31, 2024.

Director Hlavenka requested check no. 1620 be voided as it should be part of the \$9,000 credit to the Settlement Agreement with PowerSecure.

Following discussion on the Bookkeeper's report, upon a motion made by Director Murphree and seconded by Director North, the Board voted unanimously to approve the Bookkeeper's report and payment of the checks, with the exception of check no. 1620.

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 88.69% and the current connection count is 1,324.

Mr. Wright reported that the leak detection test is in progress, as well as a list of old meters. He stated that one of the apartment complexes is delinquent and the management company has changed. Mr. Wright is currently trying to contact the new management company.

Mr. Wright then reported that Water Plant No. 1 and 2 have roof damage and will contact the insurance company regarding repairs.

Revised Lead and Copper Rule

Mr. Wright reported that the third-party vendor is 45% complete on the revised lead and copper rule.

After consideration, upon a motion made by Director Schoelman 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. 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 terminated 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 Schoelman, seconded by Director North, 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 "H" and previously distributed to the Board.

Well No. 1 Pump and motor Equipment Project

Mr. Hardin reported to the Board that Well No. 1 needs to be televised, in the approximate amount of \$2,500.

TCEQ Agreed Order for Enforcement

Mr. Hardin provided history regarding the violation leading to the Agreed Order for Enforcement ("Order for Enforcement"), a copy of which is attached hereto as Exhibit "I". The Order for Enforcement

include a \$720 penalty fee.

After consideration, upon a motion brought by Director North, seconded by Director Schoelman, the Board unanimously (i) approve televising Well No. 1; (ii) approve Order for Enforcement and related penalty fee; and (iii) the Engineer's Report.

ATTORNEY'S REPORT

No report.

BUILDING OFFICE MANAGER'S REPORT

Maintenance and repairs

Ms. Lueb updated the Board on air conditioning maintenance.

Discuss rate for rental space

The Board discussed maintaining a \$250 deposit and rental fee of the building, including: (i) Sunday fee - \$250 a day; (ii) Monday through Thursday - \$100 a day; and (iii) Friday and Saturday - is \$375 a day.

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

This matter was deferred.

Upon a motion, brought by Director Hlavenka seconded by Director North, the Board unanimously voted to (i) approve the Order of Enforcement and related penalty fee; and (ii) approve the new rental space rate for the District's Administration Building, effective as of July 1, 2024.

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 March 26, 2024, is attached hereto as Exhibit "J".

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

The Board did not meet in executive session.

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

Shaw B. North
Secretary, Board of Directors

