

# PORTER SPECIAL UTILITY DISTRICT

## MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

February 22, 2021

The Board of Directors (the Board or Directors) of Porter Special Utility District (the District) met in regular session at 7:00 p.m., at 22162 Water Well Road, Porter, Texas 77365, on Monday, February 22, 2021, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code.

1. **Call Meeting to Order** the President, after finding that the notice of the meeting was posted as required by law, called the meeting to order at 7:00 p.m. and declared it open for such business as may come before it.

- a. **Roll Call of the Board of Directors/Declaration of a Quorum**

Doug Pillow	President
Jodi Ruonavar	Vice-President
Caroline Denham	Secretary
Danny Bridges	Treasurer
Johnny Barr	Asst. Secretary-Treasurer
Jason Ashy	Director
Evelyn Satterwhite	Director

Director Denham took the roll, all Directors were present in the District Board Room, thus constituting a quorum. Also attending for the District were: Mike Kelly (Engineer) with Bleyl Engineering (7:12 p.m.), Jonathan Polley (Attorney) with Radcliffe, Bobbitt, Adams, and Polley, Jonathon Smith (General Manager), Jim Ferguson (Operations Manager), Amanda Phillips (Human Resources Director), and Wendy Pafford (Bookkeeper).

- b. **Director Qualifications and Disclosures**

Mr. Smith stated there are no updates on Director qualifications and disclosures.

- c. **Invocation**

Invocation led by Director Denham.

- d. **Pledges of Allegiance**

Pledges of Allegiance led by Director Bridges.

## **Election Agenda**

### **ORDEN DEL DÍA REFERENTE A LA ELECCIÓN**

- a. Update on May 1, 2021 Directors Election matters and take any necessary actions on same.

*Actualización sobre los asuntos de la Elección de Directores del 1 de mayo de 2021 y adopción de cualquier medida necesaria en relación a la misma.*

Mr. Polley stated that the Candidates who submitted applications for the 2021 Directors Election were unopposed and the 2021 Directors Election could be cancelled.

- b. Adopt Order Declaring Unopposed Candidates Elected to Office and Canceling Election.

*Adoptar una Orden para declarar electos al cargo a los candidatos sin oponentes y cancelar la elección.*

Upon motion by Director Ashy, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Board adopted the Order Declaring Unopposed Candidates Elected to Office and Canceling the 2021 Directors Election. Motion carried unanimously.

## **2. Public Comment**

No public comment.

Adjourn to Executive Session at 7:04 p.m.

Executive Session ended at 7:12 p.m. by Director Pillow.

Regular Session reconvened at 7:12 p.m. by Director Pillow.

Mr. Kelly joined the meeting at 7:12 p.m.

## **3. Review and Approve Minutes**

- a. Minutes of the Regular Meeting on January 25, 2021.

Upon motion by Director Barr, seconded by Director Bridges after full discussion with all Directors present voting aye, the Minutes of the Regular Meeting on January 25, 2021 was approved pending corrections discussed in the Executive Session. Motion carried unanimously.

#### **4. Old Business**

- a. Discuss and take any necessary action regarding Montgomery County groundwater and legislative concerns with Texas Senator District 4 Brandon Creighton, Texas Representative District 3 Cecil Bell, Jr., and Texas Representative District 16 Will Metcalf.

Mr. Smith stated that he has been in contact with Senator Creighton's Staff, and they recommended a virtual meeting with the Directors. Mr. Smith asked the Board if they wanted to wait until Session was over, Mr. Ashy stated no. Mr. Smith stated he would contact the Senator's Staff and try to schedule for a Zoom meeting on a Thursday.

#### **5. New Business**

- a. Review, discuss, and take any necessary action regarding the US-59 Waterline Crossing project, including ratifying the signed Union Pacific Railroad ROW agreement.

Upon motion by Director Ruonavar, seconded by Director Barr after discussion with all Directors present voting aye, the Board approved to ratify the signed Union Pacific Railroad ROW agreement. Motion carried unanimously.

- b. Review, discuss, and take any necessary action regarding the Sorters Road Waterline Replacement Project, including approving the Interlocal Agreement with Montgomery County.

Upon motion by Director Ashy, seconded by Director Bridges after full discussion with all Directors present voting aye, the Board approved Sorters Road Waterline Replacement Project, including approving the Interlocal Agreement with Montgomery County. Motion carried unanimously.

- c. Discuss and take any necessary action authorizing Director attendance, and Director Fees of Office, for the AWBD 2021 Spring Breakfast to be held on April 16, 2021 (details TBD).
- d. Discuss and take any necessary action authorizing Director attendance, and Director Fees of Office, for the AWBD 2021 Summer Conference to be held on June 17-19, 2021 in San Antonio, Texas (details TBD).

Upon motion by Director Barr, seconded by Director Bridges after full discussion with all Directors present voting aye, the Board approved attendance, and Director Fees of Office, for the AWBD 2021 Spring Breakfast on April 16, 2021 and the AWBD 2021 Summer Conference to be held June 17-19, 2021.

- e. Discuss and consider any necessary action resulting from Winter Storm Uri.

Mr. Smith discussed the preparations the District made before the Storm. Mr. Smith stated the staff will be meeting in the next few days to debrief about the things that went well, and what could be improved on in a future event. Director Barr asked about the low pressure that was experienced during the storm, Mr. Smith responded that there was a considerable increase in water usage during the storm. Director Ruonavar asked about the dirty water complaints, Mr. Smith responded that there was low pressure that causes sediment to be stirred up. Director Ruonavar asked if there were any generator problems, Mr. Ferguson stated that the Briar Tree generator was the only one. Mr. Ferguson stated the Briar Tree generator did not have any problems while the power was out, it was after the power was restored. Mr. Smith stated that the generator was also out of fuel at Briar Tree, the regular fuel distributor was unable to fulfil the order. Mr. Ferguson arranged for the generator servicing company, GenSolutions to make a fuel delivery the following day. There was also a problem with a temperature sensor on the generator, and the repair has since been made. Director Ruonavar stated she recommends to the Board that in the event of a storm a generator needs to be rented for Well no. 9. Director Ruonavar stated that the answering service was not working during the storm. Mr. Smith stated that the answering service was inundated with calls, and there were problems with the District phones. Mr. Smith stated that Staff is working to correct the phone issues, CenturyLink has a repair scheduled, and a module for the Mitel phone system is on order. Mrs. Pafford stated that CenturyLink has had to correct roll-over problems with the phone lines. Mr. Smith stated that during the Storm he transferred the calls from Westpark Answering Service to our on-call Staff. Director Ruonavar asked Staff if there is a Boil Water Notice in the future that they also contact the Spanish Television Channel. Mr. Smith discussed the new format of the billing cards, stating that the new payment information will be on the bills for customers. Mr. Smith also stated that Staff is looking into full page format billing. Mr. Smith discussed the leak adjustment policy with the Board, which allows a once a calendar year adjustment for a leak. Mr. Smith is recommending a variance to allow a leak adjustment for Winter Storm Uri damage. Mr. Smith recommends that customers complete a leak adjustment form to be approved by Staff to receive the leak adjustment due to damage from the storm.

Upon motion by Director Denham, seconded by Director Bridges after full discussion with all Directors present voting aye, the Board approved a variance to allow a one-time leak adjustment due to Winter Storm Uri. Motion carried unanimously.

Director Pillow asked if the District could send out a mailer to Customers to request them to update their payment information. Director Ruonavar stated that Payclix was implemented to avoid hiring another Employee in the Billing Office and asked how much Starnik's auto pay charges would be. Mr. Smith stated that he did not know at this time, it was dependent on how many customers sign up.

The Board recessed for a break at 8:12 p.m., and reconvened at 8:23 p.m.

## **6. Financial Report by Municipal Accounts**

- a. Review, discuss, and take any necessary action regarding Financial Statements.

Ms. Pafford asked Director Ruonavar to email her before the meeting if she had any questions so that she could contact Municipal for answers. Director Ruonavar sent her questions to Ms. Pafford, and Director Ruonavar stated she was eager to hear the answers. Ms. Pafford stated the report had \$115.00 in returned check fees, she said Municipal Accounting has corrected that amount and they had no explanation for the amount. Ms. Pafford discussed Miscellaneous Revenue, she has not been able to find out where Municipal got the amounts from, last month they had incorrectly posted Impact Fees under Miscellaneous Revenue. Ms. Pafford stated that she has not received a bill for services from Municipal Accounting in several months and says she has reached out to them requesting a bill. Ms. Pafford stated the bills for engineering services were processed this week. Director Ruonavar asked about paying the sewer bill monthly, Ms. Pafford responded that it had been paid for annually in the past. Starting in the new fiscal year, June 2021 the sewer bill can be paid monthly. Director Ruonavar asked about the water bill, Ms. Pafford stated that a check was issued but the report is not reflecting the bill. Director Ruonavar asked where the generator rental showed up on the report. Ms. Pafford responded under the M&R Wells category. Director Ruonavar asked about the equipment rental on the credit card for January, Ms. Pafford responded it was for the Fire Station, Mr. Smith stated it was under GL code 17006.2. Director Ruonavar asked about the Lonestar Groundwater Permit Fees, Mr. Smith responded it is billed quarterly. Director Ruonavar stated that the credit card purchases for January should be on the Financial Report, Mr. Smith stated that until we receive the February bill from the credit card company, the January purchases are not reconciled. Director Ruonavar asked for another copy of January's Report once the receipts are posted. Director Pillow asked about the Health Insurance bill, Mr. Smith responded that the District did not have a firm price until the Employees completed health assessments. Once the health assessments were completed the Health Insurance cost increased \$40.00 to \$50.00 per person. The District added two positions that impacted the Health Insurance cost.

Upon motion by Director Ruonavar, seconded by Director Bridges after full discussion with all Directors present voting aye, the Financial Report was approved. Motion carried unanimously.

## **7. Engineering Report by Ardurra Group**

There were no updates from Ardurra Group.

## **8. Engineering Report by Bleyl Engineering**

- a. Developments update

Mr. Kelly stated he did not bring any action items to the Board this evening. Mr. Kelly stated that Mr. Ferguson attended the BEST survey presentation, and that next month he would have information for the Directors. Director Pillow asked what the cost difference would be from the filters or cementing the screens. Mr. Kelly stated that would be part of next months discussions, that he was in the process of compiling the costs. Director Ruonavar asked about the Andrew Water Plant Generator. Mr. Kelly stated he will contact the contractor to get an update on the status of installation. Director Ruonavar asked for explanation about the Royal Brook development, Mr. Kelly explained that we have easements for the majority of Ford Rd. and when the County released the plan for widening the road it was discovered that the plans the District had for the new waterline would be under pavement.

**b. General Fund Projects update**

- i. Review, discuss, and take any necessary action regarding the addition of Well #9 Generator, including considering switching from a natural gas generator to a diesel generator.

Mr. Smith stated a meeting was set up with the natural gas provider to see if an extension of the line was possible. Director Ruonavar asked if anything at Copeland would be under warranty once the well is online, Mr. Kelly stated the aerator warranty expires in April.

**c. Update on Impact Fee Capital Improvement Projects update.**

Director Ruonavar asked Mr. Kelly had heard from George Li. Mr. Kelly stated he did get a response from Mr. Li who asked him to call back in two weeks.

**9. General Counsel's Report**

- a. Review, discuss, and take any necessary action regarding the Water Supply Agreement with the City of Conroe

Director Pillow asked if it was possible to lease the water the District purchases from the City of Conroe. Mr. Polley stated he would look over the contracts to see potential options for the District.

**10. General Manager's Report**

- a. Discuss and take any necessary action regarding District property, facilities, vehicles, equipment, projects, and personnel matters

Director Ruonavar asked if the Employee's water licenses have been posted on the wall, Mr. Smith responded yes, in addition to the years of service plaques that will be current once the last name plate comes in from the vendor. Mr. Smith gave a breakdown of the water usage on the Starnik report. Director Ruonavar asked if the

damaged trucks were repaired. Mr. Ferguson stated that the truck that received a minor ding due to the gate was not in need of repair, and the truck that was towed had to have a fuse replaced. Mr. Smith stated he included a copy of the letter he read at the last Lonestar Groundwater Conservation District meeting for the Directors record. Mr. Smith stated that the Lonestar Groundwater Conservation District reached out to him to schedule a stakeholder meeting with Porter SUD. Mr. Smith stated it will most likely be a virtual meeting.

- b. Discuss and take any necessary action regarding the impact of the COVID-19 coronavirus pandemic on the business of the District.

Mr. Smith discussed the procedures the District is taking for the COVID-19 coronavirus pandemic.

### **11. Directors Comments**

No further comments.

### **12. Next Board Meeting**

Regular Meeting scheduled Monday, March 29, 2021 at 7:00 p.m.

### **13. Adjournment**

At any time during the meeting and in compliance with the Texas Open Meetings Act (Chapter 551), the Porter Special Utility Board of Directors may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (551.071); deliberation regarding real property (551.072); deliberation regarding prospective gifts (551.073); personnel matters (551.074); and deliberation regarding security devices (551.076). No action may be taken during executive session, therefore, following executive session, the Board of Directors will reconvene to an open meeting and take action as necessary.

There being no further business before the Board, upon motion by Director Ashy, seconded by Director Ruonavar after full discussion and all Directors present voting aye, the meeting was adjourned at 9:16 p.m.

**PASSED and APPROVED** this the 29th day of March 2021.

  
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President, Board of Directors

  
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Secretary, Board of Directors

