

PORTER SPECIAL UTILITY DISTRICT

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

April 27, 2020

The Board of Directors (the Board or Directors) of Porter Special Utility District (the District) met in regular session, at 7:00 p.m., via Zoom Meeting - Conference Call, on Monday, April 27, 2020, 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 except for Director Satterwhite, thus constituting a quorum. Also attending for the District were: Jonathan Polley of Radcliffe Bobbitt Adams Polley (General Counsel), Mike Kelly of Bleyl & Associates (Engineer), Jeff Peters of Ardurra Group (GRP Engineer), Jacob Peters of Boy Scouts of America (Guest), Jonathon Smith (General Manager), Jim Ferguson (Operations Manager) and Amanda Phillips (Executive Administrator).

b. Director Qualifications and Disclosures

Mr. Smith stated there are no updates of qualifications and disclosures.

c. Invocation

Invocation led by Director Denham.

d. Pledges of Allegiance

Pledges of Allegiance led by Director Pillow.

Mr. Smith asked all participants of the Zoom Meeting other than Directors to state their name.

Jonathon Smith, General Manager of Porter SUD
Mike Kelly, Engineer with Bleyl Engineering
Jon Polley, Attorney with Radcliffe, Adams, Bobbitt, and Polley
Amanda Phillips, Executive Administrator of Porter SUD
Jeff Peters, Engineer with Ardurra Group
Jacob Peters, Guest representing the Boy Scouts of America
Jim Ferguson, Operations Manager of Porter SUD

2. Public Comment

David Fisher introduced himself. Mr. Fisher commented to the Board about growth in the community and asked if there are plans to upgrade water lines on Adams St. Director Pillow stated that later in the meeting the Directors would be discussing potential water line upgrade on Adams St.

3. Review and Approve Minutes

The Board considered approval of the Minutes of the Regular Meeting on March 30, 2020.

Upon motion by Director Barr, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Minutes of the Regular Meeting of March 30, 2020 were approved. Motion carried unanimously.

4. Old Business

- a. Review, discuss, and take any necessary action regarding Amended Resolution Adopting Director Fees of Office and Expense Reimbursement Policy.

This item was tabled.

- b. Review, discuss, and take any necessary action regarding Section 7.2 Travel Allowance of the Personnel Policies.

This item was tabled.

- c. Review, discuss, and take any action regarding potential exclusion of property from District boundary.

Mr. Smith asked Mr. Polley what the next steps for the District would be if they wanted to move forward on excluding properties from the District boundary. Mr. Polley stated that

the Board would need to authorize consultants on moving forward on the exclusion of property, provide notice, and hold a public meeting.

Upon motion by Director Ruonavar, seconded by Director Denham after full discussion with all Directors present voting aye the Directors voted to authorize consultants to move forward with the process of excluding property from the District boundary. Motion carried unanimously.

- d. Consider authorizing and directing staff to take any necessary action to switch the District's financial banking from BBVA to Amegy Bank.

This item was tabled.

- e. Consider authorizing and directing staff to take any necessary action to add Directors to the Amegy Bank banking account as signers for the District.

This item was tabled

- f. Review, discuss, and take action regarding Section 4.2 General Pay Information of the Personnel Policies

Mrs. Phillips spoke to the Board about implementing a timecard system for District Employees. Directors asked Mr. Smith to investigate biometric and other timekeeping systems.

Upon motion by Director Ruonavar seconded by Director Barr after full discussion with all Directors present voting aye, the Board authorized the change of Section 4.2 General Pay Information of the Personnel Policies. Motion carried unanimously.

5. New Business

- a. Review, discuss, and take action regarding the 2019 Drinking Water Quality Report (CCR).

Mr. Ferguson presented the CCR to the Board. Mr. Ferguson stated there are no violations on the Report, and it will be distributed to the District's customers.

Upon motion by Director Ruonavar seconded by Director Ashy after full discussion with all Directors present voting aye, the Board approved the CCR. Motion carried unanimously.

- b. Review, discuss, and take action regarding the Emergency Response Plan and Hurricane Preparedness Procedures.

Mr. Smith presented an updated Emergency Response Plan and Hurricane Preparedness Procedures to the Board.

Upon motion by Director Ashy seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Board approved the Emergency Response Plan and Hurricane Preparedness Procedures. Motion carried unanimously.

- c. Review, discuss, and take action regarding the Drought Contingency Plan.

Mr. Smith presented an updated Drought Contingency Plan to the Board.

Upon motion by Director Ruonavar seconded by Director Denham after full discussion with all Directors present voting aye, the Board approved the Drought Contingency Plan. Motion carried unanimously.

- d. Review, discuss, and take action regarding the Water Conservation Plan.

Mr. Smith presented a preliminary copy of the Water Conservation Plan that needs further updates. Mr. Smith is seeking preliminary approval and would like to next month ratify the copy that will be submitted to the Texas Water Development Board.

Upon motion by Director Ruonavar seconded by Director Ashy after full discussion with all Directors present voting aye, the Board gave preliminary acceptance of the Water Conservation Plan contingent on the updated copy being presented for ratification at the May meeting. Motion carried unanimously.

- e. Consider authorizing employee participation in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) related retirement disbursements.

Upon motion by Director Pillow seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Board accepted authorization of employee participation in the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) related retirement disbursements. Motion carried unanimously.

6. Financial Report

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

Director Denham asked about overtime charges code 5108, Mr. Smith explained overtime and on call charges. Director Pillow asked about the decreased water sales, Mr. Smith stated that sales are down in March by about \$5,000.00 from last year. Director Ashy asked if any of the overtime was related to COVID-19, Mr. Smith stated not to his knowledge. Mr. Smith stated that COVID-19 related expenses are being tracked separately. Director Pillow asked about charges on page 6, Mr. Smith stated he would follow up with the Bookkeeper and respond to the Board later in the week.

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

7. **Engineering Report** by Ardurra Group

a. Update on Surface Water Treatment Plant Pilot Study

Mr. Peters stated the Pilot Study Report is not complete due to data they need from the pilot manufacturers, who are experiencing office shutdowns due to the pandemic. Mr. Peters stated the draft copy of the Pilot Study Report will be sent to District staff by the end of week.

b. Update on FEMA Reimbursement

Director Ruonavar asked Mr. Peters to investigate the bill received by Ardurra that stated there was work on FEMA Reimbursements and contact with TDEM completed, and the report is contradictory stating there was not work done.

c. Update on HUD CDBG-MIT Program Grant

No new information regarding the HUD CDBG-MIT Program Grant.

8. **Engineering Report** by Bleyl Engineering

Mr. Kelly asked if there are any questions regarding the Engineering Report.

a. Update on Developments

i. Review, discuss, and take any necessary action regarding Maple Heights.

No updates on the Development. Mr. Kelly stated that the feasibility study was completed and asked if any Directors had questions. No questions asked.

ii. Review, discuss, and take any necessary action regarding Four Arbors Townhouses, including waterline upsizing on Adams Street

Mr. Fisher who spoke in Public Comment was asked to state his question from earlier in the meeting by Mr. Kelly. Mr. Fisher asked about the District plans to upgrade water capacity to the lines on Adams St. and what the timeline was. Mr. Kelly responded that the existing residents on Adams St. are use all of the capacity of the 2.5-inch water line. Mr. Kelly stated the updated cost of the upgrade was listed in the Director packets at an estimated cost of \$140,300.00. The waterline would be replaced by 2,400 feet of 8-inch line. Mr. Kelly was unable to give a specific timeline, but stated he estimated if the

project would be started today, water would be available by the end of the year. Mr. Fisher asked if the District has worked out a deal with the existing townhomes. Mr. Kelly stated there is no agreement with the Developer of the townhomes and the District. Mr. Kelly is seeking approval from the Board to move forward on the Adams St. project. Mr. Smith recommended the District consider charging a pro-rata share for future connections on Adam St.

Upon motion by Director Bridges, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Board approved Bleyl Engineering to start the planning and design process of upgrading waterline on Adams Street. Motion carried unanimously.

Mr. Polley suggested coming back at a later date to structure the funding of the project.

- b.** Update on General Fund Projects
- c.** Update on Impact Fee Capital Improvement Projects
 - i.** Discuss and take action regarding Final Pay Estimate #4 in the amount of the \$27,835.20 for the Copeland Booster Pump upgrades by Gemini Contracting.

Upon motion by Director Ruonavar, seconded by Director Bridges after full discussion with all Directors present voting aye, the Board approved Final Pay Estimate #4 in the amount of the \$27,835.20 for the Copeland Booster Pump upgrades by Gemini Contracting. Motion carried unanimously.

- ii.** Review, discuss, and take action regarding the US 59/69 Waterline Crossing project, including waterline crossing route and scope.

Mr. Kelly discussed upgrading the waterline on E. Martin Dr. from a 6-inch to a 12-inch line and cross near the school property in the right-of-way.

Upon motion by Director Denham, seconded by Director Ashy after full discussion with all Directors present voting aye, the Board approved the US 59/69 Waterline Crossing project, including waterline crossing route and scope. Motion carried unanimously.

- iii.** Review, discuss, and take action regarding the site design of the new administration building at 24332 Loop 494 as described in Attachment A under the existing professional services agreement.

Director Pillow asked if the Administration Building Committee could meet, Mr. Smith stated he would plan to schedule that meeting.

Upon motion by Director Ashy, seconded by Director Bridges after full discussion with all Directors present voting aye, the Board authorized Attachment A under the existing professional services agreement for site design of the new administration building at 24332 Loop 494 as described in. Motion carried unanimously.

9. General Counsel's Report

a. Update on Lone Star Groundwater Conservation District rules

Mr. Polley and Mr. Smith spoke about Lone Star Groundwater Conservation District adopting a new management plan and the 2010 Desired Future Conditions.

b. Review, discuss, and take any necessary action regarding the GRP Participation Agreements with Chateau Woods Municipal Utility District and Crystal Springs Water Company

Mr. Polley will email Mr. Smith who will follow up with the Board.

c. Review, discuss, and take any necessary action regarding the easement acquisitions along Sorters Road and Ford Road

Mr. Polley stated he has a phone meeting scheduled with the Easement Attorney and the Property Acquisition Company this Friday.

Mr. Polley discussed the Governor's plans to reopen, there has been no updates or changes to public meetings or gathering regulations in his new order. Director Pillow asked about meeting in person in May, Mr. Polley stated that if the Board chooses to hold an in-person meeting the meeting would have to be open to the public.

10. General Manager's Report

a. Personnel matters and maintenance of District property, facilities, and equipment

Director Ruonavar asked about the photos of the pipe at Well #5 in his weekly Manager's Report. Mr. Smith stated it was from a grass fire that occurred before he started employment with the District. Director Denham asked what the value of the pipe was, Mr. Ferguson responded approximately \$20,000.00. Director Barr was concerned about the pipe being damaged from the sun; Mr. Smith stated that the outer layer may be brittle but structurally the pipe is good. Mr. Smith stated he would like to get an awning installed for the storage of pipe in the future.

Director Ashy asked if the District sold the surplus water meters, Mr. Smith stated that the City of Splendora offered \$5,000 for the surplus meters. Mr. Smith stated he had several people interested in the truck and hopes to sell it soon.

Director Ruonavar asked where the generator at Well#3 could be moved now that the well is plugged. Mr. Ferguson stated that they are considering using it for the new administration building. Director Ruonavar asked if it was possible to get a total amount spent on the Copeland Water Well, Mr. Smith stated he can reach out to Municipal Accounts to get that amount. Director Ashy asked about the status of Copeland, Mr. Ferguson stated that tank disinfection, antenna upgrades, and SCADA work has occurred in the past week. The District is starting the testing phase now and it will occur over the next three weeks. Directors asked about the status of meters, Mr. Smith stated that larger meters, and the wholesale connections still needed to be installed.

- b.** Review, discuss and take action regarding the design and construction of the new administration building located at 24332 Loop 494.

Mr. Smith stated he would set up a meeting with the Building Committee to look over and make comments on the preliminary drawings.

- c.** Review, discuss, and take any necessary action regarding the impact of the COVID-19 coronavirus pandemic on the business of the District.

- i.** Consider ratification of Administrative Order #2020-02

- ii.** Consider ratification of Administrative Order #2020-03

Upon motion by Director Ruonavar, seconded by Director Denham after full discussion with all Directors present voting aye, the Board approved ratification of Administrative Order #2020-02 and Administrative Order #2020-03. Motion carried unanimously.

Director Ruonavar asked about cleaning of the front office, Mr. Smith stated that the workspaces are cleaned consistently several times daily.

- d.** Consider authorizing General Manager's attendance at the 2020 TCEQ Public Drinking Water Conference to be held on August 4-5, 2020 in Austin, Texas.

Upon motion by Director Pillow, seconded by Director Ashy after full discussion with all Directors present voting aye, the Board authorized the General Manager's attendance at the 2020 TCEQ Public Drinking Water Conference to be held on August 4-5, 2020 in Austin, Texas. Motion carried.

11. Directors Comments

Director Bridges asked about a recent fire Popeye's chicken on 1314, the fire department only had one hydrant and the road had to be closed due to the placement of fire hose. Mr. Smith stated that someone in the past made to call to locate the hydrant in that location. Director Ruonavar asked if District Employees could mow and weed eat near the fire hydrant at the Briar Tree Plant. Mr. Smith stated the District could take care of it. Director Ashy asked if there was anything staff needed from the Board. Mr. Smith responded by thanking the Board

12. Next Board Meeting

Upon motion by Director Ruonavar, seconded by Director Denham after full discussion with all Directors present voting aye, the Board approved the next Regular Board Meeting for Tuesday, May 26th, 2020 at 7:00 pm. Motion carried.

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 10:00 p.m.

PASSED and **APPROVED** this the 26th day of May 2020.



President, Board of Directors



Secretary, Board of Directors

