

PORTER SPECIAL UTILITY DISTRICT

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

August 31, 2020

The Board of Directors (the Board or Directors) of Porter Special Utility District (the District) met in regular session and via Zoom Meeting - Conference Call, at 7:00 p.m., at 22162 Water Well Road, Porter, Texas 77365, on Monday, August 31, 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 in the District Board Room except for Caroline Denham who attended via Zoom, Director Bridges entered the meeting at 7:05 p.m., and Director Satterwhite who was absent, thus constituting a quorum. Also attending for the District were: Jonathon Smith (General Manager), Jim Ferguson (Operations Manager), and Amanda Phillips (Executive Administrator).

Participants of the Board Meeting attending via Zoom:

Caroline Denham, Director
Mike Kelly, Engineer with Bleyl Engineering
Jonathan Polley, Attorney with Radcliffe Bobbitt Adams Polley PLLC
Jeff Peters, Engineer with Ardurra Group
Aaron Carpenter with ABHR/Maple Heights
David Oliver with ABHR/Maple Heights, logged on at 7:12 p.m.

Director Qualifications and Disclosures

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

b. Invocation

Invocation led by Director Pillow.

c. Pledges of Allegiance

Pledges of Allegiance led by Director Ashy.

2. Public Comment

No public comment.

3. Review and Approve Minutes

a. Minutes of the Regular Meeting on July 27, 2020.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the Minutes of the Regular Meeting of July 27, 2020 were approved. Motion carried unanimously.

4. Old Business

No Old Business presented.

5. New Business

a. Discuss and take action approving the new layout and format of the Personnel Policies

Director Bridges entered the Meeting at 7:05 p.m.

Mr. Smith explained the new layout and format will make it easier when revisions are made to update the Personnel Policy Book. Director Ruonavar asked when the Committee could meet with changes that the Board would like to make. Mr. Smith stated that a meeting could be set up in September.

Upon motion by Director Ruonavar seconded by Director Barr after full discussion with all Directors present voting aye, the Board approved the new layout and format of the Personnel Policies. Motion carried unanimously.

- b. Discuss and take action authorizing Director attendance, and Director Fees of Office, for the AWBD 2021 Mid-Winter Conference to be held on January 29-30, 2021 at the JW Marriott in Austin, Texas.

Upon motion by Director Ruonavar seconded by Director Denham after full discussion with all Directors present voting aye, the Board authorized Director attendance, and Director Fees of Office, for the AWBD 2021 Mid-Winter Conference to be held on January 29-30, 2021 at the JW Marriott in Austin, Texas. Motion carried unanimously.

- c. Review, discuss, and take any necessary action approving the Development Application.

Mr. Smith explained that this is an agreement that outlines the fees and processes for a Developer wanting to establish service in the District. In the future the Developer will be billed monthly for fees the District incurs for their development.

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

6. Financial Report

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

David Oliver joined the meeting via Zoom at 7:12 p.m.

Director Pillow asked if the Impact Fees of nearly \$500,000.00 was correct. Mr. Smith stated yes, those fees are from the Brooklyn Trails Development. Director Pillow asked about the Health Insurance cost, Mr. Smith responded that in the beginning of July a check was issued for July's fees for United Healthcare, and early in July the fees for August's coverage for National General was drafted also. Director Pillow asked about the M&R Water System Account, Mr. Smith stated that a lot of the charges are for tap materials for the Brooklyn Trails Development. Mr. Smith said he would talk to Municipal about creating a new account for new connections. Director Denham asked about page 3 of the report, Amazon Capital had charges with the memo of drug screenings. Mr. Smith stated he would follow up with Municipal and the Board regarding these charges. Director Ruonavar asked about the roll-off dumpster at the Briartree Plant site. Mr. Ferguson responded that it has not been filled yet, that it is for the disposal of damaged pipe.

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.

- b. Review, discuss, and take any necessary action regarding Quarterly Investment Report for Period Ending May 31, 2020.

Upon motion by Director Ruonavar, seconded by Director Bridges after full discussion with all Directors present voting aye, the Quarterly Investment Report for Period Ending May 31, 2020 was approved. Motion carried unanimously.

7. Engineering Report by Ardurra Group

- a. Update on Surface Water Treatment Plant Pilot
- b. Update on FEMA Reimbursement

Mr. Peters stated he had good news, no invoice for this month and there has been no communication from FEMA. Mr. Smith informed the Board that copies of the Surface Water Treatment Pilot Report was distributed to them at the beginning of the meeting. Mr. Peters left the meeting via Zoom.

8. Engineering Report by Bleyl Engineering

- a. Developments update
 - i. Review, discuss, and take necessary action regarding the Maple Heights development, including approving the Water Facilities Development and Service Agreement

Mr. Polley stated that several draft copies of the Agreement between Porter SUD and Maple Heights Development have been exchanged and the two parties have a general agreement. Mr. Polley informed the Board of need for easement acquisition for the required service line. Mr. Polley discussed the fees and party responsibilities according to the Agreement. Mr. Smith asked Mr. Carpenter when construction would begin in the Maple Heights Development, he responded at the end of 2020 or early 2021.

Upon motion by Director Ashy, seconded by Director Bridges after full discussion with all Directors present voting aye, the approved the Water Facilities Development and Service Agreement for the Maple Heights development subject to final approval by Mr. Smith, Mr. Polley, Director Ruonavar, and Director Pillow. Motion carried unanimously.

- b. Update on General Fund Projects
 - ii. Review, discuss, and take any necessary action regarding the new administration building located at 24332 Loop 494, including approving Amendment #1 for redesign of the site.

There was an change in the original drawings due to Tex-Dot requiring a change to the driveway for the new administration building plans. Amendment #1 for redesign of the site is a total of \$1,200.00.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the Board approved Amendment #1 for redesign of the site of the new administration building located at 24332 Loop 494. Motion carried unanimously.

Mr. Kelly stated that Tex-Dot had approved the permit for the Fire Station #122 project. Mr. Kelly updated the Board about the status of Copeland, Water Systems Engineering is requesting another round of samples. Montgomery County approved the Permit for the water line upsizing on Adams Street, the completion date is set for October 15th. Mr. Kelly stated that Cummins is looking for a replacement engine for the Andrew Plant Generator.

c. Update on Impact Fee Capital Improvement Projects

No further updates.

8. General Counsel's Report

a. Update on Lone Star Groundwater Conservation District rules

Mr. Polley discussed the letters that the District submitted to Lone Star Groundwater Conservation District to be entered into LSGCD's records regarding subsidence and the draft rules. The District made the offer to let Lonestar access the District sites to monitor the effects or groundwater pumping in Montgomery County.

iii. Letter to LSGCD regarding Subsidence Study Phase 1

iv. Letter to LSGCD regarding Draft Rules

b. Review, discuss, and take any necessary action regarding *Crystal Springs Water Co. v. Porter Special Utility District*.

This item will be discussed in Executive Session.

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

No further updates on this item.

10. General Manager's Report

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

The General Manager updated the Board of his upcoming scheduled vacation. Water Systems Engineering has requested more sampling from the Copeland well site, the well could potentially be on-line as soon as October 13, 2020. Mr. Smith stated the rental generator was in place at the Andrew well site. Mr. Smith commented the generators worked perfectly during the rolling brownouts that the community experienced a few weeks ago, due to Hurricane Laura impacting Entergy's electric transmission lines. Director Ruonavar stated Well#9 needs a generator installed. Mr. Smith will discuss with Bleyl about a new generator for Well#9. Mr. Smith stated that Bleyl had preliminary numbers for a replacement generator at the Andrew Plant, but they have Cummins looking for a replacement engine to repair the existing generator, which would be a less expensive option. Director Ruonavar asked if the newly hired employees would be available to attend next month's regular meeting for introductions to the Board. Director Ashy asked about the water loss numbers, Mr. Smith stated that we should have consistency when meters are all read on the same date, there are still large meters that the District has not received or installed. Siemens meters are needing to have the AMI conversion kit installed, S&J meter are scheduled start the installs September 11, 2020. Mr. Smith stated that there are approximately 70 meters in the system that are currently unaccounted. The District has staff studying for the Customer Service Inspection Certification test and \$175.00 was paid out to staff in finders fees for illegal water connections in the past month.

Mr. Kelly left the meeting via Zoom.

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

The Board recessed for a break at 8:25 p.m., and reconvened at 8:32 p.m.

Adjourn to Executive Session at 8:32 p.m.

Executive Session ended at 9:00 p.m. by Director Pillow.

Regular Session reconvened at 9:00 p.m. by Director Pillow.

11. Directors Comments

There were no Director Comments.

12. Next Board Meeting

Regular Meeting scheduled Monday, September 28, 2020 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 9:01 p.m.

PASSED and APPROVED this the 28th day of September 2020.



President, Board of Directors



Secretary, Board of Directors

