

PORTER SPECIAL UTILITY DISTRICT

MINUTES OF BOARD OF DIRECTORS REGULAR MEETING

October 25, 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, October 25, 2021, pursuant to notice of said meeting posted in accordance with Chapter 551 of the Texas Government Code. The public comment at the beginning of the meeting and for Item #4(a) was available for access via conference call: (346)248-7799 with meeting ID: 359 579 4456 and Passcode: 22162.

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 |

Director Denham took the roll, all Directors were present in the District Board Room, except for Director Ashy who was absent, thus constituting a quorum. Also attending for the District were: Blake Barringer (Engineer) with Bleyl Engineering, Jonathan Polley (Attorney) with Radcliffe, Bobbitt, Adams, and Polley, Jonathon Smith (General Manager), Chris Wright (Operations Manager), Wendy Pafford (Bookkeeper), and Amanda Phillips (Human Resources Director).

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 Barr.

2. Public Comment

No Public Comment.

3. Review and Approve Minutes

- a. Minutes of the Regular Meeting on September 27, 2021.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the Minutes of the Regular Meeting on September 27, 2021, were approved. Motion carried unanimously.

4. Old Business

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

Mr. Smith stated he spoke with Senator Creighton who apologized for being unable to attend the meeting. Mr. Smith stated he will be in contact with Senator Creighton's office to schedule for meeting in November. Mr. Smith disconnected from the conference call at 7:03 p.m. since there were no phone participants.

- b. Discuss and take any necessary action regarding vacant position on the Board of Directors

Director Ruonavar asked if the District received any applications for the vacancy, Mr. Smith responded no.

- c. Review, discuss, and take any necessary action regarding Enterprise Fleet Lease Program, including approval of three lease vehicles for FYE 2022

Mr. Smith referenced the Fleet Analysis, Fleet Profile, and paperwork submitted by Enterprise Fleet Lease Program at the Boards request for their review. Mr. Wright clarified the maintenance portion of the contract, like flat tires being eligible for repair. Director Ruonavar asked what the budgeted amount was for fleet for the fiscal year ending 2022, Mr. Smith responded \$80,000.00. Mr. Wright stated that that the District is trying to acquire two trucks at this time and requested the ability to get three if another is available.

Upon motion by Director Bridges, seconded by Director Barr after full discussion with all Directors present voting aye, the Board approved the Enterprise Fleet Lease Program, including approval of three lease vehicles for FYE 2022. Motion carried unanimously.

- d. Discuss and take any necessary action regarding the District's Surface Water Treatment Plant property located off of Sorters Road

This item was tabled.

5. New Business

- a. Review, discuss, and take any necessary action regarding the District's Personnel Policies, including approval of the following

- i. Section 4.1- Positions

Mrs. Phillips presented the recommended changes from the Policy Committee meeting earlier in the month.

Upon motion by Director Denham, seconded by Director Bridges after full discussion with all Directors present voting aye, the presented Personnel Policy Section 4.1- Positions was approved. Motion carried unanimously.

- ii. Section 4.4 – Employee Incentives

Upon motion by Director Bridges, seconded by Director Barr after full discussion with all Directors present voting aye, the presented Personnel Policy Section 4.4- Employee Incentives was approved. Motion carried unanimously.

6. Financial Report by Municipal Accounts

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

Director Pillow asked about the Amegy 2014 Escrow account, Mr. Smith responded it was for the 2014 Bonds that become callable in December 2021. Director Ruonavar asked Mrs. Pafford if she could get the Bank Statements for PNG Bank (previously BBVA) from Municipal Accounts so that the account could be reconciled. Director Ruonavar asked if the cancelled checks come the District Office or to Municipal Accounts office, Mrs. Pafford stated she will have to find out where they are being sent. Director Denham asked about the cost difference in oil changes, Mrs. Pafford stated the synthetic oil required on some trucks is more expensive. Director Ruonavar asked about the Bleyl Engineering charge that was labeled miscellaneous and developments. Mr. Smith stated that there are smaller developments that are not labeled by the development name. Director Ruonavar asked about the ACH payments to the retirement company that are different amounts, Mrs. Pafford stated that Municipal Accounts makes the payments, and she will get more information from them. Director Ruonavar asked why there were no field and shop supply purchases in September, Mrs. Pafford stated there was no purchase for items like shop towels. Director Pillow

expressed concern about the income for Impact Fees, Mr. Smith reminded him that developments like Valley Ranch pay quarterly.

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

7. Engineering Report by Ardurra Group

a. Surface Water Treatment Plant Pilot Study Update

Ardurra is reporting that they will have an update by November's Board Meeting.

8. Engineering Report by Bleyl Engineering

a. Developments update

**i. Review, discuss and take any necessary action regarding
Dunn Right RV Park (Owens Road)**

The Developer is onsite and has started construction at the Dunn Right RV Park. Mr. Smith stated that the District is waiting on the final engineered plans from their Engineer. No action necessary.

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

Mr. Barringer stated that Bleyl has been discussing the easement location with Entergy for the Maple Heights project. No action necessary.

b. General Fund Projects update

**i. Review, discuss, and take any necessary action regarding
Copeland Water Well Rehabilitation project, including any
Matters related to the BESST survey**

Mr. Barringer stated that Intera mobilized last week, they started testing, and have experienced problems with their equipment. They will resume testing tomorrow and will hopefully have testing results soon. No action necessary.

**ii. Review, discuss, and take any necessary action regarding Well
#9 Generator project, including approval of Pay Estimate #4 in
the amount for \$69,057.90**

Mr. Barringer stated the generator will be installed in the next month.

Upon motion by Director Denham, seconded by Director Barr after full discussion with all Directors present voting aye, the Directors approved Pay Estimate #4 in the amount of \$69,057.90. Motion carried unanimously.

c. Impact Fee Capital Improvement Projects update.

Director Ruonavar stated she has reached out to Realtors to see if they would be interested in serving on the Committee.

Upon motion by Director Bridges, seconded by Director Barr after full discussion with all Directors present voting aye, the Directors approved Director Ruonavar and Director Denham to approve the final selection of Realtors to the Committee. Motion carried unanimously.

Mr. Barringer updated the Board about the 59-Crossing project, he stated that pvc prices have stabilized higher than expected. Mr. Barringer recommended waiting to go out for bid again with hopes pvc prices will lower. Mr. Barringer informed the Board that the Adams St. 1-year warranty expires soon, and the inspection is scheduled in November.

9. General Counsel's Report

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

No updates.

- b. Review and discuss 87th Texas Legislative Constitution Amendments-Supplemental Memorandum

Mr. Polley presented the 87th Texas Legislative Constitution Amendments-Supplemental Memorandum and asked the Board to review. Mr. Polley stated he would be available for any questions Board Members had.

10. General Manager's Report

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

Mr. Smith stated that the District has 346 of 500 hydrants inspected as of October 8, 2021. Director Ruonavar inquired about a lost key to a truck, Mrs. Pafford stated the chip in the key was not working.

Adjourn to Executive Session at 8:03 p.m.

Executive Session ended at 8:11 p.m. by Director Pillow.

Regular Session reconvened at 8:11 p.m. by Director Pillow.

11. Directors Comments

12. Next Board Meeting

Regular Meeting scheduled Monday, November 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 Barr, seconded by Director Bridges after full discussion and all Directors present voting aye, the meeting was adjourned at 8:12 p.m.

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



President, Board of Directors



Secretary, Board of Directors

