

**PORTER SPECIAL UTILITY DISTRICT**  
**MINUTES OF BOARD OF DIRECTORS REGULAR MEETING**  
**December 19, 2022**

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, December 19, 2022, 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
Donald Bell	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: Jonathan Polley (Attorney) with Radcliffe Bobbitt Adams Polley PLLC, Mark Smith (Attorney) with Radcliffe Bobbitt Adams Polley PLLC, Mike Kelly (Engineer) with Bleyl Engineering, and Jonathon Smith (General Manager).

- b. **Director Qualifications and Disclosures**

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

**c. Invocation**

Invocation led by Director Ruonavar.

**d. Pledges of Allegiance**

Pledges of Allegiance led by Director Ashy.

**2. Public Comment**

No public comment.

**3. Review and Approve Minutes**

- a. Minutes from the Regular Board Meeting on November 28, 2022.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the Minutes of the Regular Board Meeting of November 28, 2022 were approved. Motion carried.

**4. Old Business**

- a. N/A.

**5. New Business**

- a. Technology upgrades for board members (Director Bell)

Director Bell wants the Board to consider Technology upgrades for Board members and Internet service in the Board Room. This is to hopefully improve way to get Director Books. Laptops and/or iPads is his recommendation. How much time and cost to produce these Director Books? Possibly a Smart Board for the new building. This would be optional for Directors who want it. We would need some costs, etc. in order to make an informed decision. Director Ashy does not want one. He believes it would be a security issue. Director Barr also does not

want one. We would also need Hot Spots. Director Bell believes it would be more efficient. This item is tabled until we get some more information, costs, etc.

**6. Financial Report**

- a. Financial Statement for the period ending October 31, 2022.

Should get Director Ruonavar’s questions answered in the next couple of days. This item is tabled until the January meeting.

**7. Engineering Report by Bleyl Engineering**

- a. Update on Development Projects

- i. Royal Pines (MCMUD #24)

Meeting later in the week.

- ii. TexMar update (US 59 from Spear Road)

There are 15 connections with 400 sf office. Flush toilet – only one connection. Spear Road upsizing doesn’t need fire water or improvements. Extend water on frontage. Developer wants to tie in at end of La Marquet. Extension of property is up to us. Put in now instead of later. Upsizing on Spear – recommends plus frontage of property. Upsizing to 8” (now a 2”) District wants 16”. \$38,000 cost. Not participate in Spear Road, but do extend across frontage.

Upon motion by Director Barr, seconded by Director Bell after full discussion with all Directors present voting aye, it was decided to clarify Mr. Kelly’s request to extend across the frontage 8”. Motion carried.

- iii. New Caney ISD Elementary School (Loop 494)

The question was asked if there was going to be any work on 494 for pickups and drop offs. It is a TXDOT Roadway, so probably just on the

property. There will be increased traffic for sure. Haven't heard anything about widening 494. There were not action items on this project.

iv. Hendricks 50-acre Feasibility Study (494 and 59)

Mr. Smith has not reviewed yet.

b. Update on General Fund Projects

i. Sorters Road Waterline Relocation

Sorters Road Pay Estimate #10 for 34,000 ft of line. Switching sides of road for easements. They are working through issues. 12" all the way down. \$75,000 increase to the project. Staff believes they should stop and leave what's in place there and rebid, negotiating out of last portion of the contract. With the cost of restocking of already purchased materials, that were bought at a much cheaper rate, the District could purchase the material and use possibly on Ford Road. The County argued this problem – no obligation to purchase. County will most likely continue to argue. SER has not provided any pricing. Since no surface water plant there may be water quality issues with 12". We need direction. We only go to Michael Lane. We have 8" and fire hydrants. Ravenwood and Plantation may have a few that could be developed. Flood plain issues. 8" should be fine. In the future doesn't anticipate any development needing to have a 12" line. If the need arises, it should be easy to increase without a lengthy process or expense. If we need a surface plant in the future, we may need to upsize Hallet Materials area (may need waterline on both sides of Sorters Road). If they build dense apartment complexes we may need to upsize. If we do 8", then if need to upsize later it would be the developers problem. No change order presented. Test and approve but not continue past complex – Option 3. Mr. Kelly recommends pay estimate #10. There should be a formal change order at the next meeting.

Upon motion by Director Ruonavar, seconded by Director Ashy after full discussion with all Directors present voting aye, Pay Estimate # 10 in the amount of \$455,858.59 is approved. Motion carried.

ii. Copeland EST

We will solicit bids to get the site cleared.

Upon motion by Director Bell, seconded by Director Barr after full discussion with all Directors present voting aye, it was decided to solicit bids to get the site cleared. Motion carried.

iii. Ford Road Waterline Relocation

Nothing at this time.

c. Update on Impact Fee Capital Improvement Projects

i. Valley Ranch Parkway Waterline Extension

There was concrete rubble and debris at the crossing. The survey did not show 16" waterline correctly. To bore it would have made impossible as drawn up. It took 45 degree bends and additional waterline to make the connection. A change order for the workaround. \$10,704 plus 20 days. Do field order on contingency allowance instead of change order. They need additional time due to Christmas. Mr. Kelly recommends both items. When re-designing for conflict gate valve would under run by one valve. It is really about \$1,500. We will update our mapping.

Upon motion by Director Ashy, seconded by Director Bridges after full discussion with all Directors present voting aye, it was decided to do a field order on the contingency and add 20 days. Motion carried.

8. General Counsel's Report

a. Annual Agenda for 2023

It is a draft of the annual agenda items that occur annually – a roadmap of the year. No actions taken.

- b. Annual review of Code of Ethics for the Directors and Employees of the District, amend as necessary

Needs to be updated with current Board members.

Upon motion by Director Barr, seconded by Director Ruonavar after full discussion with all Directors present voting aye, it was decided to accept the Code of Ethics for the Directors and Employees of the District with the changes to the Board being done. Motion carried.

- c. Authorize Eminent Domain reporting pursuant to Texas Government Code, Section 2206.151 *et seq.*

Upon motion by Director Bell, seconded by Director Barr after full discussion with all Directors present voting aye, it was decided to accept the authorized eminent domain reporting. Motion carried.

- d. Adopt Resolution Declaring Public Necessity for Acquisition of Property related to waterline easement along the westerly right-of-way of Interstate 69 south of Wallis Drive

Trying to acquire easement, but they have been stonewalling. They finally responded and may be close to getting done, but Mr. Polley recommends we adopt the resolution anyway.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, it was decided to adopt the Resolution Declaring Public Necessity for Acquisition of Property related to waterline easement along the westerly right-of-way of Interstate 69 and south of Wallis Drive. Motion carried.

- e. Approve Water Facilities Development and Service Agreement with New Caney ISD Elementary School (Loop 494)

The water facilities agreement with NCISD has blanks. Mr. Kelly says we can supply water. NCISD is extending 12" waterline. Pretty straight forward. It is being done at their expense. Unless impact fee project then up to District. 26.612 acres. Nothing back from NCISD yet. Trying to set up meeting. Not pressing. Can wait a month.

Upon motion by Director Ashy, seconded by Director Ruonavar after full discussion with all Directors present voting aye, it was decided to approve the Water Facilities Development and Service Agreement with New Caney ISD Elementary School, pending Mr. Smith's and Mr. Polley's approval. Motion carried.

- f. Authorize distribution of Public Utility Commission Notice Regarding Extreme Weather Events

Must distribute by January 31, 2023. Must be sent once to customers as a result of Winter Storm Uri. If below 28 degrees for more than 2 days, cannot turn water off. Must be in English and Spanish. The Form is by PUC.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, it was decided to approve the distribution of the Public Utility Commissions Notice Regarding Extreme Weather Events. Motion carried.

Director Bell asked about our website. Do we post items for extreme weather and/or boil water notices. Mr. Smith indicated that tomorrow the District will issue a weather preparedness notice on the website, Facebook, alert system and anyone that has an email address for the district. Boil water notices also reach out in English and Spanish news stations to put on TV. Public affairs to radio stations. Nothing from District in the past. Customers may sign up for alerts on the website. We can put on signage for public notice. The more we can reach, the better. Trying to cast a broad net. Doing more things now than ever before.

## 9. General Manager's Report

- a. District Property, facilities, infrastructure, vehicles, equipment, projects, developments, compliance, reporting and personnel matters.

Director Bell has information on Cross-connection and Back Flow items. He proposes a committee to come up with permitting and options to catch when business changes from example barber shop to dentist office. A lot of information. Not good to just skim. We have no enforcement. No authority. There are several commercial accounts that do not have back flow. RPZ is best we can get. Convenience stores that have soda machines can cause issues. When commercial changes hands they have to get a back flow. Also, multi family (for example, Stone Town bought out Trinity Forest. They are going from a 2" to a 4" meter and a 4" RPZ). That is CSI – page 14. Irrigation systems require RPZ. Peppervine has quick connects and need RPZ's installed. Pools considered non-health – still for residential/public pools – RPZ. We need a committee to review and add and take away. Inspections done by 3 people that are certified to do CSI inspections. It is a public health issue. We need to be aware of and put policy in place to do due diligence to offer more support. This will make a lot of people unhappy. We can give 30 days or disconnect water. Directors Bell, Ruonavar and Pillow to work with Mr. Smith to get this worked on. Cost depends on meter size. For example a ¾" meter is about \$700. Program set up with double-check valve assembly. If device fails or property changes owners now becomes a RPZ.

Upon motion by Director Bell, seconded by Director Barr after full discussion with all Directors present voting aye, a Cross Connection Control Committee of Directors Bell, Ruonavar and Pillow along with Mr. Smith is hereby formed. Motion carried.

- b. Update regarding new SCADA system

Mr. Smith says they reached out to three different companies about the SCADA. Epic Engineering said the cost was \$49,500, NTS came in at \$40,000 and Hahn Equipment at \$30,000. City of Conroe uses Hahn. The District plans on moving forward with Hahn with Board's approval. We budgeted \$50,000. It is very important and needs to be updated. Monitor chlorine residuals-automated.



Upon motion by Director Ashy, seconded by Director Bridges after full discussion with all Directors present voting aye, it was decided to go with SCADA system from Hahn Equipment at a cost of \$30,000. Motion carried.

Director Ruonavar asked about the Security System at plants. We have two quotes and waiting on one more. Updating cameras, SCADA, etc. Not ready to present quite yet.

Director Ruonavar asked about Truck #105 – cooling system radiator again? Truck #104 brakes again? (2015 Trucks – recalls?) Director Barr asked about idling trucks (cabbing up) should be a policy. Only four guys are on call. Some are in training still. Plant side only two. Director Ashy asked if we were ready for cold weather. Mr. Smith said it was done in November. We will do additional things. Drip eyewash stations. If for three or four days would take the units out of service. We have a full reserve tank at Briar Tree and here. Well #9's generator is on natural gas. We will most likely stay with 7 and 9 and save diesel.

We took a break at 8:36 pm. Mr. Kelly left the meeting.  
We went back into session at 8:44 pm

We went into Executive Session at 8:44 pm to discuss personnel matters.  
We came out of Executive Session at 9:17 pm.

10. **Director Comments**

None.

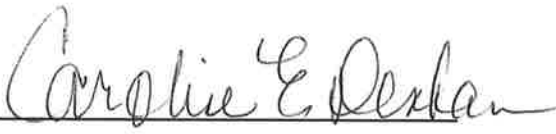
11. **Next Regular Board Meeting – January 30, 2023 at 7:00 p.m.**

12. **Adjournment**

There being no further business to come before the Board, upon motion by Director Ashy, seconded by Director Barr after full discussion and all Directors present voting aye, the meeting was adjourned at 9:17 p.m.

**PASSED** and **APPROVED** this the 27<sup>th</sup> day of February 2023.

  
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President, Board of Directors

  
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Secretary, Board of Directors

