

**PORTER SPECIAL UTILITY DISTRICT**  
**MINUTES OF BOARD OF DIRECTORS REGULAR MEETING**  
**April 24, 2023**

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, April 24, 2023, 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 Polley Garza 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 Mr. Smith.

**d. Pledges of Allegiance**

Pledges of Allegiance led by Director Barr.

**2. Public Comment**

There was no Public comment.

**3. Review and Approve Minutes**

- a. Minutes from the Regular Board Meeting on March 27, 2023.

Upon motion by Director Barr, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Minutes of the Regular Board Meeting of March 27, 2023 were approved. Motion carried.

**4. Old Business**

None.

**5. New Business**

- a. Authorize Director Attendance, and Director Fee of Office, for the 2023 AGWT Texas Groundwater Conference to be held at the Norris Conference Center (Austin, Texas) on June 6-7, 2023.

Upon motion by Director Barr, seconded by Director Ruonavar after full discussion with all Directors present voting aye, Director Attendance and Fee of Office for the 2023 AGWT Texas Groundwater Conference to be held at the Norris Conference (Austin, Texas) on June 6-7, 2023 is approved. Motion carried.

## 6. Financial Report

### a. Financial Statements for the period ending February 28, 2023

All questions have been answered.

Upon motion by Director Barr, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Financial Statements for the period ending February 28, 2023 were approved. Motion carried.

### b. Financial Statements for the period ending March 31, 2023

On March 31, 2023, Northern Tool ACH for \$2,099.69 – Mr. Smith to get information and get back with the details. Can font on the Check Register and Cash Flow Reports be changed? Mr. Smith will see what can be done. Impact Fees – Apartment paid.

On March 22, 2023, Directors Ruonavar and Denham explanation show both CIP and Administration Building Meeting. Which one was it? Mr. Smith will check on it and report back.

Account # 8048 and #8047, Spring and Summer Seminar Fees – not Director Fees and expenses.

Employee Payroll Advance – can receive up to two times per year for \$200.00 each time, to be repaid at \$50.00/four payroll sessions each. Once the first one is repaid, then eligible for the second one.

Money Market Accounts – what are the current interest rates? On the checking account, not showing the interest rates. Mr. Smith to send corrected sheet. Mr. Polley to see if we can move reserve fund from Amegy Bank. This is to be put under Old Business for May.

Since we are providing water to MUD 84 (Sorters/Ceal), they are paying us for every drop. Should be looking at contracts soon. Needs to be like

MUD 24. All of MUD 24 and MUD 84 carrying right now. MUD 84 was not giving them but 35 psi and we are providing 50 psi.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the Financial Statements for the period ending March 31, 2023 were approved. Motion carried.

## 7. Engineering Report by Bleyl Engineering

### a. Update on Development Projects

#### i. Royal Pines (MCMUD #24)

Nothing new at this time.

#### ii. Peppervine

Closer – we have paperwork.

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

Nothing new at this time.

#### iv. 25021 FM 1314 Strip Center, including authorizing engineering for the proposed infrastructure fee project

Exhibit in packet. Upsize meter. Run down north side of FM 1314 to provide fire hydrants too. Director Pillow thinks that is a great idea. Just estimate – long way to go. Not sure of right of way. Engineering will have to be done as an hourly project since under \$250K. Future plans for a 12" down 494 to tie in by Dunn RV. Limited space to get a bore across 1314.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, engineering for the proposed infrastructure fee project is approved. Motion carried.

- v. Hendricks 50-Acre Tract, including approving feasibility study

Nothing at this time.

b. Update on General Fund Projects

- i. Sorters Road Waterline Relocation, including authorizing bidding the remaining waterline relocation and approving the Amendment for Additional Engineering Services for Sorters Road Revisions

Still have water lines to revise. County has to review. Need authorization for bidding (on the part we had stopped, now need to continue). Director Bell asked about cost and material. If under \$250K, it is hourly, otherwise has to bid. Mostly lump sum due to costs. Texas Society of Professional Engineers (TSPE) fee curves used if over \$250K.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, authorization for bidding the remaining waterline relocation and approving the Amendment for Additional Engineering Services for Sorters Road revisions is approved. Motion carried.

- ii. Copeland Elevated Storage Tank, including approving Change Order #1 from Randy Roan Construction Services in the amount of \$7,499.00

Randy Roan Change Order #1 due to a wet site. They did provide some backup. Bleyl believes should have known being wet was possible. Equipment, etc. how much additional cost? \$7,499.00. Should have recognized from the start. Close to second bidder, big jump between second and third bidders. Mr. Kelly recommends meet halfway at \$3,749.50 but is open to what the Board wants to do. It is completed except for seeding the site and removing broken excavator. Mats - \$2,500 lump sum, dozer/excavator extra \$500 and \$750. We did not give any direction on how to do the work, they bid the site and made their evaluation. Bleyl denied claim and said they would bring to the Board.

Director Ashy believes giving money for the mats. They were complete in contract time. There will be a change order for seeding the site, they will be out of time for contract. They took an extra two days due to being wet. It was a challenging site. They did good work. Bleyl has used them before. Director Bell says to meet them halfway.

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the Change Order #1 in the amount of \$3,749.50 is approved. Motion carried.

iii. Ferne Water Plant

Nothing new at this time.

iv. Ford Road Waterline Relocation, including Pay Application #1 from Blazey Construction Services in the amount of \$473,010.04

Upon motion by Director Barr, seconded by Director Ruonavar after full discussion with all Directors present voting aye, the Pay Application #1 in the amount of \$473,010.04 is approved. Motion carried.

c. Update on Impact Fee Capital Improvement Projects

i. Impact Fee Study, including scheduling a public hearing June 26, 2023

Upon motion by Director Barr, seconded by Director Ruonavar after full discussion with all Directors present voting aye, a Public Hearing is scheduled for June 26, 2023. Motion carried.

d. One-Year Warranty

Nothing tonight.

## 8. General Counsel's Report

- a. Accept waterline easement and water meter easement from New Caney  
ISD

Upon motion by Director Ruonavar, seconded by Director Barr after full discussion with all Directors present voting aye, the waterline easement and water meter easement from New Caney ISD is approved. Motion carried.

- b. Approve Resolution Authorizing Application to the TCEQ for Approval to the TCEQ for Approval of Project and Issuance of Bonds

Defer until next month.

## 9. General Manager's Report

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

Director Barr is asking why the Generator at Well #5 keeps kicking on? Mr. Smith said it was because the power keeps going off. It does not kick off; the main breaker keeps tripping. He believes the breaker is undersized. Entergy and EFS are doing investigations. May have to upsize the breaker. This has been going on for about four months. It is on our side, main breaker, per Director Bell. Wire is sized off the breaker. In order to upsize the breaker, you have to upsize the wire too. Also, the breaker may be bad. Director Bell believes the motor is causing issues and Entergy agrees. The generator comes on but will not shut off. No soft starts on any of the motors. We are paying overtime to reset a breaker. Mr. Smith says we are working on it. Per Director Bell, we paid \$7K in overtime to one individual last year. Director Barr will go reset it if he gets a key. Cutter did it last time.

Director Ruonavar says there are lots of motors and pumps in the shop. If this company is not moving, find one that is. Another company got

one back in 30 days. Well #5 (3/31, 4/7, 4/14, 4/15 and 4/19) still having issues. Not normal operations.

Well #7, Pemsco (4/7, 4/14) in shop, etc. Routine operations, etc. Well #9 has had motor for several months. Hurricane season is upon us. It is forecasted to be a rough one. We need everything up and running.

Director Bell says we should not keep resetting breakers. They need to be locked out and shut down until repaired. Also, could be bushings inside the motor, could be a bad motor. The well motor was just rebuilt.

The blue pipe on page 4 of 13, get rid of the stuff on 5. Should be next week to see it and possibly valves too. Surplus property next month. No mention on reports. Should keep us updated.

Page 7 shows clearing of Well #8.

The On-Call Report has been updated. New employees should come and meet the Board after 90 days of employment.

Monthly water productions for March is up. Why is Chad and Cutter's mileage on the trucks up so much? Dominic Justice, meter tech, is brand new. Lots of running back and forth to Maple Heights, since more meters are going in. Our current meter reading system is AMI. Meter techs check discrepancies, etc. External antennas usually help.

## **10. Executive Session**

We went into Executive Session at 8:02 pm.

Came out of Executive Session at 8:25 pm

## **11. Director Comments**

Director Bell went to the Spring Seminar. They were fed rib-eye steak. On the website, we can download the public announcements to our website. Flushable wipes are the topic now. There are a couple of Bills in the House about the TCEQ



not being able to authorize MUD Districts. Must go through the legislature. In Fort Worth they can block MUD Districts for even starting. In Kauffman County, the County has to approve the District's creation, etc. Apartment units can apply for special exemptions, Public Facilities Corporations. Management District started. Tax exemption. Buying Development and leasing back to Developers. Significant hit to revenues. Moving in legislature. Senator Paul Bettancourt, get on board or remove tax exemption. There is a House Bill that is changing the way you can tax other districts. Impact Fees, you can not make any money off of Impact Fees. You can pass it along, but not at a profit. It has been passed to the Senate.

Feel free to let Mr. Smith if you want to attend the Texas Groundwater Conference.

12. **Next Regular Board Meeting – May 29, 2023 at 7:00 p.m.** That is Memorial Day. We can have the meeting the week before, May 22, 2023 or the Tuesday after, May 30, 2023. There was a general consensus to have on Monday, May 22, 2023. Mr. Smith to send out Calendar invites as a reminder.

13. **Adjournment**

There being no further business to come before the Board, upon motion by Director Barr, seconded by Director Ruonavar after full discussion and all Directors present voting aye, the meeting was adjourned at 8:34 p.m.

**PASSED and APPROVED** this the 22<sup>nd</sup> day of May, 2023.

  
\_\_\_\_\_  
President, Board of Directors

  
\_\_\_\_\_  
Secretary, Board of Directors

