

**MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS**

**November 8, 2023**

**THE STATE OF TEXAS  
COUNTY OF MONTGOMERY**

**MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 4**

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The Board of Commissioners (the "Board" or the "Commissioners") of Montgomery County Emergency Services District No. 4 (the "District") met in regular session, open to the public, at Needham Fire Rescue, Co. ("NFR") Station No. 61, 9430 State Highway 242 East, Conroe, Texas 77385, the regular meeting place of the District, on Wednesday, November 8, 2023, at 11:30 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Brian Arceneaux	President
Gary Landrum	Vice President
Mark Abbey	Secretary
Raymond Veit	Treasurer
Karen Keels	Assistant Secretary/Treasurer

All members of the Board were present at the meeting, thus constituting a quorum. Also attending the meeting were the following District employees: Fire Chief Kevin Hosler (via videoconference); Chief Randy Doyle, Assistant Chief of Administration; Chief William Dicker, Assistant Chief of Operations; District Chief Terry Jones; Lieutenants Roger Snow and Randall Franks; Mrs. Alison Doyle; Ms. Emily Daley; Mrs. Kelly Sipp; and Mr. Colwyn Lee. District consultants in attendance were: Ms. Meredith King, attorney, and Ms. Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Adams Barner PLLC (the "Attorney" or "RAB"), attorney for the District; and Mr. John Nuche of AG|CM.

WHEREUPON, the meeting was called to order at 11:30 a.m. and evidence was presented that public notice of the meeting had been given in compliance with the law. The posted notices of the meeting are attached hereto.

**PUBLIC COMMENT**

There were no public comments.

**DISTRICT STAFF AWARDS, RECOGNITIONS AND/OR PROMOTIONS**

Chief Dicker introduced Lts. Snow and Franks who were recently promoted. Chief Dicker went on to introduce District Chief Jones who was recently promoted from Lieutenant.

**APPROVE MINUTES**

The Board considered approval of the minutes of the October 11, 2023 regular Board meeting, which were previously distributed to the Board. Upon motion by Commissioner Abbey, seconded by Commissioner Landrum, after full discussion and the question being put to the Board, the Board voted four (4) votes in favor and one (1) abstention by Commissioner Veit, to approve the minutes of the October 11, 2023 regular Board meeting.

**MINUTES AND FINANCIAL STATEMENTS OF NFR BOARD OF DIRECTORS MEETING**

Chief Dicker stated that the NFR Board of Directors meeting had not taken place yet.

**AUTHORIZE PUBLICATION OF NOTICE OF DISTRICT ADMINISTRATION OFFICE ADDRESS**

Chief Dicker stated that the District needed to publish notice of the new District Administration Office address at 17029 Firehouse Road, Conroe, Texas 77385. Upon motion by Commissioner Abbey, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to authorize District staff to publish the Notice of District Administration Office.

**STATUS OF STATION NO. 61 CONSTRUCTION**

Chief Dicker reviewed with the Board the status of design and construction activities. Chief Dicker stated that there were still a few punch list items that needed to be completed for Station No. 61.

Ms. King then presented to the Board the engagement letter from McCall Gibson Swedlund Barfoot PLLC for the Agreed-Upon Procedures Report with regard to construction costs in connection with Station No. 61. Chief Dicker stated that AG|CM, the project management consultant for the design and construction of Station No. 61, was tracking the finances of the project. It was the consensus of the Board to take no action on this matter.

**TEMPORARY STATION NO. 63 CONSTRUCTION**

Chief Dicker stated the septic system was installed and the District was awaiting delivery of the fire tank and pump as approved by the Board at the October 11, 2023 meeting.

**REVIEW AND APPROVE PURCHASE OF FURNITURE, FIXTURES AND EQUIPMENT FOR ANY APPLICABLE STATION, AS NECESSARY**

Chief Dicker stated there was nothing to review at the time.

**TREASURER'S REPORT**

Commissioner Veit next presented to and reviewed with the Board the Treasurer's Report. Upon motion by Commissioner Landrum, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Treasurer's Report.

**AUTHORIZE CLOSING OF DISTRICT'S TEXAS INFRASTRUCTURE FIRE MUTUAL AID SYSTEM ("TIFMAS") BANK ACCOUNT**

Ms. King reminded the Commissioners that they previously discussed potentially closing the District's TIFMAS bank account. Upon motion by Commissioner Abbey, seconded by Commissioner Landrum, after full discussion and the question being put to the Board, the Board voted unanimously to authorize District staff to close the District's TIFMAS bank account.

## **MONTHLY INVOICES AND PAYMENTS**

Mrs. Doyle then presented to and reviewed with the Board monthly invoices and pending payments for approval. Upon motion by Commissioner Veit, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to authorize payment of the monthly invoices, as presented.

## **SALES AND USE TAX REPORT**

Mrs. Doyle reviewed with the Board the Sales and Use Tax Report. Upon motion by Commissioner Veit, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Sales and Use Tax Report.

## **REVIEW AND APPROVE TAX ASSESSOR-COLLECTOR'S REPORT**

Ms. King presented to and reviewed with the Board the monthly Tax Assessor-Collector's Report. Upon motion by Commissioner Landrum, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Tax Assessor-Collector's Report.

## **AUTHORIZE AMENDMENT TO CONTRACT FOR EMPLOYMENT OF FIRE CHIEF**

Ms. King recommended that Chief Hosler's employment contract be amended to reflect the District's then-current holiday schedule and policy. Upon motion by Commissioner Landrum, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to approve and authorize execution of the Amendment to Second Amended and Restated Agreement for Employment with Chief Hosler.

## **FIRE CHIEF'S REPORT**

Chief Dicker then reviewed the Fire Chief's Report and the status of operations with the Board. Chief Dicker reported that, in October, the District and NFR responded to 230 service calls, 38 of which were out of District, with an average response time of 6:59 minutes.

The Board then reviewed Standard Operating Procedure ("SOP") No. 224 regarding maternity wellness. Upon motion by Commissioner Abbey, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to approve SOP No. 224 regarding maternity wellness.

## **REVIEW AND ADOPT AMENDMENTS TO THE DISTRICT'S POLICIES AND PROCEDURES ("P&P") MANUAL**

Ms. King reminded the Board that as SOPs were amended, the corresponding policy and/or procedure must be amended. Upon motion by Commissioner Abbey, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to amend the SOPs, as well as the District's P&P Manual.

**REVIEW PERSONNEL MATTERS**

Chief Dicker stated that this matter would be discussed in Executive Session.

**REVIEW DISTRICT REAL ESTATE MATTERS**

Ms. King stated that this matter would be discussed in Executive Session.

**EXECUTIVE SESSION**

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.072 regarding real estate matters and Section 551.074 regarding personnel matters, Commissioner Arceneaux convened the Board in Executive Session at 12:07 p.m. The persons present in Executive Session were: Commissioners Arceneaux, Landrum, Veit, Abbey and Keels; Chief Dicker; Mrs. Doyle; Mrs. Sipp; and Ms. King.

**RECONVENE IN OPEN SESSION**

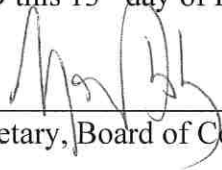
The Board reconvened in open session at approximately 12:37 p.m., at which time the following action was taken by the Board:

Upon motion by Commissioner Landrum, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to authorize payment of the District's employees' end-of-year performance compensation, as discussed in Executive Session.

There being no further business to come before the Board, and upon motion by Commissioner Keels, seconded by Commissioner Landrum, after full discussion and the question being put to the Board, the Board voted unanimously to adjourn the meeting at 12:39 p.m.

PASSED, APPROVED, AND ADOPTED this 13<sup>th</sup> day of December, 2023.



  
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Secretary, Board of Commissioners