

MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS

December 14, 2022

**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, December 14, 2022, at 11:30 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Brian Arceneaux	President
Roxann McDaniel	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: Chief Randy Doyle, Assistant Chief of Administration; Chief William Dicker, Assistant Chief of Operations; Lieutenant Donald Moore; Mrs. Alison Doyle; Ms. Emily Daley; Ms. Kelly Sipp; Mr. Colwyn Lee; and Firefighters Colton Sparks, Casey Cruz and Mary MacNiven. District consultants in attendance were: Ms. Regina D. Adams and Ms. Meredith King (via videoconference), attorneys, and Ms. Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District; and Mr. Tom Nuche of AG|CM, Inc. ("AGCM"). Also in attendance were Mr. Zach Karrenbrock (via videoconference), of 62 Digital, LLC, a website service provider; and Mr. Gary Landrum, a member of the public.

WHEREUPON, the meeting was called to order at 11:38 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

Commissioner Abbey stated that he knows a firefighter from a fire department outside the District that needs equipment and inquired if the District had surplus equipment that could be donated.

DISTRICT STAFF AWARDS, RECOGNITIONS AND/OR PROMOTIONS

There were no awards or promotions.

APPROVE MINUTES

The Board considered approval of the November 9, 2022 regular meeting minutes, which were previously distributed to the Board. Upon motion by Commissioner Veit, seconded by Commissioner McDaniel, after full discussion and the question being put to the Board, the Board voted unanimously to approve the November 9, 2022 regular meeting minutes.

MINUTES AND FINANCIAL STATEMENTS OF NFR BOARD OF DIRECTORS MEETING

The Board reviewed the minutes and financial statements of prior NFR Board of Directors meetings.

AUTHORIZE PUBLICATION OF NOTICE OF DISTRICT ADMINISTRATION OFFICE ADDRESS

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.

Ms. Adams entered the meeting at this time.

AUTHORIZE FILING OF ANNUAL REPORT (DISTRICT INFORMATION) WITH THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT ("TDEM")

Upon motion by Commissioner McDaniel, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to authorize District staff to file the required Annual Report with TDEM by January 1, 2023.

AUTHORIZE FILING OF FINANCIAL AND TAX-RELATED INFORMATION WITH TEXAS COMPTROLLER (THE "COMPTROLLER") PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, §203.062 AND TEXAS GOVERNMENT CODE, §403.0241 FOR THE SPECIAL PURPOSE DISTRICT PUBLIC INFORMATION DATABASE ("SPDPID")

Ms. Adams then reminded the Board that the District is required to annually file certain financial and tax-related information with the Comptroller's SPDPID. Upon motion by Commissioner Abbey, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to authorize RBAP to file the required financial and tax-related information with the Comptroller by April 1, 2023.

STATUS OF STATION NO. 61 CONSTRUCTION

Chief Doyle reported that the elevator repairs were completed. Chief Doyle noted that the increase in Pay Application ("PA") No. 4 was due to the costs of siding and other additional materials that were needed. Chief Doyle went on to review the December construction schedule.

The Board then reviewed PA No. 4 from Grossman Design Build ("GDB") in the amount of \$435,499.00 in connection with Station No. 61 construction.

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 PA No. 4 from GDB in the amount of \$435,499.00.

TEMPORARY STATION NO. 63 CONSTRUCTION

Chief Doyle reported that the electricity pole and meter were installed and that construction could move forward.

Chief Doyle then presented to the Board proposals for the construction of a temporary building at the Station No. 63 site. Upon motion by Commissioner McDaniel, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from Sanders in the amount of \$33,290 for the installation of a temporary building and authorize progress payments to Sanders for same, as necessary.

Chief Doyle went on to present to the Board a proposal from Next Construction in the amount of \$11,475.00 for the construction of a water supply line and deck and installation of electrical wiring and vinyl skirting for the temporary administrative office. Upon motion by Commissioner Abbey, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from Next Construction in the amount of \$11,475.00 and authorize progress payments to Next Construction for same, as necessary.

TREASURER'S REPORT

Commissioner Veit next presented to and reviewed with the Board the Treasurer's Report. Upon motion by Commissioner McDaniel, 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.

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 McDaniel, after full discussion and the question being put to the Board, the Board voted unanimously to authorize payment of the monthly invoices, as presented.

REVIEW AND AMEND DISTRICT'S TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM ("TCDRS") RETIREMENT PLAN, AS MAY BE NECESSARY

Mrs. Doyle then presented to the Board a current and proposed plan comparison for the District's retirement plan through TCDRS. Mrs. Doyle stated that District staff recommended the proposed plan of a six percent (6%) employee contribution with a 2:1 matching by the District, noting that the District's current plan was five percent (5%) employee contribution with a 2:1 matching by the District. Upon motion by Commissioner Abbey, seconded by Commissioner McDaniel, after full discussion and the question being put to the Board, the Board voted unanimously to amend the District's retirement plan through TCDRS, as recommended by District staff.

SALES AND USE TAX REPORT

Mrs. Doyle reviewed with the Board the Sales and Use Tax Report, noting a thirty percent (30%) increase in sales tax revenue over the last year. 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 accept the Sales and Use Tax Report.

TAX ASSESSOR-COLLECTOR'S REPORT

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

REVIEW AND ACCEPT PROPOSAL(S) FOR WEBSITE SERVICES PROVIDE3R

The Board tabled this matter.

Mr. Karrenbrock exited the meeting at this time.

FIRE CHIEF'S REPORT

Chief Dicker then reviewed the Fire Chief's Report with the Board. Chief Dicker reported that, in November, the District and NFR responded to 197 service calls, 29 of which were out of District, with an average response time of 6:43 minutes.

REVIEW PERSONNEL MATTERS

It was noted that this item would be discussed during Executive Session.

REVIEW DISTRICT REAL ESTATE MATTERS

There were no real estate matters to review.

EXECUTIVE SESSION

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.074 regarding personnel matters, Commissioner Arceneaux convened the Board in Executive Session at 12:37 p.m. The persons present in Executive Session at various times were: Commissioners Arceneaux, McDaniel, Abbey, Veit and Keels; Chief Dicker and Mrs. Doyle.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at this time.

Commissioner Arceneaux then reconvened the meeting in open session at 12:57 p.m. at which time the following action was taken by the Board:

Upon motion by Commissioner McDaniel, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to authorize action regarding personnel matters, as discussed in Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 12:58 p.m.

PASSED, APPROVED, AND ADOPTED this 11th day of January, 2023.



A handwritten signature in blue ink, appearing to be "M. Keels", is written above a horizontal line.

Secretary, Board of Commissioners