

MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS

February 14, 2024

**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, 17029 Firehouse Road, Conroe, Texas 77385, the regular meeting place of the District, on Wednesday, February 14, 2024, 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; Chief William Dicker, Assistant Chief of Operations; Chief Terry Jones, District Chief; Mrs. Alison Doyle; Ms. Emily Daley; Mrs. Kelly Sipp; and Mr. Colwyn Lee. District consultants in attendance were: Ms. Regina D. Adams (via videoconference) and Ms. Meredith King, attorneys, and Ms. Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Adams Barner PLLC (the "Attorney" or "RAB"), attorney for the District.

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 Hosler commended the District's B-Shift staff for their exceptional work against a five (5)-alarm fire.

APPROVE MINUTES

The Board considered approval of the minutes of the January 10, 2024 regular Board meeting, which were previously distributed to the Board. 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 approve the minutes of the January 10, 2024 regular Board meeting.

MINUTES AND FINANCIAL STATEMENTS OF NFR BOARD OF DIRECTORS MEETING

The Board then reviewed the minutes and financial statements of NFR's prior Board of Directors meeting.

TEMPORARY STATION NO. 63 CONSTRUCTION

Chief Hosler reported that Montgomery County (the "County") approved the District's permit and that the inspection of the sprinkler system would be scheduled.

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

Chief Hosler stated he had nothing for the Board to review at the time and that this item could be removed from future agendas.

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.

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 Abbey, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to authorize payment of the monthly invoices, including the loan payment to Southside Bank for two (2) twin infernos.

SALES AND USE TAX REPORT

Mrs. Doyle reviewed with the Board the Sales and Use Tax Report, noting that the District's Sales and Use Tax revenue increased by nine percent (9%). 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.

ADOPT RESOLUTION CONCERNING EXEMPTIONS FROM TAXATION FOR THE 2024 TAX YEAR

Ms. King then explained that pursuant to the Texas Tax Code, as amended, the District was authorized to grant exemptions relative to the District's ad valorem tax levy. The Board next considered approval of tax exemptions for the 2024 tax year, including homestead exemptions, exemptions for residents 65 years of age and older and exemptions for disabled residents. Ms. King explained that in 2023, the Board did not grant a general residential homestead tax exemption but granted a homestead exemption of \$25,000 for residents that are 65 years of age and older or disabled. Ms. King also stated that Mr. Bill Blich, of Blich Associates, Inc., the District's financial advisor, prepared a tax exemptions study and did not recommend that the District's change its exemptions.

After discussion, the Commissioners concluded to grant the same exemptions for the 2024 tax year as were granted for the 2023 tax year.

ADOPT RESOLUTION AUTHORIZING PETITION CHALLENGING APPRAISAL RECORDS

Ms. King then reviewed the Resolution Authorizing Petition Challenging Appraisal Records with the Board. Ms. King explained that such resolution will allow the Tax Assessor to represent the District in challenging certain appraisal records with Montgomery Central Appraisal District ("MCAD") and other matters before MCAD.

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: 1) approve the Tax Assessor-Collector's Report; 2) adopt the Resolution Concerning Exemptions from Taxation for the 2024 Tax Year; and 3) adopt the Resolution Authorizing Petition Challenging Appraisal Records.

ADOPT ORDER DECLARING PROPERTY AS SURPLUS AND AUTHORIZING SALE OF SAME

Chief Hosler stated that District staff would like the Board to declare as surplus various property located in the prior Station No. 61.

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 adopt the Order Declaring Property as Surplus Property and Authorizing Sale of Same.

REVIEW AND APPROVE PHOTOGRAPHER SERVICE CONTRACT WITH ALEJANDRO VARGAS (THE "PHOTOGRAPHER CONTRACT")

Ms. Daley then presented to the Board the Photographer Contract to take photographs of Commissioners and District staff for \$55.00 per person. 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 approve the Photographer Contract.

REVIEW FINANCING PROPOSAL FOR THE PURCHASE OF EMERGENCY SERVICES VEHICLES, EQUIPMENT AND RADIOS, APPROVE RESOLUTION REGARDING A PROMISSORY NOTE AND SECURITY AGREEMENT FOR THE PURPOSE OF FINANCING FIRE TRUCKS, RADIOS AND EQUIPMENT (THE "LOAN RESOLUTION") AND AUTHORIZE PREPARATION AND EXECUTION OF LOAN DOCUMENTS FOR SAME

Chief Hosler then presented to the Board three (3) financing proposals for the purchase of the emergency services vehicles, equipment and radios. Chief Hosler reviewed the terms in each of the proposals. 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: 1) accept the proposal from Webster Bank for a ten (10) year loan term at 4.44 percent (4.44%) interest; 2) approve the Loan Resolution; and 3) authorize preparation and execution of loan documents for same.

REVIEW AND APPROVE PROPOSAL FROM DAILEY AND WELLS COMMUNICATIONS, INC. ("DAILEY AND WELLS") FOR PORTABLE RADIOS

Chief Hosler then presented to the Board a proposal from Dailey and Wells, a sole source provider, for portable radios in the amount of \$69,877.70. A discussion ensued regarding the necessity for updated portable radios. 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 proposal from Dailey and Wells for portable radios in the amount of \$69,877.70, subject to the receipt of loan funds.

REVIEW AND APPROVE PROPOSALS FROM METRO FIRE APPARATUS SPECIALISTS, INC. ("METRO FIRE") FOR INTAKE VALVES, FLOW HOSES AND 3,000-GALLON TANKER TRUCK

Chief Hosler went on to the present to the Board two (2) proposals from Metro Fire for: 1) flow hoses in the amount of \$10,930.00; and 2) intake valves in the amount of \$7,600.00. 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 accept the two (2) proposals from Metro Fire for flow hoses and intake valves in the collective amount of \$18,530.00, subject to the receipt of loan funds.

Chief Hosler presented to the Board a proposal from French Ellison Truck Center ("FETC") for the purchase of two (2) 2025 Kenworth T480s in the amount of \$1,055,198.00 via the Sourcewell purchasing cooperative. A discussion ensued regarding the Apparatus Committee's recommendations for new apparatus. 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 accept the proposal from FETC for the purchase of two (2) 2025 Kenworth T480s in the amount of \$1,055,198.00, subject to the receipt of loan funds.

Ms. Adams entered the meeting at this time.

REVIEW AND APPROVE PROPOSAL FROM ULTIMATE LIGHTING SOLUTIONS, LLC ("ULS") FOR 2024 DODGE RAM 5500 WITH CHASSIS (BOOSTER)

Chief Hosler then presented to the Board a proposal from ULS for the purchase of a 2024 Dodge Ram 5500 with chassis in the amount of \$174,990.00. A discussion ensued. Upon motion by Commissioner Landrum, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from ULS for the purchase of a 2024 Dodge Ram 5500 with chassis in the amount of \$174,990.00, subject to receipt of loan funds.

Ms. Adams exited the meeting at this time.

FIRE CHIEF'S REPORT

Chief Hosler then reviewed the Fire Chief's Report and the status of operations with the Board. Chief Hosler reported that, in January, the District and NFR responded to 226 service calls, 32 of which were out of District, with an average response time of 6:55 minutes.

Chief Hosler then provided an update on staffing matters.

REVIEW AND ADOPT AMENDMENTS TO THE DISTRICT'S POLICIES AND PROCEDURES MANUAL

Chief Hosler then reviewed with the Board Standard Operating Procedure ("SOP") Nos. 1) 312 regarding fit for duty policies; 2) 315 regarding critical incident stress debriefing-defusing; 3) 319 regarding life scans; and 4) 321 regarding the retirement policy. Chief Hosler stated that the Board would further discuss SOP No. 310 regarding longevity, paid time off accrual and benefits in Executive Session.

EXECUTIVE SESSION

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.074 regarding personnel matters, Commissioner Arceneaux convened the Board in Executive Session at 1:08 p.m. The persons present in Executive Session were: Commissioners Arceneaux, Landrum, Veit, Abbey and Keels; Chief Hosler; Mrs. Doyle; and Mrs. Sipp.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at approximately 1:42 p.m., at which time the Board took the following action:

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 approve SOP Nos. 310, 312, 315, 319 and 321 subject to legal review.

REVIEW PERSONNEL MATTERS

Chief Hosler stated that he had nothing further at the time.

REVIEW REAL ESTATE MATTERS, INCLUDING REVIEW STATEMENTS OF QUALIFICATIONS ("SOQ") FOR REAL ESTATE APPRAISAL SERVICES FOR THE PRIOR STATION NO. 61 PROPERTY

Ms. King presented to the Board two (2) SOQs for real estate appraisal services from Integra Realty Resources ("Integra") and CBRE, Inc. Ms. King reviewed with the Board the procurement statute requirements for such services. 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 accept the SOQ from Integra and authorize RAB to negotiate a contract with Integra for appraisal services.

MISCELLANEOUS

Mrs. Doyle noted that the District earned greater interest through its Woodforest Bank account than it earned via the District's TexPool account.

There being no further business to come before the Board, and 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 adjourn the meeting at 1:54 p.m.

PASSED, APPROVED, AND ADOPTED this 13th day of March, 2024.



Karen A. Kule
Asst. Secretary, Board of Commissioners