

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

**April 13, 2022**

**THE STATE OF TEXAS §**  
**COUNTY OF MONTGOMERY §**  
**MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 4 §**

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, April 13, 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, thus constituting a quorum. Also attending the meeting were the following District employees: Fire Chief Kevin Hosler; Chief Randy Doyle, Assistant Chief of Administration; Chief William Dicker, Assistant Chief of Operations; Mrs. Alison Doyle; Ms. Emily Daley; Mr. Colwyn Lee; and Lieutenant Donald Moore. District consultants in attendance were: Ms. Regina D. Adams, attorney, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District; and Ms. Jennifer Day of McCall Gibson Swedlund Barfoot PLLC (the "Auditor" or "MGSB"), auditor for the District. Also in attendance were Mr. Daniel Wright and Ms. Ashli Buchtler with Truist Bank ("Truist").

WHEREUPON, the meeting was called to order at 11:42 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**

Mr. Wright and Ms. Buchtler introduced themselves and thanked the Board for establishing a relationship with Truist. They also informed the Board they were available for any questions.

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

There were no awards or promotions.

**APPROVE MINUTES**

The Board considered approval of the March 9, 2022 regular meeting minutes, which were previously distributed to the Board. 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 approve the March 9, 2022 regular meeting minutes.

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

District staff indicated there was nothing to review.

**REVIEW AND APPROVE AMENDMENT TO AGREEMENT FOR EMPLOYMENT BETWEEN THE DISTRICT AND KEVIN HOSLER ("HOSLER AGREEMENT")**

The Board then reviewed the Hosler Agreement. Ms. Adams requested clarification that the salary increase was effective March 13, 2022 and not April 1, 2022. The Board affirmed the effective date of March 13, 2022. 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 approve the Hosler Agreement.

**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.

**REVIEW QUARTERLY INVESTMENT REPORT**

Mrs. Doyle presented to and reviewed with the Board the Quarterly Investment Report noting that the total interest earned in the previous quarter was \$4,330.68.

**MONTHLY INVOICES AND PAYMENTS**

Mrs. Doyle then presented to and reviewed with the Board monthly invoices and pending payments for authorization, including the Spirit of Texas loan payment due May 1, 2022, for the multi-vocational pumper. 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, including the Spirit of Texas loan payment.

**REVIEW AND APPROVE AUDIT REPORT FOR FISCAL YEAR ENDED ("FYE") SEPTEMBER 30, 2021 ("2021 AUDIT")**

Ms. Day presented to and reviewed with the Board the draft 2021 Audit. Upon motion by Commissioner McDaniel, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to approve the 2021 Audit, subject to RBAP review.

## **SALES AND USE TAX REPORT**

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

Ms. Day exited the meeting at this time.

## **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 Abbey, seconded by Commissioner McDaniel, 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 APPROVE DISTRICT EMERGENCY RESPONSE PLAN, AS NECESSARY**

This matter was tabled until the May Board meeting.

## **STATUS OF STATION NO. 61 CONSTRUCTION**

Chief Hosler reviewed with the Board the status of design of Station No. 61. Chief Hosler reported that he met with the Montgomery County (the "County") Engineer and that only one (1) detention pond would be required, which reduces construction costs substantially. Chief Hosler stated that the District would request a variance from the County Commissioner's Court if the County Engineer does not formally approve the plan for one (1) detention pond.

Mr. Wright and Ms. Buchtler exited the meeting at this time.

## **FIRE CHIEF'S REPORT**

Chief Hosler then reviewed the Fire Chief's Report with the Board. Chief Hosler reported that, in February, the District and NFR responded to 231 service calls, 35 of which were out of District, with an average response time of 6:42 minutes.

Chief Hosler reported that the District deployed three (3) times in response to the Texas Intrastate Fire Mutual Aid System. Chief Hosler further reported that Brush Truck No. 64 was involved in a minor accident and that VFIS, the District's insurance provider, has been notified.

Chief Hosler next presented to the Board a draft District Travel Compensation Policy which utilizes the U.S. General Services Administration per diem rates adopted by the State of Texas.

## **REVIEW PERSONNEL MATTERS**

There was nothing to review.

**REVIEW DISTRICT REAL ESTATE MATTERS**

Chief Hosler reported that he contacted a new survey company to handle the life lease property survey because the original survey company was unresponsive. Chief Hosler stated he anticipated receiving such survey in the upcoming weeks.

**REVIEW CITY OF CONROE (THE "CITY") ANNEXATION MATTERS**

The Board reviewed correspondence from the City dated March 11, 2022 regarding the City Ordinance No. 2537-20 adopted on October 22, 2020 which annexes approximately 2.449 acres of land formerly within the District's boundaries. A discussion ensued regarding receipt of such correspondence.

**REVIEW AND ADOPT ANY NECESSARY REVISIONS TO THE DISTRICT'S POLICIES AND PROCEDURES MANUAL INCLUDING PURCHASING POLICY, IF NECESSARY**

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 adopt the District Travel Compensation Policy.

**EXECUTIVE SESSION**

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.071 regarding matters of attorney-client privilege pertaining to the City annexation matter, Commissioner Arceneaux convened the Board in Executive Session at 12:38 p.m. The persons present in Executive Session were: Commissioners Arceneaux, McDaniel, Abbey, Veit and Keels; Chief Hosler; and Ms. Adams.

**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 1:01 p.m. at which time no action was taken by the Board.

**MISCELLANEOUS INQUIRY**

Chief Hosler reported that the District's surplus 2015 Ford Explorer was sold for more than \$15,000.00.

There being no further business to come before the Board, the meeting was adjourned at 1:02 p.m.

PASSED, APPROVED, AND ADOPTED this 11<sup>th</sup> day of May, 2022.



*Karen A. Keels*  
Asst. Secretary, Board of Commissioners