

MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS

May 10, 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, May 10, 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; Chief Randy Doyle, Assistant Chief of Administration; Chief William Dicker, Assistant Chief of Operations; Mrs. Alison Doyle; Ms. Emily Daley; Mrs. Kelly Sipp; and Mr. Colwyn Lee. 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 Adams Barner PLLC (the "Attorney" or "RAB"), attorney for the District; Ms. Alyssa Saccomen of McCall Gibson Swedlund Barfoot PLLC (the "Auditor" or "MGSB"), auditor for the District; and Mr. John Nuche of AG|CM ("AGCM").

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

There were no awards or promotions.

APPROVE MINUTES

The Board considered approval of the April 12, 2023 regular meeting minutes, which were previously distributed to the Board. 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 approve the April 12, 2023 regular meeting minutes.

Ms. Rodriguez entered the meeting at this time.

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.

REVIEW AND APPROVE AUDIT REPORT FOR FISCAL YEAR ENDED ("FYE") SEPTEMBER 30, 2022 ("2022 AUDIT")

Ms. Saccomen presented to and reviewed with the Board the draft 2022 Audit. 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 approve the 2022 Audit.

AUTHORIZE SUBMISSION OF THE 2022 AUDIT TO THE MONTGOMERY COUNTY (THE "COUNTY") COMMISSIONERS COURT

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 authorize the submission of the 2022 Audit to the County Commissioners Court.

STATUS OF STATION NO. 61 CONSTRUCTION

Chief Hosler reviewed with the Board the status of design and construction activities. A discussion ensued regarding obtaining a generator for Station No. 61.

The Board then reviewed Pay Application ("PA") No. 9 from Grossman Design Build ("GDB") in the amount of \$515,683.75 in connection with Station No. 61 construction. Also included was an Allowance Item Approval Request in the amount of \$35,249.46 for IT, station alerting, data drops, televisions and Datavox. The Board then reviewed Change Order ("CO") No. 3 from GDB in an additive amount of \$23,145.00.

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 approve: 1) PA No. 9 in the amount of \$515,683.75; 2) Allowance Item Approval Request in the amount of \$35,249.46; and 3) CO No. 3 in the additive amount of \$23,145.00.

TEMPORARY STATION NO. 63 CONSTRUCTION

Chief Hosler went on to report that there were septic permitting issues for Station No. 63. Chief Hosler also noted that Station No. 63 needed additional furniture and fixtures for the station.

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, including a loan payment to Southside Bank for Station No. 61 construction. 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.

ADOPT ORDER REGARDING ANNUAL REVIEW OF RULES, POLICIES, AND CODE OF ETHICS FOR THE INVESTMENT OF DISTRICT FUNDS (THE "INVESTMENT POLICY ORDER")

Ms. Adams reviewed with the Board the Investment Policy Order noting that the only recommended amendment was to remove Allegiance Bank from the Authorized Brokers List. 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 adopt the Investment Policy Order including the updated Authorize Brokers List.

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 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 Abbey, 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 APPROVE DISTRICT EMERGENCY RESPONSE PLAN ("ERP"), AS NECESSARY

Chief Hosler reviewed with the Board the amendment to the District ERP adding Station No. 63. 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 amended District ERP.

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 April, the District and NFR responded to 172 service calls, 28 of which were out of District, with an average response time of 6:01 minutes.

Chief Hosler then noted the status of various bills that have been filed in the 88th Texas Legislative Session that were of interest to the District.

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

Chief Hosler then reviewed staffing matters. Chief Hosler noted that District staff was working on a Standard Operating Procedure ("SOP") establishing a process for signing out District vehicles.

Ms. Adams noted that RAB was performing a global review of the District's P&P Manual.

REVIEW UPDATES FROM THE 88TH TEXAS LEGISLATURE

Chief Hosler then presented a report which tracked the status of various bills in the 88th Texas Legislative Session.

REVIEW CITY OF SHENANDOAH (THE "CITY") ANNEXATION MATTERS

The Board tabled this matter for discussion in Executive Session.

REVIEW PERSONNEL MATTERS

The Board tabled this matter for discussion in 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 551.071 regarding matters of attorney-client privilege pertaining to the City annexation matter, and Section 551.074 regarding personnel matters, Commissioner Arceneaux convened the Board in Executive Session at 12:32 p.m. The persons present in Executive Session were: Commissioners Arceneaux, Landrum, Abbey, Veit and Keels; Chief Hosler; and Ms. Adams. All members of the Board present, Chief Hosler and Ms. Adams convened into Executive Session at 12:32 p.m.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at approximately 1:31 p.m., at which time no action was taken by the Board.

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 1:32 p.m.

PASSED, APPROVED, AND ADOPTED this 14th day of June, 2023.





Secretary, Board of Commissioners