

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

**June 14, 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, June 14, 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; Deputy Chief Larry Weaver; Mrs. Alison Doyle; Ms. Emily Daley; Mrs. Kelly Sipp; Mr. Don Landvogt; 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.

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 May 10, 2023 regular meeting minutes, which were previously distributed to the Board. 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 the May 10, 2023 regular meeting minutes.

## **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.

### **AUTHORIZE NEGOTIATIONS WITH NFR IN CONNECTION WITH RENEWAL OF SECOND AMENDED AND RESTATED SERVICES AGREEMENT (THE "NFR AGREEMENT") (EXPIRES SEPTEMBER 30, 2023)**

Ms. Adams explained that the NFR Agreement included a two (2) year term and noted that the statutory verifications would need to be updated. Upon motion by Commissioner Keels, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to authorize the negotiation of the amendment of the NFR Agreement.

### **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. 10 from Grossman Design Build ("GDB") in the amount of \$460,767.59 in connection with Station No. 61 construction. The Board went on to review Change Order ("CO") No. 12 in the deductive amount of \$700.00 for data and electrical drops and CO No. 13 in the additive amount of \$19,250.00 for the installation of brick and siding in Station No. 61.

Chief Hosler reported that Montgomery County Utility District No. 15 ("MCUD No. 15") has informed the District that it would need to install a six inch (6") water meter in lieu of the originally proposed two inch (2") meter in order to meter and monitor the fire sprinkler line, the station's fire hydrant which fills the trucks and the station's domestic water line. The proposed CO No. 15 for same was in the additive amount of \$20,400.00. An extensive discussion ensued regarding MCUD No. 15's approval of the proposed two inch (2") meter. Ms. Adams stated that RAB would contact MCUD No. 15 regarding this matter.

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: 1) PA No. 10 in the amount of \$460,767.59; 2) CO No. 12 in the deductive amount of \$700.00; and 3) CO No. 13 in the additive amount of \$19,250.00.

### **TEMPORARY STATION NO. 63 CONSTRUCTION**

Chief Hosler reported that the existing septic system at Station No. 63 was being cleaned and noted the water system required an upgrade. Chief Hosler then presented to the Board a proposal from Weisinger, Inc. ("Weisinger") for the installation of a new well at Station No. 63 for \$7,395.00. 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 proposal from Weisinger for the installation of a well at Station No. 63 in the amount of \$7,395.00.

Ms. Adams stated that the Lone Star Groundwater Conservation District ("LSGCD") has implemented new permitting processes that have resulted in significantly high overproduction fees for public water systems that pump more water than permitted. Ms. Adams recommended the District closely review its needs when applying for a well permit from LSGCD.

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

Chief Hosler presented to the Board a proposal from Firehouse Tables & Clocks ("FT&C") for two (2) custom kitchen tables in the amount of \$7,000.00 for Station Nos. 61 and 64. 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 FT&C in the amount of \$7,000.00 for two (2) custom kitchen tables.

**TREASURER'S REPORT**

Commissioner Veit next presented to and reviewed with the Board the Treasurer's Report. Upon motion by Commissioner Keels, 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 two (2) loan payments to Simmons Bank (formerly known as Spirit of Texas Bank) for a new platform ladder truck and Station No. 62 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.

**AUTHORIZE DISTRICT STAFF TO CLOSE TEXPOOL ACCOUNT**

Ms. Adams recommended the Board table this matter until the District consulted with Blich and Associates, the District's financial advisor.

**ADOPT ORDER ADOPTING AMENDED BUDGET FOR FISCAL YEAR ENDING ("FYE") SEPTEMBER 30, 2023 ("2023 BUDGET")**

Mrs. Doyle reviewed with the Board the amended 2023 Budget noting that funds were reallocated to various line items. Upon motion by Commissioner Keels, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Order Adopting the Amended 2023 Budget.

**SCHEDULE FYE SEPTEMBER 30, 2024 BUDGET ("2024 BUDGET") MEETING(S)**

Chief Hosler stated that staff would begin holding its 2024 Budget meetings beginning July 18, 2023. Mrs. Doyle reminded the Board that it had held its previous years' budget meetings in early August. After further discussion, it was the consensus of the Commissioners to schedule the 2024 Budget meeting on August 7, 2023 at 11:00 a.m.

## **SALES AND USE TAX REPORT**

Mrs. Doyle reviewed with the Board the Sales and Use Tax 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 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.

## **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 May, the District and NFR responded to 205 service calls, 30 of which were out of District, with an average response time of 6:11 minutes.

Chief Hosler then updated the Board on the District's activities and involvement in the 88<sup>th</sup> Texas Legislative Session.

Ms. Adams noted that RAB would provide some updated standard operating procedures to the District by the end of June.

A discussion ensued regarding swift water training and airboat training. Chief Hosler requested the Board authorize the cost of swift water training in the amount of \$15,000.00 for 15 firefighters to attend such training. 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 \$15,000.00 for swift water training.

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

There were no amendments to review.

## **REVIEW UPDATES FROM THE 88<sup>TH</sup> TEXAS LEGISLATURE**

Chief Hosler thanked the Commissioners who visited the Texas State Capitol with him.

Ms. Adams reported that House Bill ("HB") 2815 passed, which included an increase in Commissioner fees of office.

## **REVIEW PERSONNEL MATTERS**

There were no personnel matters to review.

## **REVIEW DISTRICT REAL ESTATE MATTERS**

There were no real estate matters to review.

There being no further business to come before the Board, and 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 adjourn the meeting at 1:00 p.m.

PASSED, APPROVED, AND ADOPTED this 12<sup>th</sup> day of July, 2023.



*Kevin D. Kub*  
Asst Secretary, Board of Commissioners