

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

**September 27, 2023**

**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 special 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, September 27, 2023, at 11:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

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|-----------------|-------------------------------|
| 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, except Commissioner Abbey, 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 Messrs. Colwyn Lee and Ken Carrizal. The District consultant in attendance was Ms. Regina D. Adams (via videoconference) of Radcliffe Adams Barner PLLC (the "Attorney" or "RAB"), attorney for the District.

WHEREUPON, the meeting was called to order at 11:00 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.

**PUBLIC HEARING ON 2023 TAX RATE**

The President declared the public hearing open to discuss the District's proposed tax rate for 2023 at 11:01 a.m.

Ms. Adams reminded the Board that at the August 9<sup>th</sup> Board meeting, the Board voted to publish a proposed total tax rate of \$0.0966 per \$100 assessed valuation comprised of \$0.0703 for maintenance and operations and \$0.0263 for debt service purposes. Ms. Adams reported that the Notice of Public Hearing on Tax Increase for the proposed 2023 tax rate had been published and posted on the District's website, as required by law.

There being no comments from the public, the public hearing was adjourned at 11:02 a.m.

**ADOPT ORDER SETTING RATE AND LEVYING TAX FOR 2023 (THE "TAX RATE ORDER")**

The Board then considered adoption of the Tax Rate Order. It was noted that the proposed 2023 tax rate exceeded the no-new-revenue tax rate and the voter approval rate but did not exceed the *de minimis* rate. Upon motion by Commissioner Landrum, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Tax Rate Order to increase the property tax rate by the adoption of a tax rate of \$0.0966 per \$100 assessed valuation, which is effectively a 13.51 percent (13.51%) increase in the tax rate, comprised of \$0.0703 per \$100 assessed valuation for maintenance and operations purposes and \$0.0263 per \$100 assessed valuation for debt service purposes.

**STATUS OF STATION NO. 61 CONSTRUCTION**

Chief Hosler reviewed with the Board the status of design and construction activities.

The Board reviewed Change Order ("CO") No. 16 from Grossman Design Build ("GDB") in the additive amount of \$6,225.00 for the upgrade to the sliding gate keypad motor at Station No. 61. Upon motion by Commissioner Veit, seconded by Commissioner Landrum, after full discussion and the question being put to the Board, the Board voted unanimously to approve CO No. 16 in the additive amount of \$6,225.00.

The Board then reviewed an Allowance Transfer ("AT") in the amount of \$18,750.00 from GDB for labor and materials to install a 1000-amp breaker at Station No. 61. Upon motion by Commissioner Landrum, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to approve the AT in the amount of \$18,750.00 for labor and materials to install a 1000-amp breaker.

**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 11:08 a.m. The persons present in Executive Session were: Commissioners Arceneaux, Landrum, Veit and Keels; and Chief Hosler.

**RECONVENE IN OPEN SESSION**

The Board reconvened in open session at approximately 11:21 a.m., at which time no action was taken by the Board.

There being no further business to come before the Board, the meeting was adjourned at 11:21 a.m.

PASSED, APPROVED, AND ADOPTED this 11<sup>th</sup> day of October, 2023.



  
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Secretary, Board of Commissioners