

**Montgomery County
Emergency Services District No. 4
Minutes from Regular Meeting of Board of Commissioners**

March 11, 2020

Item 1 – Call the meeting to order

The meeting was called to order at 11:33 a.m. by Commissioner Arceneaux. The Commissioners present were: Brian Arceneaux, Mark Abbey, Raymond Veit, and Howard Livesay. Commissioner Roxann McDaniel was unable to attend. Also in attendance were: Chief Hosler, Assistant Chief Dicker, Assistant Chief Doyle, Alison Doyle, Helen Capozzelli, Battalion Chief Weaver, Battalion Chief Brooks, Captain Carrizal, Lieutenant Bourdouis, Jennifer Day with McCall Gibson Swedlund Barfoot PLLC ("MGSB"), and Robin Humphrey with HdL Companies Consulting ("HdL").

Item 2 – Citizens comments

No Comments.

Item 3 - Presentation from Jennifer Day with McCall Gibson Swedlund Barfoot PLLC ("MGSB") and review and approve Audit for Fiscal Year Ending ("FYE") September 30, 2019.

Ms. Day addressed the Board and explained that MGSB has provided an unqualified opinion of the Audit. Ms. Day stated that the FYE General Fund balance was \$1,419,116 and Debt Service Fund balance was \$733,373. Ms. Day also stated that Note 8 changed due to the \$700,000 loan which is shown in the Budget Comparison. Ms. Day also noted that there was a decrease in revenues of \$255,125 due to an insurance payment by VFIS, the District's insurance carrier, for the Truck 61 accident which had not be designated to pay as of September 30, 2019. A motion to approve the Audit was made by Commissioner Livesay and seconded by Commissioner Abbey. The motion carried 3 for (Commissioners Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

Item 4 – Presentation Robin Humphrey with HdL Companies Consulting ("HdL") and review and approve monthly Sales and Use Tax Report.

Ms. Humphrey presented the Commissioners with a memo regarding the new laws approved during the Legislative Session which include HB 1525 and HB 2153. Ms. Humphrey stated that HB 1525 is for marketplace providers and sellers (examples; Amazon, eBay, Walmart Marketplace, and Etsy) which is why the sales tax revenues have increased for these providers and that HB 2153 provides a single local tax ("SLT") rate that remote sellers may use in place of actual location-specific local tax, which is not available to marketplace providers. Ms. Humphrey also stated that the previous month payment of \$255,605 included; Annual, Quarterly and Monthly payments whereas March's payment of \$193,843 was solely Monthly payments and decreased due to the top sales tax payer having moved out of District. Ms. Humphrey also stated that since a new top sales tax payer has moved into the District, over the next few months the revenues should increase again. A motion to approve the monthly Sales and Use Tax Report was made by Commissioner Livesay and seconded by Commissioner Veit. The

motion carried **3** for (Commissioners Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 5 - Approve the minutes of the regular meeting of February 12, 2020.

A motion to approve the minutes was made by Commissioner Abbey and seconded by Commissioner Livesay. The motion carried **3** for (Commissioners Arceneaux, Abbey, and Livesay), 0 against, with **1** abstention (Commissioner Veit).

Item 6 - Review the minutes and financial statements from the Needham Fire Rescue ("NFR") March 10, 2020 Board of Directors meeting.

The agenda, minutes, and the financial statement from the March 10, 2020 NFR Board of Directors meeting were reviewed. The Commissioners commented on the item regarding the Houston Livestock Show and Rodeo ("HLSR") tickets since HLSR was cancelled due to COVID-19 as of noon. No action was taken.

Item 7 - Review and approve Treasurer's monthly report.

Commissioner Veit reviewed the Treasurer's Report with the Board. A motion was made by Commissioner Livesay and seconded by Commissioner Abbey to accept the Treasurer's Report, as presented by Commissioner Veit. The motion carried **3** for (Commissioners Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux). The fund account balances at Woodforest National Bank, N.A. ("Woodforest") are as follows:

- A. General Fund Account (6823) - \$907,080.95
- B. Debt Service Account (6864) - \$592,253.16
- C. Reserve Account (6880) - \$2,160,007.02
- D. Sales Tax Revenue Account (6872) - \$82,216.25
- E. Payroll Account (9181) - \$1,981.98

Item 8 - Review and approve monthly invoices.

a. Authorize Fire Programs payment for Annual Access, Support, and Update Services.

The invoices were reviewed and a motion was made by Commissioner Veit and seconded by Commissioner Abbey to approve the payment of the monthly invoices as presented, including the Fire Programs payments, due in May, as presented. The motion carried **3** for (Commissioners Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 9 - Authorize submission of FYE September 30, 2019 Audit to Montgomery County Commissioner's Court (due 6/1/20).

A motion was made by Commissioner Livesay and seconded by Commissioner Veit to submit the FYE September 30, 2019 Audit to the Montgomery County Commissioner's Court. The motion carried **3** for (Commissioners Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 10 – Annual Review of all Consultants' Contracts.

Mrs. Doyle informed the Commissioners that the invoice presented, from Martinez Architects was the final invoice for preparation of the feasibility study. Chief Hosler stated that the only other contract was with NFR, which is effective until September 30, 2021, and does not currently require amendment.

Item 11 – Approve any revisions to NFR Operations Budget.

Chief Hosler informed the Commissioners that the NFR 2021 Budget is currently being prepared but there is nothing to present at this time.

Item 12 – Monthly Chief's Report:

A. Summary of Department Monthly Financials and Call Activity

- Response Times and Counts for February 2020: 169 calls for service with 30 calls out of District. Average response time of 5:51 with January average response times of 6:26. Chief Hosler noted that five (5) calls for service off Conroe Magnolia Road.
- During the month of January 2020 Chief Hosler worked 269.5 hours.
- There were several repairs completed in-house with a total savings to the District of \$10,897.36. These repairs were completed by Chief Hosler, Captain Carrizal, and Captain Don Landvogt.
- District Commissioners and Administration attended the SAFE-D Conference in Galveston, Texas.
- REV and Lone Star have started the repairs to the Twins and the Ladder truck.
- Administration finalized the purchase of the stock truck from Pierce Manufacturing, which will be delivered on March 5th.
- During the month there was a burn patient in Huntington Estates that was transported in critical condition that passed away at the hospital as a result of the injuries.
- Chief Hosler and Engine 61 responded to an explosion in Montgomery Creek Ranch. One (1) patient was transported to the hospital in critical condition but should survive.
- Training hour totals for the month totaled 889.25.0 hours.
- Several crews attended a controlled burn in Jones State Forest.
- Several firefighters are completing the Instruction 2 class with Lone Star College-Kingwood.

B. Review and consider any new and/or revised Department SOP's

The following SOP's were presented:

1. SOP 605 - Personal Protective Equipment ("PPE") Preliminary Exposure Reduction - approved

Item 13 - Review service developments in and around the District's service area.

Chief Hosler informed the Board that a Taco Bell and Valvoline will be located on the HEB property and that one of the expected banks will no longer be going forward. Chief Hosler also explained that Great Clips, the Chinese restaurant and Twin Liquors had executed their leases with HEB. Chief Hosler also stated that there are forty (40) pending

commercial business plans of which nine (9) have been completed. Chief Hosler has found out that Sam Yager, Harper's Preserve and Harper's Trace's developer, will be creating a 13½ mile concrete bike and hike trail in the Carter Slough area to rectify drainage issues. Because of this, the Department will need to locate access points and will look into purchasing an ATV for any necessary patient removal.

Item 14 – Review and adopt any necessary revisions to the District's Policies and Procedures Manual

A motion to adopt the amended Policies and Procedures Manual was made by Commissioner Livesay and seconded by Commissioner Veit. The motion carried **3** for (Commissioners Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 15 – Update on status of Station 61 feasibility.

Chief's Hosler and Doyle are creating a presentation to the Commissioners, after preliminary meeting with one Design-Build firm. Chief Hosler stated that he discussed this meeting with Ms. Adams, the District's attorney, and that it is legal for Chief Doyle and him to review the preliminary station plans with a Design-Build firms but it is not ripe for the Commissioners to meet with potential Design-Build firm candidates at this juncture because a construction delivery method has not been selected and qualifications have not been requested or received. Chief Hosler stated that there are two (2) available design delivery methods RFQ for architectural services or Design-Build. Chief Hosler noted that the Design-Build process is based on the qualifications of the builder, which modifies the construction delivery process and could potentially save the District up to \$4,000,000.00. Chief Hosler also explained to the Commissioners the pros and cons for both the RFQ process as well as the Design-Build process.

Item 16 – Update on status of new engine purchase.

Chief Hosler updated the Commissioners stating that the chassis has been built and that the cab is in the process of being built now. Deliver is expected in July around the 13th and the new truck is almost identical to the stock but is shorter.

Item 17 - Discuss status of maintenance of the District's fleet/vehicles and take any necessary action on same.

Chief Hosler informed the Commissioners that the Rehab is in the shop for repairs at this time. Chief Hosler also stated that some support vehicles, a Booster and the Battalion Chief's truck may soon be replaced.

Item 18 - Executive Session to discuss items as authorized by the Texas Open Meetings Act, as may be necessary.

Executive Session was called at 12:29 p.m. The Commissioners and Chief Hosler were in attendance. Such Executive Session regarded:

Section 551.074 Personnel.

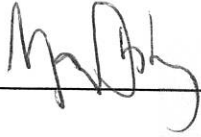
Executive Session concluded at 12:33 p.m. No action was taken.

Item 19 - Miscellaneous Inquiry

No comment.

Item 20 - Adjourn

Motion was made by Commissioner Veit to adjourn at 12:33 p.m. and seconded by Commissioner Livesay. The motion carried 4 for (Commissioners Arceneaux, Abbey, Veit, and Livesay), 0 against, with 0 abstentions.



Mark Abbey
Secretary, Board of Commissioners