

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

April 9, 2019

**Item 1 – Call the meeting to order**

The meeting was called to order at 7:02 pm by Commissioner Arceneaux. The Commissioners present were: Brian Arceneaux, Roxann McDaniel, Raymond Veit, Mark Abbey, and Howard Livesay. Also in attendance were: Chief Hosler, Alison Doyle, Helen Capozzelli, Regina Adams (RBAP), and Jim Cartwright (Langford Engineering).

**Item 2 – Citizens comments**

No Comments.

**Item 3 - Approve the minutes from the regular meeting of March 12, 2019.**

A motion to approve the minutes was made by Commissioner Livesay and seconded by Commissioner Abbey. The motion carried 3 for (Commissioners Abbey, Veit, and Livesay), 0 against, with 2 abstentions (Commissioners Arceneaux and McDaniel).

**Item 4 - Approve the minutes from the special meeting of March 25, 2019.**

A motion to approve the minutes was made by Commissioner Livesay and seconded by Commissioner Abbey. The motion carried 3 for (Commissioners Arceneaux, Abbey, and Livesay), 0 against, with 2 abstentions (Commissioners McDaniel and Veit).

**Item 5 - Review and discuss the minutes and financial statements from the Needham Fire Rescue (“NFR”) April 2, 2019 Board of Directors meeting.**

The agenda, minutes, and the financial statement from the April 2, 2019 NFR Board of Directors meeting were reviewed. No action was taken.

**Item 6 - Review and approve Treasurer’s monthly report.**

Commissioner Veit reviewed the Treasurer’s Report with the Board. A motion was made by Commissioner Abbey and seconded by Commissioner McDaniel to accept the Treasurer’s Report, as presented by Commissioner Veit. The motion carried 4 for (Commissioners McDaniel, 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) - \$716,038.87
- B. Debt Service Account (6864) - \$436,910.72
- C. Reserve Account (6880) - \$1,734,502.22
- D. Sales Tax Revenue Account (6872) - \$121,164.57
- E. Payroll Account (9181) - \$1,431.63.

**Item 7 - Review and approve monthly invoices.**

The invoices were reviewed and a motion was made by Commissioner Livesay and seconded by Commissioner Veit to approve the payment of the monthly invoices as presented. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 8 – Review and approve Quarterly Investment Report.**

The Quarterly Investment Report for January, February, and March, 2019 was presented and reviewed. It was noted that the balance in the TexPool account is \$35.23. After discussion, a motion was made by Commissioner Veit and seconded by Commissioner McDaniel to authorize the transfer of funds to TexPool and appoint Commissioner Veit and Mrs. Doyle to make the necessary transfer. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 9 - Discuss and if found appropriate, authorize the Spirit of Texas Loan payment (Rehab 64, Station 64, New Engine, Radios, Watch Dog) due May 1, 2019.**

A motion was made by Commissioner Livesay and seconded by Commissioner Veit to authorize the Spirit of Texas Loan payment due May 1, 2019. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 10 – Discuss and if found appropriate, authorize the Spirit of Texas Loan payment (MVP) due May 1, 2019.**

A motion was made by Commissioner Veit and seconded by Commissioner Abbey to authorize the Spirit of Texas Loan payment due May 1, 2019. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 11 – Discuss and if found appropriate, authorize the Southside Bank Loan payment (Station 61 remodel) due May 1, 2019.**

A motion was made by Commissioner Veit and seconded by Commissioner McDaniel to authorize the Southside Bank Loan payment due May 1, 2019. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 12 - Discuss and if found appropriate, authorize the Southside Bank Loan payment (Fleet refinance) due May 1, 2019.**

A motion was made by Commissioner Veit and seconded by Commissioner Livesay to authorize the Southside Bank Loan payment due May 1, 2019. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 13 - Discuss and if found appropriate, approve VFIS/WinStar Insurance Group Key Person Insurance for Chief Hosler.**

After discussion and confirmation that this is strictly a thirty (30) year term, death-only policy, a motion was made by Commissioner Abbey and seconded by Commissioner McDaniel to accept the WinStar Insurance group Protective Life Insurance Company Key Person Insurance proposal for Chief Hosler at the annual cost of \$1,516.79. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 14 - Discuss and if found appropriate, adopt the District’s Emergency Response Plan (“ERP”).**

Chief Hosler explained that the ERP is reviewed annually. A motion was made by Commissioner McDaniel and seconded by Commissioner Veit to adopt the amended ERP plan. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux)

**Item 15 - Discuss and if found appropriate, authorize allocation of \$75,000.00 for the implementation of the District’s Emergency Response Plan (“ERP”), if necessary.**

Chief Hosler noted that the ERP allocation requested for the year is \$75,000.00 due to cost increases. A motion was made by Commissioner Livesay and seconded by Commissioner Abbey to authorize the allocation of funds in the amount of \$75,000.00. The motion carried 4 for

(Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 16 - Review status of preparation of engineering feasibility study of Station 61 site/redevelopment.**

Mr. Cartwright reviewed with the Board the Station 61 site/redevelopment feasibility study, including the drainage of the property, which flows south down Firehouse Road. Mr. Cartwright explained that the property has never been platted and does not need to be at this time. Mr. Cartwright also informed the Board that a detention pond will not be necessary at this time but that if the District decides to add more concrete to the site for the new station, a detention facility may be necessary. The Board then discussed the next steps and Ms. Adams noted that obtaining a proposal for the architectural feasibility for the site is necessary based upon the engineering feasibility study. A motion was made by Commissioner Abbey and seconded by Commissioner Livesay to accept the engineering feasibility study and authorize obtaining a proposal for the preparation of the architectural feasibility study. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 17 - Review correspondence from RBAP regarding firm employees and waiver of potential conflict(s) of interest with NFR, if necessary.**

Ms. Adams informed the Board that J. Mark Smith, NFR's attorney, recently became of counsel to RBAP. Ms. Adams stated that while, at the present time, there was no anticipation of a conflict(s) of interest in representation, that it was necessary to inform the Board of such potential and offered to answer any question regarding same. Ms. Adams presented a waiver regarding this potential conflict(s). A motion was made by Commissioner Livesay and seconded by Commissioner Abbey to approve and authorize the waiver of potential conflict(s). The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux).

**Item 18 - Review Mid-Session Legislative Update.**

Ms. Adams reviewed the RBA mid-session legislative update with the Commissioners regarding pending legislation that could possibly affect the District. Some of the pending bills reviewed include: HB2/SB2 which relates to Ad Valorem Taxation; HB305 which relates to a political subdivision with authority to impose a tax post certain information on an internet website; and HB2147/SB1463 which relates to the availability of financial information of nonprofit corporation for public inspection; and HB347 relating to eliminating distinctions in the application of consent annexation requirements is out of the House.

**Item 19 – Monthly Chief's Report:**

A. Summary of Department Monthly Financials and Call Activity

Chief Hosler presented his monthly report to the Commissioners. Chief Hosler noted that the District and NFR responded to 198 calls, 19 of which were outside the District. The overall response time was 5:21 (5:50) minutes.

- 815.5 training hours were completed.
- Chief Hosler worked 326.0 hours and took three (3) days of PTO.
- District crews completed six (6) days of prescribed burning in the Jones Forest.
- Renovations have been completed on Booster 64, which has been placed back in service.
- Chief Hosler attended two (2) days of Legislative hearings in Austin.
- Chief Hosler was presented with the 2019 Houston Livestock Show and Rodeo First Responder of the Year award.

- District Administration worked on the purchase of the emergency housing for administration staff. This will move the crews out from the health and safety issues in Station 61.
- Chief Hosler attended a meeting in Holden, Louisiana regarding the ladder truck repairs due to the accident.
- The TIFMAS crews attended the training day in Fulshear, Texas.
- Chief Hosler attended a meeting with Motorola regarding the radio changes coming. Chief Hosler informed the Board that a Texas Public Information request has been made that evidently related to a lawsuit between Pierce and Lone Star. Ms. Adams stated that due to the wording of the request and certain legal definitions of the information requested, the District did not have any information responsive to the request and the requestor has been so notified.

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

The following SOP's were presented:

- 1) SOP 415 – Special Incidents-approved
- 2) SOP 416 – Volunteer Requirements-approved

C. Review of new construction in the SH 242 corridor.

**Item 20 – Discuss and if found appropriate, adopt the 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 Abbey. The motion carried 4 for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with 1 abstention (Commissioner Arceneaux)

**Item 21 - Review service developments in and around the District's service area.**

Chief Hosler informed the Board that O'Rielly's had acquired property and that the property between Jack in the Box and Firehouse Road had been sold.

**Item 22 - Executive Session to discuss items as authorized by the Texas Open Meetings Act, as may be necessary.**

Executive Session was called at 9:23 p.m. The Commissioners, Chief Hosler, and Ms. Adams were in attendance. Such Executive Session regarded:

Section 551.072 Real Property.

Executive Session concluded at 9:36 p.m. No action was taken.

**Item 23 - Miscellaneous Inquiry**

No comment.

**Item 24 - Adjourn**

Motion was made by Commissioner McDaniel to adjourn at 9:39 p.m. and seconded by Commissioner Abbey. The motion carried 5 for (Commissioners Arceneaux, McDaniel, Veit, Abbey, and Livesay), 0 against, with 0 abstentions.

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Mark Abbey  
Secretary, Board of Commissioners