

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

August 12, 2020

Item 1 – Call the meeting to order

The meeting was called to order at 11:35 a.m. by Commissioner Arceneaux. The Commissioners present were: Brian Arceneaux, Roxann McDaniel, Mark Abbey, Raymond Veit, and Howard Livesay. Also in attendance were: Chief Hosler, Assistant Chief Dicker, Assistant Chief Doyle, Alison Doyle, Helen Capozzelli, Emily Daley, Battalion Chief Sanguedolce, Captain Lee, and Bill Blitch of Blitch Associates and Regina Adams of Radcliffe Bobbitt Adams Polley pllc (via videoconference).

Item 2 – Public comments.

No comments.

Item 3 - Approve the minutes of the regular meeting of July 8, 2020.

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 (Commissioner Arceneaux and McDaniel).

Item 4 - Approve the minutes of the special budget meeting of July 28, 2020

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

Item 5 - Review the minutes and financial statements from the NFR July 14 and August 11, 2020 Board of Directors meeting.

The agenda, minutes, and the financial statement from the July 14 and August 11, 2020 NFR Board of Directors meeting were reviewed. Commissioner Veit asked if the Awards Banquet would occur in 2020. Chief Hosler responded that at the present, he did not know. 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 McDaniel and seconded by Commissioner Abbey 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) - \$342,017.40
- B. Debt Service Account (6864) - \$0.00
- C. Reserve Account (6880) - \$1,291,740.96
- D. Sales Tax Revenue Account (6872) - \$48,537.25

E. Payroll Account (9181) - \$2,847.56

Item 7 - Review and approve monthly invoices.

The invoices were reviewed and a motion was made by Commissioner Veit and seconded by Commissioner Livesay 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 monthly Sales and Use Tax Report.

Mrs. Doyle reviewed the Sales and Use Tax Report with the Board and presented the August sales and use tax revenue of \$267,963.23. A motion was made by Commissioner McDaniel and seconded by Commissioner Veit to approve the Sales and Use Tax Report as presented. The motion carried **4** for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 9 – Discuss and take action on Fiscal Year Ending (“FYE”) September 30, 2021 Montgomery County Emergency Services District No. 4 (“MCESD4”) budget and debt service schedule.

A motion was made by Commissioner Livesay and seconded by Commissioner McDaniel to approve the FYE September 30, 2021 MCESD4 budget and debt service scheduled. The motion carried **4** for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 10 – Discuss and accept FYE September 30, 2021 NFR budget.

Chief Hosler informed the Commissioners that it was his goal to not increase the NFR budgeted expenses. Chief Hosler noted that the personnel for Station 62 are part-time so that he can keep the full-time staff at Stations 61 and 64, which are busier. A motion was made by Commissioner McDaniel and seconded by Commissioner Abbey to accept the FYE September 30, 2021 NFR budget. The motion carried **4** for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 11 – Discuss proposed 2020 tax rate, review tax rate setting process and hear financial advisor’s tax rate recommendations.

The Commissioners reviewed the proposed 2020 tax rate calculation performed by the Montgomery County Tax Assessor/Collector. Mrs. Doyle noted that the No-new revenue tax rate was calculated at \$0.0878/\$100 and the Voter Approval rate was \$0.0877/\$100. Mr. Blich added that the debt component is \$0.0325 and the maintenance and operation component is \$0.0552. Mr. Blich added that the de-minimis rate is \$0.1076/\$100. Chief Hosler explained that \$0.0877 would not be enough to cover the District’s expenses and it was his suggestion that the proposed rate be \$0.0912, which would still be lower than the 2019 tax rate and was under the de minimis rate. Ms. Adams noted that if the District set the tax rate above the voter approval rate but below the deminimis rate, the potential still would exist for a voter-petitioned roll back election.

Item 12 – Authorize publication of tax rate calculation, and establish public hearing date of September 9, 2020 regarding 2020 tax rate.

After discussion regarding the meeting, Ms. Adams informed the District that they would not have to have a separate meeting for the public hearing and that it could potentially be at the beginning of the September meeting. A motion was made by Commissioner Livesay and seconded by Commissioner Veit to authorized publication of the \$0.0912 tax rate and the hearing date as September 9, 2020. The motion carried **4** for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 13 – Presentation by the Station Construction Committee regarding potential construction methods for the proposed new Station 61 and select the preferred construction method for same.

Chief Hosler informed the District that the Station Construction Committee had done as much of the pre-planning that they were able to do. The information received for a design build station was only a high ball park figure because until we have a known construction method, and complete the RFQ we will not be able to get a final cost. Commissioner Veit continued that it is the suggestion of the Committee that the District hire a project manager no matter which option they choose but that the committee choice would be to utilize the design build option. A motion was made by Commissioner McDaniel and seconded by Commissioner Veit to authorize the selection of the Design Build construction method for the proposed new Station 61. The motion carried **4** for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 14 – Authorize preparation of Request for Qualifications regarding construction method approved.

A motion was made by Commissioner McDaniel and seconded by Commissioner Veit to authorize Ms. Adams to prepare the Request for Qualification regarding the Design Build method. The motion carried **4** for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 15 – Consider and Accept Excess 2019 Ad Valorem Tax Collections for Debt Service and Certification for 2020 Debt Service Collection Rate.

The District was informed that the excess 2019 Ad Valorem collection was \$0.00 and that the 2020 Debt Service was expected at 100%. A motion was made by Commissioner McDaniel and seconded by Commissioner Livesay to accept excess 2019 Ad Valorem Tax Collections for Debt Service and Certification for 2020 Debt Service Collection Rate. The motion carried **4** for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 16 – Monthly Chief’s Report:

A. Summary of Department Monthly Financials and Call Activity

Chief Hosler began his presentation by explaining the reason for all of the SOP revisions was because our accreditation required an annual review.

- During the month of July, 2020 Chief Hosler worked 284.5 hours.

- The Training Division has completed 936.0 hours of training.
- During this month we had eight (8) employees sent home for COVID-19 protocol and four (4) tested positive.
- The District had one (1) fatal house fire.
- Captain Landvogt completed the full installation of Utility Vehicle 61 ("UTV 61") while he is working from home for COVID-19.
- Captain Landvogt is currently working on Utility 61 ("U61") which should be completed in about a month.
- Tanker 61 ("T61") and Tanker 64 ("T64") have had new front tires installed.
- Booster 64 ("B64") was repaired by RAS for turbo issues.
- Rehab 61 ("RH61") was repaired by Chief Hosler
- Truck 61 ("TK61") was repaired by NPAR.
- The Station Construction Committee held their meeting for the month.
- Administration has performed several tasks during the month.
 - * Working on the District and NFR FYE September 30, 2021 budget.
 - * Worked on the proposed operations changes for the new budget year 2020/2021.
 - * Assisted the Training Division with rescue boat training.
 - * Started the yearly review of the MCESD4 and NFR Standard Operating Procedures ("SOP's") and Standard Operating Guidelines ("SOG").
- Response Times and Counts for July:
 - * 117 calls for service of which 20 were out of District.
 - * Average response time was 5:51 with the June time of 5:47.

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

The following SOP's were presented:

1. Index - approved
2. SOP 201 Leave of Absence - approved
3. SOP 203 Cell Phones - approved
4. SOP 204 Photography and Video Policy - approved
5. SOP 205 Code of Conduct and Ethics - approved
6. SOP 208 Animals/Pets - approved
7. SOP 209 Community Service Worker Requirements - approved
8. SOP 210 Firefighter Pay - approved
9. SOP 211 Policies and SOP's - approved
10. SOP 212 Part-Time Schedule Requirements - approved
11. SOP 213 Public Relations Events - approved
12. SOP 214 Trading of Work Time - approved
13. SOP 216 Social Media Policy - approved
14. SOP 217 Emergency Response Requirements - approved
15. SOP 312 Fit for Duty - approved
16. SOP 319 Life Scans - approved
17. SOG 20-01 Infectious Diseases - approved
18. SOG 20-03 Service Awards - approved

Item 17 - Review service developments in and around the District's service area.

Chief Hosler explained to the Commissioners that new District businesses have stayed the same due to COVID but that plans are slowly starting to be approved by the Montgomery County Fire Marshall's office. Chief Hosler did inform the Commissioners that a new strip center by CVS has been started and that a new center between FishRUs and the mulch plant has been approved by the Fire Marshall.

Item 18 – 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 **4** for (Commissioners McDaniel, Abbey, Veit, and Livesay), 0 against, with **1** abstention (Commissioner Arceneaux).

Item 19 – Update on status of new fleet purchase.

Chief Hosler updated the status of the fleet stating that all were currently in operation. Chief Hosler also informed the Commissioners that a Texas fire department is interested in the MVP and one of the twins.

At 12:47 pm the Commissioners paused the meeting to have lunch before entering into Executive Session. The meeting resumed at 1:22 pm

Item 20 – Discuss Chief Hosler's Performance Evaluation and Renewal of Agreement for Employment of Fire Chief.

This item was discussed in Executive Session.

Item 21 - Executive Session to discuss items as authorized by the Texas Open Meetings Act, as may be necessary.

Executive Session was called at 1:23 p.m. The Commissioners and Mrs. Doyle were in attendance. Such Executive Session regarded:

Section 551.074 Personnel.

Executive Session concluded at 2:02 p.m. No action was taken.

Item 22 - Miscellaneous Inquiry.

No comment.

Item 23 – Adjourn.

Motion was made by Commissioner Arceneaux to adjourn at 2:02 p.m. and seconded by Commissioner McDaniel. The motion carried **5** for (Commissioners Arceneaux, McDaniel, Abbey, Veit, and Livesay), 0 against, with 0 abstentions.

Mark Abbey
Secretary, Board of Commissioners