

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

**December 8, 2021**

**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 regular session, open to the public, at Needham Fire Rescue, Co. ("NFR") Station 61, 9430 State Highway 242 East, Conroe, Texas 77385, the regular meeting place of the District, on Wednesday, December 8, 2021, at 11:30 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Brian Arceneaux	President
Roxann McDaniel	Vice President
Mark Abbey	Secretary
Raymond Veit	Treasurer
Karen Keels	Assistant Secretary/Treasurer

All members of the Board were present, 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; Captain Norman Langwell; Mrs. Alison Doyle; Ms. Emily Daley; Mr. Colwyn Lee; Lieutenant Donald Moore; and Mr. Ken Carrizal. District consultants in attendance were Ms. Regina D. Adams and Ms. Sholeh Abedinzadeh (via videoconference), attorneys, and Ms. Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District; and Mr. Jim Clark, broker associate of Coldwell Banker Realty ("Coldwell").

WHEREUPON, the meeting was called to order at 11:44 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 November 10, 2021 regular meeting minutes which were previously distributed to the Board. Upon motion by Commissioner McDaniel, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to approve the November 10, 2021 regular meeting minutes.

**MINUTES AND FINANCIAL STATEMENTS OF NFR BOARD OF DIRECTORS MEETING**

District staff indicated there was nothing to review.

**AUTHORIZE PUBLICATION OF NOTICE OF DISTRICT ADMINISTRATION OFFICE ADDRESS**

Upon motion by Commissioner McDaniel, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to authorize District staff to publish the Notice of District Administration Office.

**AUTHORIZE FILING OF ANNUAL REPORT (DISTRICT INFORMATION) WITH THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT ("TDEM")**

Upon motion by Commissioner McDaniel, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to authorize District staff to file the required Annual Report with TDEM by January 1, 2022.

**TREASURER'S REPORT**

Commissioner Veit next presented to and reviewed with the Board the Treasurer's Report. Upon motion by Commissioner McDaniel, seconded by Commissioner Keels, 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 authorization. Mrs. Doyle next discussed with the Board and Ms. Adams the potential for creating a Purchasing Policy to provide guidance on monthly payment of invoices. Upon motion by Commissioner Veit, seconded by Commissioner McDaniel, after full discussion and the question being put to the Board, the Board voted unanimously to authorize payment of the monthly invoices, as presented.

**SALES AND USE TAX REPORT**

Mrs. Doyle reviewed the Sales and Use Tax Report with the Board. Upon motion by Commissioner McDaniel, seconded by Commissioner Keels, 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**

There was no report to review.

## **STATUS OF STATION NO. 61 CONSTRUCTION**

Chief Hosler reviewed with the Board the status of design of Station No. 61. Chief Hosler reported that the District is required to have two (2) detention ponds for Station No. 61. A discussion ensued regarding the difference between retention and detention ponds. Ms. Adams noted that, once completed the District will need to contract with a service provider to maintain such detention ponds and handle any necessary stormwater quality permits. Chief Hosler stated the anticipated project start date would be January/February 2022, subject to final approval of the plans by the Montgomery County (the "County") Engineer.

Ms. Adams then reviewed the process for approving and authorizing payment of Pay Applications ("PA") and Change Orders. Mrs. Doyle presented to and the Board reviewed PA No. 1 from Grossman Design Build, LLC ("Grossman") in the amount of \$55,812.50. Upon motion by Commissioner McDaniel, seconded by Commissioner Veit, after discussion and the question being put to the Board, the Board voted unanimously to approve and authorize payment of PA No. 1.

## **REVIEW AND APPROVE PURCHASE OF CAMERAS AND ASSOCIATED LICENSE FROM PBC DATACOM ("PBC")**

Mr. Lee reviewed with the Board a proposal in the amount of \$5,834.16 from PBC for the purchase of four (4) security cameras with a five (5) year license. Mr. Lee noted that the cameras include a ten (10) year warranty. Mr. Lee stated he would install such cameras and noted there would be additional costs associated with the installation due to the need to rent a lift. Upon motion by Commissioner McDaniel, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from PBC for the purchase of four (4) security cameras and a five (5) year license.

## **MONTHLY CHIEF'S REPORT**

Chief Hosler reported that the District received an Insurance Services Office ("ISO") straight Class 2 rating, which is improved from the District's previous Class 2y rating. Chief Hosler went on to congratulate District staff for the hard work it took to achieve such a low ISO rating. Chief Hosler noted that the District had zero (0) deficiencies.

Chief Hosler then reviewed the Fire Chief's Report with the Board. Chief Hosler reported that the District and NFR responded to 225 service calls, 32 of which were out of District, with an average response time of 6:35 minutes.

Chief Hosler next reported to the Board that the District administrative staff is currently performing its annual review of the District's standard operating procedures ("SOPs").

Chief Hosler next reported that the District's Pierce Manufacturing ("Pierce") truck has been repaired and is currently in service. Chief Hosler reported that the Pierce truck does have another recall for a leak, but because it is not currently leaking, recall servicing would not be done at this time.

Chief Hosler informed the Board that there has been no movement on the Fire Dispatch

Services Agreement between County Fire Chiefs Association and The Woodlands Township.

Chief Hosler reported that issues with determining the boundaries of the Chic-fil-A property have been resolved. Chief Hosler also reported that a Dunkin Donuts is being constructed in the District.

### **REVIEW PERSONNEL MATTERS**

There was nothing to review.

### **REVIEW DISTRICT REAL ESTATE MATTERS, INCLUDING DUE DILIGENCE MATTERS RELATED TO POTENTIAL STATION PROPERTY PURCHASE AND TAKE ANY NECESSARY ACTIONS ON SAME**

The Board determined to discuss this matter in Executive Session.

### **EXECUTIVE SESSION**

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.072 regarding real estate matters, Commissioner Arceneaux convened the Board in Executive Session at 12:33 p.m. The persons present in Executive Session were: Commissioners Arceneaux, McDaniel, Veit and Keels; Chief Hosler; Mr. Clark; and Ms. Adams.

### **RECONVENE IN OPEN SESSION**

All meeting attendees still present re-entered the meeting at this time.

Commissioner Arceneaux then reconvened the meeting in open session at 1:10 p.m. at which time the following action was taken by the Board:

Upon motion by Commissioner Keels, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted three (3) votes in favor and one (1) abstention, with Commissioner McDaniel abstaining, to: 1) authorize preparation of two (2) surveys of the property; 2) approve the sales contract, as revised; 3) authorize Chief Hosler to approve and execute an engineer engagement letter to prepare a site feasibility study; and 4) authorize necessary payments related to same, as discussed in Executive Session.

There being no further business to come before the Board, the meeting was adjourned at 1:12 p.m.

PASSED, APPROVED, AND ADOPTED this 12<sup>th</sup> day of January, 2022.

Mark Abbey, Secretary

Board of Commissioners