

MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS

December 13, 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 regular session, open to the public, at Needham Fire Rescue, Co. ("NFR") Station No. 61, 17029 Firehouse Road, Conroe, Texas 77385, the regular meeting place of the District, on Wednesday, December 13, 2023, at 11:30 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

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, 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; District Chief Terry Jones; Battalion Chief Richard Sanguedolce; Lieutenant Cody Brown; Engine Operator Jordan Thomas; Firefighters Matthew Rowbatham, Chase Bergstrom, Hunter Martin and Connor Stayton; Mrs. Alison Doyle; Ms. Emily Daley; Mrs. Kelly Sipp; and Mr. Colwyn Lee. District consultants in attendance were: Ms. Regina D. Adams and Ms. Meredith King (via videoconference), attorneys, and Ms. Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Adams Barner PLLC (the "Attorney" or "RAB"), attorney for the District; and Mr. John Nuche of AG|CM.

WHEREUPON, the meeting was called to order at 11:30 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 staff awards or promotions at the time.

APPROVE MINUTES

The Board considered approval of the minutes of the November 8, 2023 regular Board meeting, which were previously distributed to the Board. Upon motion by Commissioner Abbey, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the November 8, 2023 regular Board meeting.

MINUTES AND FINANCIAL STATEMENTS OF NFR BOARD OF DIRECTORS MEETING

The Board then reviewed the minutes and financial statements of NFR's prior two (2) Board of Directors meeting.

AUTHORIZE PUBLICATION OF NOTICE OF DISTRICT ADMINISTRATION OFFICE ADDRESS

Ms. Adams stated that the District was required to publish the Notice of District Administration Office Address every January. Upon motion by Commissioner Keels, 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 Abbey, 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, 2024.

AUTHORIZE FILING OF FINANCIAL AND TAX-RELATED INFORMATION WITH TEXAS COMPTROLLER (THE "COMPTROLLER") PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, §203.062 AND TEXAS GOVERNMENT CODE, §403.0241 FOR THE SPECIAL PURPOSE DISTRICT PUBLIC INFORMATION DATABASE ("SPDPID")

Ms. Adams then reminded the Board that the District was required to annually file certain financial and tax-related information with the Comptroller's SPDPID. Upon motion by Commissioner Landrum, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to authorize RAB to file the required financial and tax-related information with the Comptroller by April 1, 2024.

STATUS OF STATION NO. 61 CONSTRUCTION

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

The Board reviewed Pay Application ("PA") No. 15 from Grossman Design Build ("GDB") in the amount of \$41,798.09 in connection with Station No. 61 construction and PA No.16 and Final in the amount of \$291,668.99. The Board also reviewed Change Order ("CO") No. 23 from GDB in the additive amount of \$4,236.25 for additional landscaping costs that were to be shared with GDB and CO No. 24 in the deductive amount of \$2,000.00 for fire lane striping.

Upon motion by Commissioner Landrum, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to approve: 1) PA No. 15 in the amount of \$41,798.09; 2) PA No. 16 and Final in the amount of \$291,668.99; 3) CO No. 23 in the additive amount of \$4,236.25; and 4) CO No. 24 in the deductive amount of \$2,000.00.

TEMPORARY STATION NO. 63 CONSTRUCTION

Chief Hosler stated that a final inspection by the Montgomery County Fire Marshal would be scheduled once the fire suppression tank was installed later in the day.

REVIEW AND APPROVE PURCHASE OF FURNITURE, FIXTURES AND EQUIPMENT FOR ANY APPLICABLE STATION, AS NECESSARY

Chief Hosler introduced Lt. Brown and Firefighter Rowbatham to the Board and explained that they were members of the District's FireFit Committee. Firefighter Rowbatham then presented to and reviewed with the Board a proposal from REP Fitness ("REP") in the amount of \$14,922.70 for the purchase of various fitness equipment for Station Nos. 61, 62 and 64. Upon motion by Commissioner Keels, seconded by Commissioner Landrum, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from REP in the amount of \$14,922.70 for various fitness equipment for Station Nos. 61, 62 and 64 and authorize Chief Hosler to execute any related agreements.

TREASURER'S REPORT

Commissioner Veit next presented to and reviewed with the Board the Treasurer's Report. Upon motion by Commissioner Abbey, 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 approval. Upon motion by Commissioner Veit, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to authorize payment of the monthly invoices, as presented.

REVIEW AND AMEND DISTRICT'S TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM ("TCDRS") RETIREMENT PLAN AS MAY BE NECESSARY

Chief Hosler then presented to the Board a current and proposed plan comparison for the District's TCDRS retirement plan. Mrs. Doyle stated that District staff recommended the proposed plan of a seven percent (7%) employee contribution with a 2:1 matching by the District, effective January 2024, noting that the District's current plan was six percent (6%) employee contribution with a 2:1 matching by the District. Upon motion by Commissioner Keels, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to amend the District's TCDRS retirement plan, as recommended by District staff.

SALES AND USE TAX REPORT

Mrs. Doyle reviewed with the Board the Sales and Use Tax Report. Chief Hosler then noted that there had been many new developments in and around the District. Upon motion by Commissioner Landrum, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Sales and Use Tax Report.

REVIEW AND APPROVE TAX ASSESSOR-COLLECTOR'S REPORT

Ms. Adams presented to and reviewed with the Board the monthly Tax Assessor-Collector's Report. Upon motion by Commissioner Keels, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Tax Assessor-Collector's Report.

FIRE CHIEF'S REPORT

Chief Hosler thanked the Board for everything they had done for the staff and District.

Chief Hosler then reviewed the Fire Chief's Report and the status of operations with the Board. Chief Hosler reported that, in November, the District and NFR responded to 218 service calls, 19 of which were out of District, with an average response time of 6:50 minutes.

Chief Hosler reported that District administrative staff had moved into the new Station No. 61.

Chief Hosler then reported that District staff would be conferring with the Board's Apparatus Committee to discuss the replacement of various District apparatus.

Chief Hosler further reported that the District had hired two (2) Lieutenants and two (2) Engine Operators and would be hiring, at minimum, two (2) more individuals for each position.

REVIEW AND ADOPT AMENDMENTS TO THE DISTRICT'S POLICIES AND PROCEDURES ("P&P") MANUAL

Chief Hosler noted that recent law changes required the District to implement an anti-bullying policy which would be presented to the Board in the future. Chief Hosler went on to review with the Board the amendment to the District's Organizational Chart. Upon motion by Commissioner Abbey, seconded by Commissioner Landrum, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the amendment to the District's Organizational Chart.

REVIEW PERSONNEL MATTERS

Chief Hosler stated that this matter would be discussed in Executive Session.

EXECUTIVE SESSION

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Section 551.071 regarding matters of attorney-client privilege and Section 551.074 regarding personnel matters, Commissioner Arceneaux convened the Board in Executive Session at 12:30 p.m. The persons present in Executive Session were: Commissioners Arceneaux, Landrum, Veit, Abbey and Keels; Chief Hosler; Mrs. Doyle; Mrs. Sipp; and Ms. Adams.

RECONVENE IN OPEN SESSION

The Board reconvened in open session at approximately 1:20 p.m., at which time no action was taken by the Board.

Chief Hosler noted that the District and NFR would be holding an open house and chili cook-off on March 2, 2024.

There being no further business to come before the Board, and upon motion by Commissioner Abbey, seconded by Commissioner Landrum, after full discussion and the question being put to the Board, the Board voted unanimously to adjourn the meeting at 1:21 p.m.

PASSED, APPROVED, AND ADOPTED this 10th day of January, 2024.

Mark Abbey, Secretary

Board of Commissioners