

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

**October 12, 2022**

**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, 9430 State Highway 242 East, Conroe, Texas 77385, the regular meeting place of the District, on Wednesday, October 12, 2022, 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 at the meeting, except Commissioner McDaniel who attended via videoconference, and therefore did not participate in deliberation or votes. Also attending the meeting were the following District employees: Fire Chief Kevin Hosler; Chief Randy Doyle, Assistant Chief of Administration; Assistant Chief William Dicker; Battalion Chief Acel Nichols; Mrs. Alison Doyle; Ms. Emily Daley; Ms. Kelly Sipp; Mr. Colwyn Lee; and Captain Norman Langwell. District consultant in attendance was Ms. Raechel Rodriguez, legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District. Also in attendance were Mr. Daniel Wright and Ms. Ashli Buchtler with Truist Bank ("Truist")

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 was no public comment.

**DISTRICT STAFF AWARDS, RECOGNITIONS AND/OR PROMOTIONS**

There were no District staff awards, recognitions or promotions.

**APPROVE MINUTES**

The Board considered approval of the September 14, 2022 regular meeting minutes, which were previously distributed to the Board. Chief Doyle noted that the minutes incorrectly referenced Lieutenant Terry Jones as Firefighter. Ms. Rodriguez stated the minutes would be

revised. 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 approve the September 14, 2022 regular meeting minutes as revised.

**APPROVE RENEWAL OF AGREEMENT FOR EMPLOYMENT WITH CHIEF HOSLER**

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 approve renewal of the Agreement for Employment with Chief Hosler.

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

Ms. Daley reported that the NFR Board of Directors meeting was postponed and there was no minutes or financial statements for review at this time.

**STATUS OF STATION NO. 61 CONSTRUCTION**

Chief Hosler reviewed with the Board the status of the construction of Station No. 61 noting the ongoing progress. Chief Hosler reported that 78 loads of rock were transferred from Station No. 61 to Station No. 62 for the installation of two (2) pad sites.

The Board then reviewed Pay Application ("PA") No. 2 from Grossman Design Build ("GDB") in the amount of \$749,027.50 in connection with Station No. 61 construction.

Chief Hosler went on to inform the Board that the groundbreaking ceremony for the new Station No. 61 construction would be October 22, 2022 at 9:00 a.m.

Chief Hosler then presented to the Board a proposal from Verkada for \$83,983.67 for the security equipment and installation of same at Station No. 61. Chief Hosler noted that the sole proposal was procured because the specific technology was compatible with the remainder of the District's security system and the contract for such equipment and installation would be between the District and Verkada directly because the service was outside of GDB's scope of services.

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 PA No. 2 in the amount of \$749,027.50 and accept the proposal from Verkada for \$83,983.67 for security equipment and installation of same.

**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.

## **REVIEW QUARTERLY INVESTMENT REPORT**

Mrs. Doyle presented to and reviewed with the Board the Quarterly Investment Report noting that the total interest earned in the previous quarter was \$17,263.62. Upon motion by Commissioner Veit, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Quarterly Investment Report.

## **AUTHORIZE ESTABLISHMENT OF A CAPITAL PROJECTS ACCOUNT AT TRUIST AND APPROVE NECESSARY DOCUMENTATION RELATED TO SAME**

Mrs. Doyle requested the Board authorize establishment of a capital projects account at Truist. Upon motion by Commissioner Abbey, seconded by Commissioner Veit, after full discussion and the question being put to the board, the Board voted unanimously to authorize establishment of a capital projects account at Truist and authorize execution of the necessary documentation related to same.

## **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 Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to authorize payment of the monthly invoices, as presented, including Independent Banker's Bank loan payment for 2020 Pierce Saber-Built.

## **SALES AND USE TAX REPORT**

Mrs. Doyle reviewed the Sales and Use Tax Report with 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 unanimously to accept the Sales and Use Tax Report.

## **TAX ASSESSOR-COLLECTOR'S REPORT**

Ms. Rodriguez presented to and reviewed with the Board the monthly Tax Assessor-Collector's Report. Upon motion by Commissioner Abbey, 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.

## **REVIEW AND ACCEPT PROPOSAL FOR EMERGENCY SERVICES VEHICLE AND AUTHORIZE PURCHASE OF SAME**

Chief Hosler then presented to the Board two (2) proposals for an emergency services vehicle from: 1) Southfork in the amount of \$214,000.00 with a Ford chassis; and 2) General Truck Body ("GTB") in the amount of \$226,000.00 with a Dodge chassis. Chief Hosler noted the warranties from both companies were similar. Chief Hosler stated that GTB is located in Houston, Texas while Southfork is in Ohio and therefore, purchasing the emergency services vehicle from GTB would save the District travel costs to pick up the vehicle, as well as provide convenience for use of a warranty since GTB is local. 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 proposal from GTB in the amount of \$226,000.00 for an emergency services vehicle with a Dodge chassis.

**REVIEW FINANCING PROPOSALS FOR THE PURCHASE OF EMERGENCY SERVICES VEHICLE AND APPROVE LOAN RESOLUTION REGARDING SAME AND AUTHORIZE PREPARATION AND EXECUTION OF LOAN DOCUMENTS FOR SAME**

Chief Hosler then presented to the Board two (2) financing proposals for the purchase of the emergency services vehicle. Chief Hosler reviewed the terms in each of the Truist and Government Capital Corporation proposals. Ms. Buchtler recommended the Board consider Option B of the Truist proposal which is for a seven (7) year term at 3.90 percent (3.90%) interest. Upon motion by Commissioner Abbey, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to accept the proposal from Truist for a seven (7) year loan term at 3.90 percent (3.90%) interest.

**STATUS OF INSTALLATION OF RELOCATED DISTRICT ADMINISTRATION BUILDING AND TEMPORARY STATION**

Chief Hosler reported that a residential sprinkler system would need to be installed for the firefighter living quarters. Chief Doyle then updated the Board on the status of the installation of the electric service meter pole. Chief Doyle noted that the electricity has not been turned on, and therefore, construction is at standstill.

**REVIEW AND APPROVE CONSULTING AGREEMENT WITH TOUCHSTONE DISTRICT SERVICES ("TOUCHSTONE") FOR WEBSITE PROVIDER SERVICES**

Chief Hosler noted that he has contacted Touchstone numerous times and he has received no response. Chief Hosler recommended the Board consider another website services provider because he does not feel Touchstone could provide the level of service the District anticipates based on their lack of communication. It was the consensus of the Board to consider other website service providers.

**AUTHORIZE LETTER OF RECOMMENDATION TO MONTGOMERY COUNTY COMMISSIONER'S COURT FOR REAPPOINTMENT OF COMMISSIONERS MCDANIEL, ABBEY AND VEIT**

Mrs. Doyle reviewed with the Board the proposed Letter of Intent to the Montgomery County Commissioner's Court for Commissioners McDaniel, Abbey and Veit. 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 submission of the Letters of Recommendation to Montgomery County Commissioner's Court for Re-Appointment of Commissioners McDaniel, Abbey and Veit. Commissioners Abbey and Veit executed their respective request for re-appointment letters for submission. It was noted that Commissioner McDaniel would execute the re-appointment letter at a later time.

**AUTHORIZE COMMISSIONER ATTENDANCE AT SAFE-D ANNUAL CONFERENCE IN ROUND ROCK, TEXAS ON FEBRUARY 2 – 4, 2023**

Chief Hosler recommended the Board attend the SAFE-D Annual Conference and noted that he would be presenting at the conference and participating in the process to advocate for certain pieces of legislation. 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 attendance at the SAFE-D Conference.

**FIRE CHIEF'S REPORT**

Chief Hosler then reviewed the Fire Chief's Report with the Board. Chief Hosler reported that, in September, the District and NFR responded to 207 service calls, 45 of which were out of District, with an average response time of 6:36 minutes.

Chief Hosler reviewed the status of various District projects being completed by District staff. Chief Hosler stated that District staff was working on six (6) new Standard Operating Procedures that would be presented to the Board upon completion. Chief Hosler went on to report that the storage building from Station No. 61 was relocated to Station No. 63. Chief Hosler went on to review the status of District vehicles, including repairs to be funded by Texas Intrastate Fire Mutual Aid System.

**REVIEW PERSONNEL MATTERS**

This item would be discussed during Executive Session.

**REVIEW DISTRICT REAL ESTATE MATTERS**

There were no real estate matters to review.

**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 and Section 551.074 regarding personnel matters, Commissioner Arceneaux convened the Board in Executive Session at 12:35 p.m. The persons present in Executive Session at various times were: Commissioners Arceneaux, Abbey, Veit and Keels; and Chief Hosler.

**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 12:52 p.m. at which time no action was taken by the Board.

Commissioner Veit reported that he visited Montgomery Central Appraisal District ("MCAD") regarding its invoices being delivered nearly one (1) year late. Commissioner Veit stated that, after speaking with numerous staff at MCAD, he believes the situation was resolved.

Commissioner Veit went on to state that the District will pay MCAD invoices annually rather than quarterly and that there should be no additional late fees incurred.

There being no further business to come before the Board, and 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 adjourn the meeting at 12:54 p.m.

PASSED, APPROVED, AND ADOPTED this 9<sup>th</sup> day of November, 2022.

Mark Abbey, Secretary

Board of Commissioners