

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

**November 9, 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, November 9, 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, 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; Battalion Chief Acel Nichols; Lieutenant Donald Moore; Captain Norman Langwell; Mrs. Alison Doyle; Ms. Emily Daley; Ms. Kelly Sipp; Mr. Colwyn Lee; Mr. Steven Waldrep; and Firefighter Chase Bergstrom. District consultants in attendance were: Ms. Regina D. Adams, attorney, and Ms. Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District; and Ms. Robin Humphrey of HDL Companies, sales tax consultant to the District. Also in attendance was Mr. Gary Landrum, a member of the public.

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**

Chief Hosler introduced to the Board Mr. Waldrep and Firefighter Bergstrom. Chief Holser then invited the Board to attend the Pinning Ceremony the following week.

## **APPROVE MINUTES**

The Board considered approval of the October 12, 2022 regular meeting minutes, which were previously distributed to the Board. 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 approve the October 12, 2022 regular meeting minutes.

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

The Board reviewed the minutes and financial statements of prior NFR Board of Directors meetings.

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

Chief Hosler reported that the foundation concrete would be installed in the following week. Chief Hosler also reported that the cabinet, floors and countertops were completed. Chief Hosler noted that District staff was planning the Station No. 61 grand opening.

The Board then reviewed Pay Application ("PA") No. 3 from Grossman Design Build ("GDB") in the amount of \$339,721.42 in connection with Station No. 61 construction.

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 approve PA No. 3 from GDB in the amount of \$339,721.42.

## **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 approval. 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**

Ms. Humphrey reviewed the Sales and Use Tax Report and the Fiscal Year Ended ("FYE") September 30, 2021 Annual Report with the Board. Ms. Humphrey then updated the Board on the status of receipts. Upon motion by Commissioner McDaniel, 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.

Ms. Humphrey exited the meeting at this time.

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

Ms. Adams noted the Tax Assessor-Collector's Report was not available at the time of the Board meeting.

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

Chief Hosler reported that progress on the District Administration Building and Temporary Station No. 63 has ceased until the electric service meter pole can be installed. Chief Hosler noted that the District would also need to obtain various permits to move forward. Chief Doyle provided an update on the procurement of electricity service.

Chief Hosler then presented to and reviewed with the Board three (3) proposals for the construction of a metal building to serve as the temporary station. A discussion ensued regarding the door dimensions. Chief Hosler stated he would obtain updated proposals with the correct door dimensions. Ms. Adams requested the Certificate of Insurance, form of contract and to have the District named properly on the proposals when updated.

Chief Hosler went on to report that he was working to have a meter installed so the water well could be completed.

## **REVIEW AND ACCEPT PROPOSAL(S) FOR WEBSITE SERVICES PROVIDE3R**

Chief Hosler requested the Board table this matter.

## **FIRE CHIEF'S REPORT**

Chief Hosler then reviewed the Fire Chief's Report with the Board. Chief Hosler reported that, in October, the District and NFR responded to 224 service calls, 38 of which were out of District, with an average response time of 7:00 minutes.

Chief Hosler reviewed the status of various District projects being completed by District staff. Chief Hosler provided the Board an update on the revised Standard Operating Procedures ("SOP").

## **REVIEW PERSONNEL MATTERS**

It was noted that 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 551.074 regarding personnel matters, Commissioner Arceneaux convened the Board in Executive Session at 12:18 p.m. The persons

present in Executive Session at various times were: Commissioners Arceneaux, McDaniel, Abbey, Veit and Keels; Chief Hosler; and Ms. Adams.

Commissioner Arceneaux exited the meeting at this time.

**RECONVENE IN OPEN SESSION**

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

Commissioner McDaniel then reconvened the meeting in open session at 12:45 p.m. at which time the following action was taken by the Board:

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 approve two (2) SOPs, as discussed in Executive Session.

Commissioner Arceneaux re-entered the meeting at this time.

There being no further business to come before the Board, and upon motion by Commissioner McDaniel, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to adjourn the meeting at 12:49 p.m.

PASSED, APPROVED, AND ADOPTED this 14<sup>th</sup> day of December, 2022.

Mark Abbey, Secretary

Board of Commissioners