

MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS

February 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 61, 9430 State Highway 242 East, Conroe, Texas 77385, the regular meeting place of the District, on Wednesday, February 9, 2022, at 11:30 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

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|-----------------|-------------------------------|
| 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 Commissioners McDaniel and 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; Mrs. Alison Doyle; Ms. Emily Daley; Mr. Colwyn Lee; and Mr. Ken Carrizal. District consultants in attendance via videoconference were: Ms. Regina D. Adams and Ms. Sholeh Abedinzadeh, attorneys, and Ms. Raechel Rodriguez, legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District.

WHEREUPON, the meeting was called to order at 11:49 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

Commissioner Veit commended Station No. 64 personnel for successfully extinguishing a BBQ pit fire.

APPROVE MINUTES

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

MINUTES AND FINANCIAL STATEMENTS OF NFR BOARD OF DIRECTORS MEETING

The Board then reviewed the agenda, minutes and financial statements of NFR's prior Board of Directors meetings.

TREASURER'S REPORT

Commissioner Veit next presented to and reviewed with the Board the Treasurer's Report. 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 Treasurer's Report.

MONTHLY INVOICES AND PAYMENTS

Mrs. Doyle then presented to and reviewed with the Board monthly invoices and pending payments for authorization, including the Southside Bank loan payment due March 1, 2022, related to two (2) twin infernos. 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, including the Southside Bank loan payment.

SALES AND USE TAX REPORT

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

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 Veit, seconded by Commissioner Keels, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Tax Assessor-Collector's Report.

ADOPT RESOLUTION DETERMINING AD VALOREM TAX EXEMPTIONS

Ms. Adams then explained that pursuant to the Texas Property Tax Code, as amended, the District is authorized to grant exemptions relative to the District's ad valorem tax levy. The Board next considered approval of tax exemptions for the 2022 tax year, including homestead exemptions, exemptions for residents 65 years of age and older and exemptions for disabled residents. Ms. Adams explained that in 2021, the Board did not grant a general residential homestead tax exemption but granted a homestead exemption of \$25,000 for residents that are 65 years of age and older or disabled.

The Commissioners concluded to grant the same exemptions for the 2022 tax year as were granted for the 2021 tax year. Upon motion by Commissioner Arceneaux, seconded by Commissioner Veit, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Resolution Concerning Exemptions from Taxation for the 2022 Tax Year reflecting a homestead exemption of \$25,000 for residents that are 65 years of age and older or disabled, a copy of which is attached hereto.

ADOPT RESOLUTION AUTHORIZING PETITION CHALLENGING APPRAISAL RECORDS

Ms. Adams then reviewed the Resolution Authorizing Petition Challenging Appraisal Records with the Board. Ms. Adams explained that such resolution will allow the Tax Assessor to represent the District in challenging certain appraisal records with Montgomery County Appraisal District ("MCAD") and other matters before MCAD.

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 adopt the Resolution Authorizing Petition Challenging Appraisal Records, a copy of which is attached hereto.

STATUS OF STATION NO. 61 CONSTRUCTION

Chief Hosler reviewed with the Board the status of design of Station No. 61, and noted that the District is awaiting final approval of the plans by the Montgomery County Engineer so final costs can be determined.

Chief Hosler presented to and reviewed with the Board Pay Application ("PA") No. 2 in the amount of \$31,606.50, and PA No. 3 in the amount of \$29,188.75, from Grossman Design Build, LLC ("Grossman"). Mrs. Doyle noted that PA Nos. 2 and 3 were included in the monthly invoices presented, and authorized for payment by the Board, earlier in the meeting.

MONTHLY CHIEF'S REPORT

Chief Hosler then reviewed the Fire Chief's Report with the Board. Chief Hosler then reported that, in January, the District and NFR responded to 224 service calls, 49 of which were out of District, with an average response time of 7:36 minutes.

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

Chief Hosler noted that COVID-19 has affected the District's staffing and, during January, there were 13 employees out due to COVID-19.

Chief Hosler next presented to the Board the feasibility study performed by Martinez Architects for the proposed Station No. 63 property.

Chief Hosler went on to report to the Board that the District's training division has been approved by the Texas Commission on Fire Protection ("TCFP") thereby allowing the District to hold in-house training classes. Chief Hosler stated the District's first TCFP Wildland Firefighter training course will be scheduled for some time in February 2022.

Regarding the District's fleet, Chief Hosler reported that the District has purchased a 2022 Ford F-150, stripped the 2015 Ford Explorer that was declared surplus, replaced tires on various vehicles, and Siddons-Martin is repairing various other District vehicles.

Chief Hosler next reported that Engine 61 struck a low hanging branch causing damage to the

ladder rack and a roof ladder, and that all ladders will need to be retested for the engine to be placed back in service.

REVIEW PERSONNEL MATTERS

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

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 12:32 p.m. The persons present in Executive Session were: Commissioners Arceneaux, Veit and Keels; Chief Hosler; Ms. Adams; and Ms. Abedinzadeh.

Ms. Adams exited the Executive Session while it was ongoing.

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 1:18 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 unanimously to adopt the Resolution Authorizing Purchase of Property and Appointing Representative to Execute Related Documents thereby appointing Commissioner Arceneaux as the District's representative to execute the purchase documents.

REVIEW AND ADOPT ANY NECESSARY REVISIONS TO THE DISTRICT'S POLICIES AND PROCEDURES MANUAL, INCLUDING PURCHASING POLICY, IF NECESSARY

Mrs. Doyle reported that the proposed Purchasing Policy is still being reviewed.

There being no further business to come before the Board, the meeting was adjourned at 1:26 p.m.

PASSED, APPROVED, AND ADOPTED this 9th day of March, 2022.

Mark Abbey, Secretary

Board of Commissioners