

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

**September 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, September 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: Chief Randy Doyle, Assistant Chief of Administration; Chief William Dicker, Assistant Chief of Operations; Mrs. Alison Doyle; Ms. Emily Daley; and Mr. Colwyn Lee. District consultants in attendance were: Ms. Regina D. Adams, attorney, and Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorneys for the District; and Mr. Brian Tolden of McCall Gibson Swedlund Barfoot, PLLC ("McCall Gibson" or "Auditor"), auditors for the District.

WHEREUPON, the meeting was called to order at 11:42 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**

Chief Dicker reported there were three (3) new firefighters and one (1) promoted firefighter. Chief Dicker administered the oaths of office to James Watkins, Talor Brandon and Zachry Ammons as full-time firefighters. Chief Dicker administered the oath of office to J. Caquelin as a Lieutenant.

**APPROVE MINUTES**

The Board considered approval of the August 11, 2021 regular meeting minutes which were previously distributed to the Board. Commissioner McDaniel noted minor revisions to the August 11, 2021 minutes. 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 July 29, 2021 special meeting minutes and the August 11, 2021 regular meeting minutes as revised.

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

Chief Dicker reported that the NFR Board of Directors meeting has been rescheduled.

**PUBLIC HEARING ON 2021 TAX RATE**

The President declared the public hearing open to discuss the District's proposed tax rate for 2021 at 12:00 p.m.

Ms. Adams reminded the Board that at the August 11<sup>th</sup> Board meeting, the Board voted to publish a total proposed total tax rate of \$0.10 per \$100 assessed valuation comprised of \$0.0612 for maintenance and operations and \$0.0388 for debt service purposes. Ms. Adams reported that the Notice of Public Hearing on Tax Increase for the proposed 2021 tax rate had been published, as required by law.

There being no comments from the public, the public hearing was adjourned at 12:02 p.m.

**ADOPT ORDER SETTING RATE AND LEVYING TAX FOR 2021 (THE "TAX RATE ORDER")**

The Board then considered adoption of the Tax Rate Order. 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 Tax Rate Order, thereby levying a total ad valorem tax rate of \$0.10 per \$100 assessed valuations, comprised of \$0.0612 per \$100 assessed valuation for maintenance and operations purposes and \$0.0388 per \$100 assessed valuation for debt service purposes. Commissioner Abbey was absent for the vote.

**REVIEW AND ACCEPT NFR BUDGET FOR FISCAL YEAR ENDING ("FYE") SEPTEMBER 30, 2022 ("NFR 2022 BUDGET")**

Mrs. Doyle presented to and reviewed with the Board the NFR 2022 Budget. 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 NFR 2022 Budget, as presented.

**TREASURER'S REPORT**

Commissioner Veit next presented to and reviewed with the Board the Treasurer's Report. Upon motion by Commissioner Keels, seconded by Commissioner McDaniel, 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. 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

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 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**

Mrs. Doyle presented to and reviewed with the Board the monthly Tax Assessor-Collector'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 accept the Tax Assessor-Collector's Report.

**ENGAGE AUDITOR FOR PREPARATION OF AUDIT FYE SEPTEMBER 30, 2021 ("2021 AUDIT REPORT")**

Mr. Tolden presented to and reviewed with the Board an Engagement Letter for preparation of the 2021 Audit Report. Mr. Tolden stated that the cost for such services would range from \$15,000 - \$16,500. Mr. Tolden added McCall Gibson's fee for annual updating and reporting compliance related to the Texas County and District Retirement System pension plan is \$1,500.

Upon motion by Commissioner Keels, seconded by Commissioner McDaniel, after full discussion and the question being put to the Board, the Board voted unanimously to engage McCall Gibson for preparation of the 2021 Audit Report and authorize execution of the Engagement Letter.

Mr. Tolden exited the meeting at this time.

**REVIEW AND APPROVE AMENDMENT TO RESTATED SERVICE AGREEMENT WITH NFR ("NFR AMENDMENT")**

The Board next considered the NFR Amendment. Ms. Adams reminded the Commissioners of the proposed amendments.

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 NFR Amendment.

**APPROVE 2021 – 2022 EMPLOYEE MEDICAL/DENTAL INSURANCE PLAN (EXPIRES SEPTEMBER 30, 2021)**

Chief Doyle presented to and reviewed with the Board an insurance proposal for employee medical plans through Blue Cross Blue Shield of Texas and an employee dental plan through Humana for the 2021 – 2022 insurance term. Chief Doyle reviewed four (4) medical insurance plan choices, including one (1) HMO plan and three (3) PPO plans. Chief Doyle explained that flex spending availability would be increased to balance the increased cost for coverage.

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 employee medical and dental insurance plans, as presented.

**APPROVE 2021 – 2022 GENERAL/PROPERTY/BOARD INSURANCE PROPOSAL (EXPIRES SEPTEMBER 30, 2021)**

Chief Doyle presented to and reviewed with the Board an insurance proposal from VFIS for property and casualty coverages. Chief Doyle reported that the premium for such coverage would be \$67,271 for the 2021 – 2022 insurance term which is an increase of \$6,088 from the previous term.

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 2021 – 2022 general/property/Board insurance proposal from VFIS for a premium of \$67,271.

**APPROVE 2021 – 2022 WORKERS' COMPENSATION INSURANCE PROPOSAL**

Chief Doyle next presented to and reviewed with the Board an insurance proposal prepared by Leavitt Group for Workers' Compensation insurance coverage for the 2021 – 2022 insurance term. Chief Doyle reported that the premium for such coverage would be \$49,503 which is a 50% increase from the previous term. Chief Doyle explained the increase is due to higher salaries for District employees.

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 2021 – 2022 Workers' Compensation insurance proposal from Leavitt Group for a premium of \$49,503.

**DISCUSS ANNUAL EMPLOYEE EVALUATION OF CHIEF KEVIN HOSLER AND RENEWAL OF CONTRACT FOR EMPLOYMENT OF FIRE CHIEF (CONTRACT EXPIRES OCTOBER 1, 2021)**

The Board decided this matter would be discussed during Executive Session.

**STATUS OF STATION NO. 61 CONSTRUCTION**

Chief Doyle reviewed with the Board the status of the preparation of the cost for construction of Station No. 61 for inclusion in the design/build construction agreement. Chief Doyle presented a revised floor plan for Station No. 61 and reported that the construction costs are expected by the end of September.

**REVIEW AND APPROVE VECTOR SOLUTIONS PUBLIC SECTOR SOFTWARE AS A SERVICE CLIENT AGREEMENT ("VECTOR AGREEMENT") WITH TARGET SOLUTIONS LEARNING, LLC D/B/A VECTOR SOLUTIONS ("VECTOR")**

Mr. Lee presented to the Board the Vector Agreement. Mr. Lee reported that the current tracking software, NetDuty, the cost of which is approximately \$1,600, is not user friendly and that the software offered by Vector, Crew Sense, the cost of which is approximately \$5,000, would streamline the scheduling. Mr. Lee further stated that the increased cost would balance the cost of labor used to

navigate NetDuty.

Upon motion by Commissioner McDaniel, seconded by Commission Veit, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Vector Agreement and authorize Commissioner Arceneaux to execute same on behalf of the District.

**REVIEW AND APPROVE PROPOSAL FROM LIGHTHOUSE VIDEO SURVEILLANCE ("LIGHTHOUSE") FOR SECURITY CAMERA REPLACEMENT**

Mr. Lee went on to present to the Board a service ticket from Lighthouse for the installation of two (2) outdoor dome cameras at Station No. 62 in the amount of \$2,258.17. Mr. Lee reported that cameras at Station No. 62.

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 the purchase and installation of two (2) outdoor dome cameras by Lighthouse in the amount of \$2,258.17.

**MONTHLY CHIEF'S REPORT**

Chief Dicker reviewed the Fire Chief's Report with the Board. Chief Dicker reported that the District and NFR responded to 212 service calls, 26 of which were out of District, with an average response time of 6:40 minutes. Chief Dicker reported that NFR sent firefighters to Louisiana until August 19, 2021 to assist in Hurricane Ida rescue efforts and provide additional emergency fire services to local fire departments.

Chief Dicker reported that the recently built Taco Bell is open. Chief Dicker further reported that the McDonald's and the car wash currently under construction are on the verge of completion.

**REVIEW AND APPROVE 2021 – 2022 ANNUAL AGENDA**

Ms. Adams stated that a revision needed to be made reflecting SAFE-D's February conference location in Round Rock, Texas. Ms. Adams informed the Board that RBAP would revise and distribute same.

**REVIEW PERSONNEL MATTERS**

**REVIEW REAL ESTATE MATTERS**

**EXECUTIVE SESSION**

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Sections 551.071, 551.072 and 551.076 regarding matters of attorney-client privilege, personnel and real estate, Commissioner Arceneaux convened the Board in Executive Session at 1:23 p.m. to review personnel and real estate matters with Ms. Adams. The persons present in Executive Session were: Commissioners Arceneaux, McDaniel, Veit and Keels; Ms. Adams; and Mrs. Doyle.

Ms. Adams exited the meeting during Executive Session.

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 2:22 p.m. at which time no action was taken by the Board.

There being no further business to come before the Board, the meeting was adjourned at 2:23 p.m.

PASSED, APPROVED, AND ADOPTED this 13<sup>th</sup> day of October, 2021.

Mark Abbey, Secretary

Board of Commissioners