

MINUTES OF MEETING OF THE BOARD OF COMMISSIONERS

March 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, March 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, thus constituting a quorum. Also attending the meeting were the following District employees: Fire Chief Kevin Hosler; Chief Randy Doyle, Assistant Chief of Administration; Mrs. Alison Doyle; Ms. Emily Daley; Mr. Colwyn Lee; Captain Norman Langwell; Lieutenant Tristan Murphy (via videoconference); Lieutenant Donald Moore (via videoconference); E/O Jake Blalack and Colton Sparks; and Firefighters Paul Gregory, Adelfred Growe and Adam Hickey. District consultants in attendance were: Ms. Regina D. Adams and Ms. Sholeh Abedinzadeh (via videoconference), attorneys, and Ms. Raechel Rodriguez (via videoconference), legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District.

WHEREUPON, the meeting was called to order at 11:54 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 Hosler administered the Oaths of Office to Firefighters Gregory, Growe and Hickey and E/O Blalack. Chief Hosler noted that E/O Blalack transitioned to full-time status. Chief Hosler congratulated E/O Blalack and Sparks on their promotions to Engineer/Operator and presented E/O Sparks with a Life Saver Award.

APPROVE MINUTES

The Board considered approval of the February 9, 2022 regular meeting minutes, which were previously distributed to the Board. 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 approve the February 9, 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.

REVIEW AND APPROVE ANY AMENDMENTS TO THE NFR FISCAL YEAR ENDING ("FYE") SEPTEMBER 30, 2022 OPERATING BUDGET ("NFR BUDGET"), AS NECESSARY

Chief Hosler requested this item be tabled until later in the meeting.

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 Abbey, 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 27, 2022, related to fire/loose equipment. In response to a question, Mrs. Doyle stated that Montgomery Central Appraisal District ("MCAD") added a five percent (5%) interest charge to its past due invoice for assessment and collection services despite the District not receiving the invoice timely. Mrs. Doyle stated that she sent a request for forgiveness, but MCAD will not waive the interest. A discussion ensued regarding the financial impacts of paying MCAD annually versus quarterly. 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, including the Southside Bank loan payment and authorize payment of the MCAD invoice for assessment and collection services for the remainder of 2022 in full.

REVIEW AND AMEND DISTRICT'S BUDGET FOR FYE SEPTEMBER 30, 2022 (THE "2022 BUDGET")

Chief Hosler requested this item be tabled until later in the meeting.

AUTHORIZE DISTRICT STAFF TO OPEN A GENERAL FUND CHECKING ACCOUNT WITH TRUIST BANK ("TRUIST")

Mrs. Doyle reminded the Board that it previously authorized District staff to open an additional account at Woodforest Bank for the purpose of making payments to the Texas Intrastate Fire Mutual Aid System ("TIFMAS"). Mrs. Doyle requested the Board authorize opening such account at Truist and noted there would be no service fees and a \$200 minimum balance requirement. 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 District staff to open a general fund checking account for TIFMAS payments with Truist.

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

Ms. Adams presented to and reviewed with the Board the monthly Tax Assessor-Collector's Report. 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 Tax Assessor-Collector's Report.

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 still in the permitting phase. Chief Hosler reported the District's sprinkler system layout permit was denied. Chief Hosler went on to state that the District may need an elevated tank to assist with flow, or maybe reconfigure the bays, in order to make the sprinkler system layout permissible. Chief Hosler reported that a resolution would not be reached until flow calculations are received.

MONTHLY CHIEF'S REPORT

Chief Hosler then reviewed the Fire Chief's Report with the Board. Chief Hosler reported that, in February, the District and NFR responded to 237 service calls, 24 of which were out of District, with an average response time of 5:15 minutes.

Chief Hosler next reported to the Board that the District administrative staff is: 1) continuing the annual review of the District's standard operating procedures ("SOPs"); 2) working to complete the new septic system at Station No. 64, for which construction commenced earlier in the day; 3) working to complete the proposed 2022 Budget amendments; and 4) revising the District's five (5)-year and ten (10)-year plans.

Chief Hosler further reported that the TIFMAS truck was inspected and is currently deployed to West Texas and that Booster 62 also responded to a TIFMAS call.

Chief Hosler reminded the Board that the District's training division was approved by the Texas Commission on Fire Protection ("TCFP"), thereby allowing the District to hold in-house training classes. Chief Hosler reported there is currently one (1) class nearing completion.

Chief Hosler next reported that District Firefighters responded to a mulch fire that lasted 17 hours and resulted in a crew recall to assist with the response.

Chief Hosler noted that the Fire Dispatch Services Agreement between Montgomery County Fire Chief's Association and the Woodlands Township is still under review and revisions were submitted.

REVIEW DISTRICT REAL ESTATE MATTERS, INCLUDING STATUS OF CLOSING ON STATION PROPERTY PURCHASE, FOLLOW UP MATTERS REGARDING SAME AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Adams noted that the District has closed on the Old Smith Road property. Ms. Adams stated the depiction on the survey for the life lease is incorrect and requested a revised survey. The Commissioners then reviewed the surveys. A discussion ensued. The Board requested Chief Hosler obtain a survey for the life lease.

ANNUAL REVIEW OF ALL CONSULTANTS' CONTRACTS AND TAKE ANY NECESSARY ACTIONS ON SAME

Ms. Adams presented to the Board an amended Attorney Fee Agreement with proposed amended rates for General and Bond Counsel services. Ms. Adams noted that RBAP had not previously requested an increase in rates. 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 proposed amended rates and authorize execution of the amended Attorney Fee Agreement.

REVIEW PERSONNEL MATTERS

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 1:00 p.m. The persons present in Executive Session were: Commissioners Arceneaux, McDaniel, Abbey, Veit and Keels; Chief Hosler; Chief Doyle; and Mrs. Doyle.

Chief Hosler exited Executive Session at 1:20 p.m.

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 1:33 p.m. at which time the following action was taken by the Board:

REVIEW AND APPROVE ANY AMENDMENTS TO THE NFR BUDGET, AS NECESSARY (CONT.)

REVIEW AND AMEND THE 2022 BUDGET (CONT.)

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 amendments to the NFR Budget and approve the amendments to the 2022 Budget, including an increase to employee salary expenses not to exceed an additional \$150,000.00.

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 authorize an increase in Chief Hosler's salary, as discussed in Executive Session, to be effective April 1, 2022.

There being no further business to come before the Board, the meeting was adjourned at 1:36 p.m.

PASSED, APPROVED, AND ADOPTED this 13th day of April, 2022.

Mark Abbey, Secretary

Board of Commissioners