

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

**August 10, 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, August 10, 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, except Commissioner McDaniel, 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 Richard Sanguedolce; Mrs. Alison Doyle; Ms. Emily Daley; Ms. Kelly Sipp; and Mr. Colwyn Lee. 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 Mr. Bill Blich of Blich Associates, Inc. (via teleconference), financial advisor for the District.

WHEREUPON, the meeting was called to order at 11:32 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 presentations.

**APPROVE MINUTES**

The Board considered approval of the July 13, 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 July 13, 2022 regular meeting minutes.

**REVIEW 2022 CERTIFIED VALUES; DISCUSS PROPOSED 2022 TAX RATE, REVIEW 2022 TRUTH IN TAXATION INFORMATION AND HEAR FINANCIAL ADVISOR'S RECOMMENDATION**

The Board next reviewed the 2022 certified values of the District, noting that the certified taxable value of the District shows an increase of 30.96% from the previous year.

Mr. Blich next discussed with the Board his recommendations regarding a proposed 2022 tax rate, explaining the various rate classifications and how each might affect the average ad valorem tax bill. Mr. Blich noted that the voter-approval rate would be \$0.0814 per \$100 assessed valuation and the de minimis rate would be \$0.0946 per \$100 assessed valuation. Mr. Blich recommended the District propose the de minimis rate of \$0.0946 per \$100 assessed valuation. Ms. Adams noted that if the Board chose to set a rate above the voter approval rate, but not above the de minimis rate, an automatic election would not be triggered but could be petitioned for. A discussion ensued regarding the financial and procedural impacts of the various tax rate options.

**AUTHORIZE PUBLICATION OF PROPOSED 2022 TAX RATE AND ESTABLISH PUBLIC HEARING DATE, AS NECESSARY**

The Board next discussed the publication of the proposed 2022 tax rate and the scheduling of the public hearing regarding same. 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 propose a total 2022 tax rate of \$0.0946 per \$100 in assessed valuation, authorize the Tax Assessor-Collector to publish notice of the proposed 2022 tax rate and schedule the public hearing on same for September 14, 2022 at 11:30 a.m. at Station 61.

Mr. Blich exited the meeting at this time.

**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.

**PRESENTATION REGARDING WEBSITE REDEVELOPMENT AND COMMUNICATIONS**

Chief Hosler presented to the Board four (4) proposals from Touchstone District Services ("Touchstone") for: A1) website build and compliance maintenance; A2) District communication consulting; A3) social media accounts setup and management; and A4) contract Public Information Officer services. Chief Hosler recommended the Board consider proposal A1 for website build and compliance maintenance services at a cost of \$3,750.00 for the first (1<sup>st</sup>) year and proposal A3 for social media accounts setup and management services at a cost of \$950.00 per social media account. An extensive discussion ensued regarding the District's website needs and current social media accounts. Ms. Adams recommended that RBAP be provided with the Consulting Agreement related to such proposals for review, and a Form 1295 would be required. 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 accept proposals A1 and A3 from Touchstone and authorize negotiation of the Consulting Agreement.

### **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 AND ADOPT ORDER ADOPTING BUDGET FOR FISCAL YEAR ENDING ("FYE") SEPTEMBER 30, 2023 (THE "2023 BUDGET")**

Chief Hosler and Mrs. Doyle requested this item be tabled. Ms. Adams reminded the Board that it is required to adopt its 2023 Budget prior to setting its 2022 tax rate. The Board tabled this matter until the September 14<sup>th</sup> Board meeting.

### **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 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.

### **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 Abbey, 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.

### **REVIEW AND ACCEPT GENERAL, PROPERTY AND WORKERS' COMPENSATION INSURANCE RENEWAL PROPOSALS (EXPIRES SEPTEMBER 30, 2022)**

### **REVIEW AND ACCEPT EMPLOYEE MEDICAL AND DENTAL INSURANCE RENEWAL PROPOSALS (EXPIRES SEPTEMBER 30, 2022)**

Mrs. Doyle stated that the District has not yet received the insurance proposals. The Board tabled these matters.

### **PERFORM ANNUAL EMPLOYEE EVALUATION OF CHIEF KEVIN HOSLER AND DISCUSS RENEWAL OF CONTRACT FOR EMPLOYMENT OF FIRE CHIEF (EXPIRES OCTOBER 1, 2022)**

The Commissioners noted this matter would be discussed during Executive Session.

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

Chief Hosler reviewed with the Board the status of the design of Station No. 61. Chief Hosler stated that the design plans were received and submitted to Montgomery County (the "County") and that he anticipated a response from the County later in the day. In response to a question regarding the construction start date, Chief Hosler reviewed the various steps that required completion before construction can begin.

## **STATUS OF RELOCATION OF THE DISTRICT ADMINISTRATION BUILDING AND REVIEW AND ACCEPT PROPOSAL TO TRANSPORT SAME**

Chief Hosler presented to the Board a proposal from Greater Texas Home Movers, LLC ("GTHM") in the amount of \$6,500.00 to relocate and install the District Administration Building to the Station No. 63 site. Ms. Adams confirmed with Chief Hosler that GTHM was insured and bonded. 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 GTHM in the amount of \$6,500.00.

## **REVIEW AND ACCEPT BIDS FOR CONSTRUCTION OF DISTRICT ADMINISTRATION BUILDING PAD SITE AT STATION NO. 63**

Chief Doyle presented to the Board three (3) proposals for the construction of a pad site at Station No. 63. Chief Doyle recommended the Board accept option A on the proposal from DanielDean.com, LLC for a cost of \$18,000.00. A discussion ensued regarding the necessity of asphalt for the construction of the pad site. 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 accept the bid from DanielDean.com, LLC in the amount of \$18,000.00 for the construction of a pad site at Station No. 63. Ms. Adams requested the agreement for review.

## **FIRE CHIEF'S REPORT**

Chief Hosler then reviewed the Fire Chief's Report with the Board. Chief Hosler reported that, in July, the District and NFR responded to 229 service calls, 38 of which were out of District, with an average response time of 6:46 minutes.

Chief Hosler noted the District was accepting applications for a Lieutenant position.

## **REVIEW AND APPROVE FIVE (5) AND TEN (10) YEAR CAPITAL IMPROVEMENT PLANS**

Chief Hosler recommended the Board consider holding a workshop to further discuss this matter.

## **REVIEW PERSONNEL MATTERS**

The Commissioners tabled this matter until Executive Session.

**REVIEW DISTRICT REAL ESTATE MATTERS**

Ms. Adams stated this item would be discussed during Executive Session.

**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 1:07 p.m. The persons present in Executive Session were: Commissioners Arceneaux, Abbey, Veit and Keels; Chief Hosler; Mrs. Doyle and Ms. Adams.

Ms. Adams exited Executive Session at 1:22 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 2:09 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 2:10 p.m.

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

Mark Abbey, Secretary

Board of Commissioners