

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

**July 13, 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, July 13, 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 Arceneaux, 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 Firefighters Mary MacNiven, Casey Cruz, Matthew Nix, Branson MacDonald, and Timothy Boyette. 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; Messrs. Brian Grossman and Abbas Mohammed of Grossman Design Build ("GDB"); and Messrs. Paul Kuhlman and John Nuche of AG|CM, Inc. ("AGCM").

WHEREUPON, the meeting was called to order at 11:35 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 Dicker swore in Firefighters MacNiven, Cruz, Nix, MacDonald and Boyette.

**APPROVE MINUTES**

The Board considered approval of the June 8, 2022 regular meeting minutes, which were previously distributed to 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 approve the June 8, 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.

### **PRESENTATION REGARDING WEBSITE REDEVELOPMENT AND COMMUNICATIONS**

This item was tabled until the August Board meeting.

### **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.

### **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.

### **QUARTERLY INVESTMENT REPORT**

Mrs. Doyle presented to and reviewed with the Board the Quarterly Investment Report noting that the total interest earned in the previous quarter was \$7,116.06.

### **SALES AND USE TAX REPORT**

Mrs. Doyle reviewed the Sales and Use Tax Report with the Board. 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 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. Ms. Adams noted that correspondence was received from Tammy McRae, tax assessor/collector for Montgomery County and the District, stating that receipt of the 2022 certified values from Montgomery Central Appraisal District would be delayed. 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 Tax Assessor-Collector's Report.

**CONSIDER AND ACCEPT EXCESS COLLECTIONS FOR 2021 DEBT SERVICE AND CERTIFICATION OF DEBT SERVICE COLLECTION RATE FOR 2022 – 2023**

Ms. Adams reported that the District received certification from Ms. McRae that debt tax collections for 2021 was equal to one hundred percent (100%) and that the Board must accept such certificate of anticipated collection rate for 2022 – 2023 and excess debt tax collections for 2021. 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 such certification from the Tax Assessor-Collector.

**REVIEW ARBITRAGE REBATE YIELD RESTRICTION COMPLIANCE SERVICE PROGRAM REPORT ("ARBITRAGE REPORT")**

Ms. Adams then reviewed with the Board the Arbitrage Report prepared by Arbitrage Compliance Specialists, Inc. concerning the District's active loans as of June 17, 2022. Upon motion by Commissioner Keels, seconded by Commissioner Abbey, after full discussion and the question being put to the Board, the Board voted unanimously to accept the Arbitrage Report.

**DISCUSS GENERAL, PROPERTY AND WORKERS' COMPENSATION INSURANCE RENEWAL AND AUTHORIZE DISTRICT STAFF TO OBTAIN PROPOSALS FOR SAME (EXPIRES SEPTEMBER 30, 2022)**

Mrs. Doyle then reminded the Board the general, property and workers' compensation insurance expires on September 30, 2022 and requested the Board authorize District staff to obtain proposals for same. 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 authorize District staff to obtain proposals for general, property and workers' compensation insurance.

**AUTHORIZE FACILITIES AND APPARATUS VALUATIONS UPDATE FOR INSURANCE PURPOSES**

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 authorize District staff to update the District facilities and apparatus valuations for insurance purposes.

**DISCUSS EMPLOYEE MEDICAL AND DENTAL INSURANCE RENEWAL AND AUTHORIZE DISTRICT STAFF TO OBTAIN PROPOSALS FOR SAME (EXPIRES SEPTEMBER 30, 2022)**

Mrs. Doyle next reminded the Board that the employee medical and dental insurance expires on September 30, 2022 and requested the Board authorize District staff to obtain proposals for same. 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 obtain proposals for employee medical and dental insurance.

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

Mrs. Doyle presented to the Board the annual employee evaluation form for Chief Hosler and noted the Board would discuss this matter and the related employment contract at the August and/or September Board meeting.

**STATUS OF STATION NO. 61 CONSTRUCTION**

Mr. Grossman reviewed with the Board the status of the design of Station No. 61. Mr. Grossman stated that GBD was working to revise the civil engineering plans. Mr. Grossman noted there was a long lead time on the metal structure and that GBD anticipated completing the site work prior to the delivery of the metal structure.

**STATUS OF RELOCATION OF THE DISTRICT ADMINISTRATION BUILDING**

Chief Doyle reported to the Board that the District was working with a house moving company to obtain a cost estimate to relocate the District Administration Building to the Station No. 63 site.

**FIRE CHIEF'S REPORT**

Chief Dicker then reviewed the Fire Chief's Report with the Board. Chief Dicker reported that, in June, the District and NFR responded to 205 service calls, 32 of which were out of District, with an average response time of 6:18 minutes.

Chief Dicker reported that some items were removed from the draft 5-year Capital Improvement Plan due to inaccurate cost projections.

Chief Dicker further reported that all District vehicles were in service, with the exception of one (1) vehicle that was undergoing warranty work.

**REVIEW PROPOSAL FOR TNT RESCUE BRUTE FORCE CUTTERS**

Chief Dicker presented to the Board a proposal from Advanced Rescue Systems ("ARS") for five (5) TNT Brute Force Cutters ("TNT Cutters") for a total cost of \$56,875.00. Chief Dicker noted that the District was not replacing or surplusing existing equipment with the TNT Cutters. 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 proposal from ARS and authorize the purchase of five (5) TNT Cutters.

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

The Board tabled this matter until the August Board meeting.

**REVIEW PERSONNEL MATTERS**

There was nothing to review.

**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 551.071 regarding matters of attorney-client privilege, Section 551.072 regarding real estate matters and Section 551.074 regarding personnel matters, Commissioner McDaniel convened the Board in Executive Session at 12:36 p.m. The persons present in Executive Session were: Commissioners McDaniel, Abbey, Veit and Keels; Mrs. Doyle and Ms. Adams.

**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 12:53 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 12:53 p.m.

PASSED, APPROVED, AND ADOPTED this 10<sup>th</sup> day of August, 2022.

Mark Abbey, Secretary

Board of Commissioners