

**MINUTES OF NOVEMBER 17, 2021, MEETING**  
**HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 48**

A meeting was duly called of Harris County Emergency Services District No. 48, held at the District Administration Building located at 21201 Morton Road, Katy, Texas 77449, on Wednesday, November 17, 2021.

**CALL MEETING TO ORDER AND ESTABLISH A QUORUM.**

The meeting was called to order at 6:04 p.m. by **Marshall Kramer**, President, who announced that a quorum was present. Those Commissioners present were:

<b>Marshall Kramer</b>	Present
<b>Sam Henderson</b>	Present
<b>Bret Fossum</b>	Present
<b>Russell Solomon</b>	Present
<b>Michael Fleming</b>	Present

Also present at the meeting were District Fire Chief, George McAteer, Assistant Chief of EMS, Eric Bank, Assistant Chief of Administration, Ray Sidwell, Division Chief of Logistics, Machele Richter, Office Manager, Jackie Harvey, Battalion Chief of Training, Glen Trahan, Training Captain, Vincent Moreno, Division Chief of Community Risk Reduction, Jason Tharp, Richard Proto, with the Community Health Division and other ESD Members. Also, present Ira Coveler, the District's legal counsel with the law firm of Coveler & Peeler, Human Resources RaChele Parker with RIT Management, Rich Majeres with ABIP CPA Advisors, LLC and Robin with HdL Companies, Inc.

**TO RECEIVE PUBLIC COMMENT.**

The Board opened the floor for public comment though none was offered.

**TO REVIEW, DISCUSS, AND TAKE ACTION RELATED TO THE REMODEL PROJECT AT STATION 4.**

Ray Sidwell provided an update on the Project stating the remodel exceeds the original budget as the cost doubled noting the general cost delay and supply issue, additional millwork and change in scope of work with an additional \$50,000 design contingency.

Chief Sidwell questioned, "What is the Board's feeling?" He explained the additional cost of the project to be approximately \$500,000 stating the crew to be very uncomfortable with the cost. Mr. Fleming expressed, "I'm worried are we going to regret not doing more?" A discussion was held regarding the option to finance or pay cash and the need to act on the matter as prices continue to escalate.

Mr. **Henderson** made a motion to proceed with the Station 4 remodel project and that the District would provide funding from its reserves for this project. Mr. **Kramer** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 5 to 0.

**TO REVIEW, DISCUSS, AND TAKE ACTION RELATED TO THE MONTHLY SALES TAX REPORT.**

Ray Sidwell presented the District's Sales Tax Report. Mr. Henderson requested assistance accessing the reports.

Thereupon after review, Mr. **Henderson** made a motion to approve the Monthly Sales Tax Report as presented. Mr. **Solomon** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 5 to 0.

Please see the Report from **Robin** with HdL Companies, Inc. for a complete listings and details of all figures presented.

**TO RECEIVE THE FINANCIAL REPORT FOR THE DISTRICT AND TAKE ANY ACTION RELATED THERETO.**

Mr. Majeres with ABIP CPA Advisors, LLC presented the District's Financial Report. Mr. Majeres explained that Building Improvements are over budget due to septic cost over runs.

Thereupon, Mr. **Henderson** made a motion to accept the Financial Report from the District Bookkeeper as presented. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 5 to 0.

**TO PAY THE DISTRICT'S INVOICES AND EXPENSES AND APPROVAL OF ANY WIRE TRANSFERS.**

Ms. Harvey presented the Board with the District bills. The Board reviewed and discussed the District bills.

Mr. **Henderson** made a motion to approve the District bills related to expenses incurred by the District since the previous meeting for \$463,162.77. Mr. **Solomon** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 5 to 0.

**TO REVIEW, DISCUSS, AND TAKE ACTION ON FUNDING THE DISTRICT'S PAYROLL OBLIGATIONS.**

Mr. **Henderson** made a motion to approve the District's payroll obligations for October and December for \$694,045.85. Mr. **Solomon** seconded the motion. The motion passed 5 to 0.

**TO REVIEW, DISCUSS AND TAKE ACTION ON ENGAGEMENT OF AUDITOR TO PERFORM DISTRICT 2021 AUDIT.**

The Board will address the engagement of Breedlove & Co., P.C. at the District bill-pay meeting scheduled for December 1, 2021. No action taken.

**TO REVIEW AND TAKE ACTION ON MINUTES OF PRIOR MEETINGS.**

Mr. Coveler explained the status of prior meeting minutes. No action taken.

**TO RECEIVE ANY REPORTS FROM FIRE CHIEF GEORGE McATEER AND TAKE ANY NECESSARY ACTION RELATED TO HIS REPORT.**

Chief McAteer discussed his report. Chief McAteer stated the Engine Operating Lieutenant Position is being posting and updated job descriptions provided. Chief McAteer shared he was awaiting quotes from U.S. Digital regarding the alerting system. He then reminded the Board that the station alerting will only help with dispatch and response and a monitor speaker may be needed for the maintenance building. Chief McAteer relayed that Station is going to Stage 1 operability via U.S. Digital Brain. He clarified the Stages 1 being relevant to all dorms and Stage 2 to specific rooms and display monitors. Chief McAteer wants to coordinate Station 4 renovation with the alerting system upgrade. He believes the number budgeted for Stations 1, 3, 4 and 5 will accommodate the added expenses.

Chief McAteer stated that the apparatus committee would not be organized until the Operations Chief was in place. The lease of a new fire truck is under consideration though awaiting pricing from Pierce before determination of same. Chief McAteer noted his participation in a Texas A&M Engineering Extension Service (TEEX) course which he hopes for more practical take away while impressing good material received in the course. No action taken.

**TO RECEIVE AN EMS DIVISION REPORT FROM ASSISTANT CHIEF ERIC BANK AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.**

Chief Bank discussed his report. He stated that the District was providing more EMS mutual aid than receiving and that he was considering setting up peak truck. He also commented that changes are coming to the response model. He shared that sometimes we need to be able to tell people, “we will be to you in thirty minutes” for low acuity calls. Chief Bank also noted the challenge to keep supplies on the truck. Chief Bank stated that the new ambulances should be delivered mid-December though still awaiting arrival due to some supply issues. Chief Bank recognized the orientation completed by three (3) individuals and stated that Cypress Creek laid off sixty (60) of its personnel. Chief Bank added, “We are hiring some of those people.” No action taken.

**TO RECEIVE A FIRE DIVISION REPORT AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.**

Chief McAteer presented the Fire report including the following: 1) the overall responses and types of call were average for the month; 2) the call volume for 2021 is up 32% from 2020; 3) the calls are manageable by the District’s station(s); 4) turn-out time continues to be good; 5) response time remain good; and 6) Station 3 has the largest response area. Chief McAteer relayed that the Community Risk Reduction programs are going well noting the safe sitter campaign and positive social media activity. No action taken.

**TO RECEIVE AN ADMINISTRATIVE REPORT FROM ASSISTANT CHIEF RAY SIDWELL AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.**

Chief Sidwell discussed as part of his report the rental agreement for Palacio Maria for the District’s annual banquet. Following a discussion, a motion was made by Mr. Fleming

seconded by Mr. **Solomon** to approve the rental agreement as presented. Chairman Fossum next called for a vote and the motion passed by a vote of 5 to 0.

**TO RECEIVE AN EQUIPMENT, APPARATUS, AND FACILITIES REPORT AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.**

Engine 1 has been returned to the District and placed back in service.

**TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING ENTERING INTO A CONTRACT WITH DIGITECH COMPUTER LLC FOR EMS BILLING SERVICES.**

Mr. Coveler discussed the specifics of the contract and stated that there were a few issues to be resolved, but that there was no reason the District could not approve the contract. Following the discussion, Mr. **Solomon** made a motion to enter into an agreement with Digitech Computer LLC for EMS billing services. Mr. **Henderson** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 5 to 0.

**TO REVIEW, DISCUSS, AND TAKE ACTION ON ANY NEEDED MAINTENANCE, REPLACEMENTS AND IMPROVEMENTS RELATED TO THE OPERATION OF THE DISTRICT'S FIRE STATIONS, APPARATUS OR EQUIPMENT.**

No items presented for consideration.

**TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING ALLOCATION OF THE DISTRICT'S INTERNAL REVENUE CODE 179D TAX CREDIT RELATED TO THE CONSTRUCTION OF STATION 1.**

Mr. **Henderson** made a motion not to allocate the credit to Teams. Mr. **Solomon** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 5 to 0.

**TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING ADOPTION AND AMENDMENT OF DISTRICT POLICIES, STANDARD OPERATING GUIDELINES, OR JOB DESCRIPTIONS.**

Item tabled.

**TO REVIEW AND TAKE ACTION ON THE RATIFICATION OF A CONTINUING CONTRACT WITH A PRIVATE LAW FIRM PURSUANT TO §6.30 OF THE TAX CODE FOR THE COLLECTION OF DELINQUENT DISTRICT AD VALOREM PROPERTY TAXES AND, PROVIDING FOR THE PAYMENT OF UP TO 20% OF THE DELINQUENT TAXES, PENALTIES, AND INTEREST WHICH ARE COLLECTED BY THE ATTORNEY UNDER SAID CONTRACT.**

Item tabled.

**TO REVIEW AND TAKE ACTION ON THE IMPOSITION OF ADDITIONAL PENALTY ON DELINQUENT TAXES PURSUANT TO §33.07 OF THE TAX CODE AND ADOPTION OF A RESOLUTION REGARDING SAME FOR TAXES.**

Item tabled.

**TO REVIEW AND TAKE ACTION ON THE IMPOSITION OF ADDITIONAL PENALTY ON DELINQUENT TAXES TO DEFRAY COSTS OF COLLECTION BY THE DISTRICT'S DELINQUENT TAX ATTORNEY, PURSUANT TO §33.08 OF THE TAX CODE AND ADOPTION OF A RESOLUTION REGARDING SAME.**

Item tabled..

**TO REVIEW AND TAKE ACTION ON THE IMPOSITION OF EARLY ADDITIONAL PENALTY FOR COLLECTION COSTS FOR TAXES IMPOSED ON PERSONAL PROPERTY ON DELINQUENT TAXES PURSUANT TO §33.11 OF THE TAX CODE AND ADOPTION OF A RESOLUTION REGARDING SAME.**

Item tabled.

**TO REVIEW, DISCUSS, AND TAKE ACTION FOR THE SALE OR DISPOSAL OF SURPLUS AND/OR SALVAGE PROPERTY PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.251.**

A large auto block will be arranged. No action taken.

**TO DISCUSS ANY NEW ITEMS WHICH NEED TO BE ON THE AGENDA FOR THE SUBSEQUENT DISTRICT MEETINGS AND APPROVE THE PROPOSED MEETING DATES FOR THE BILL PAY MEETING TO BE HELD ON WEDNESDAY, DECEMBER 1, 2021, AT 5:00 P.M., AND THE REGULAR MONTHLY MEETING TO BE HELD ON WEDNESDAY, DECEMBER 15, 2021, AT 6:00 P.M.**

The Bill Pay meeting will be held on Wednesday, December 1, 2021, at 5:00 p.m. Mr. Fossum will be unable to attend this meeting.

The Regular Monthly meeting will be held on Wednesday, December 15, 2021, at 6:00 p.m. Mr. Solomon will be unable to attend this meeting.

**TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE §551.071 TO CONSULT WITH LEGAL COUNSEL.**

The Board entered Closed Session at 7:07 p.m. and returned to Open Session at 7:30 p.m.

**TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE §551.072 TO DELIBERATE REGARDING REAL ESTATE MATTERS.**

The Board did not exercise the option of Closed Session regarding real estate matters.

**TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE §551.074 TO DISCUSS PERSONNEL MATTERS.**

The Board entered Closed Session at 7:31 p.m. and returned to Open Session at 8:03 p.m.

**TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING ANY DISTRICT PERSONNEL MATTERS.**

Rachelle discussed the AC candidates and the salary increase for Ray Sidwell to \$135,000 annually to include three (3) months of severance for termination without cause and

four (4) weeks vacation time as well as holidays per the District employee handbook. Mr. **Henderson** made a motion to approve the contract and compensation as presented. Mr. **Solomon** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 5 to 0.

**TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING DISTRICT REAL ESTATE MATTERS.**

No action taken.

**ADJOURNMENT.**

There being no further business brought before the Board nor any further public comment, Mr. **Henderson** made a Motion to adjourn the meeting at 8:04 p.m. Mr. **Solomon** seconded the motion. Chairman **Fossum** next called for a vote and the motion passed by a vote of 5 to 0.

The foregoing minutes were passed and approved by the Board of Commissioners on December 15, 2021.



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**Russell Solomon**  
District Secretary