

MINUTES OF JANUARY 19, 2022, 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, January 19, 2022.

CALL MEETING TO ORDER AND ESTABLISH A QUORUM.

The meeting was called to order at 6:00 p.m. by **Bret Fossum**, Vice President, who announced that a quorum was present. Those Commissioners present were:

Marshall Kramer	Present
Sam Henderson	Present
Bret Fossum	Present
Russell Solomon	Absent
Michael Fleming	Present

Also present at the meeting were District Fire Chief, George McAteer, Assistant Chief of Fire, Mark Donovan, Assistant Chief of EMS, Eric Bank, Assistant Chief of Administration, Ray Sidwell, Maintenance Supervisor, Matt Weber, Business Manager, Walla Almasri, and Assistant Office Manager, Robin Brian, and other ESD Members. Also present were District Counsel Ira Coveler, Attorney Christine Ramon with Coveler and Peeler, and Rich Majeres with ABIP CPA Advisors, LLC.

TO RECEIVE PUBLIC COMMENT.

No public comment was made.

REVIEW AND TAKE ACTION ON MATTERS RELATING TO CALLING AN ELECTION TO BE HELD ON MAY 7, 2022:

- A. APPROVE AN ORDER CALLING FOR AN ELECTION UNDER TEXAS HEALTH AND SAFETY CODE SECTION 775.0345.**
- B. ORDER APPROVING AND APPOINTING AN AGENT FOR THE ELECTION;**
- C. ORDER APPOINTING AN EARLY VOTING CLERK AND DEPUTY EARLY VOTING CLERK;**
- D. ORDER ESTABLISHING AND DESIGNATING ELECTION PRECINCTS AND POLLING PLACES;**
- E. ORDER ESTABLISHING AND DESIGNATING EARLY VOTING POLLING PLACES;**
- F. ORDER ADOPTING FORM OF NOTICE OF DISTRICT ELECTION;**
- G. ACTION TO APPROVE A CONTRACT WITH HART INTERCIVIC, INC. FOR ELECTION SERVICES.**
- H. ACTION TO APPROVE A CONTRACT WITH KNOWINK FOR ELECTION SERVICES.**
- I. TO REVIEW AND TAKE ACTION TO HOLD AN ELECTION JOINTLY WITH ONE OR MORE OTHER POLITICAL SUBDIVISIONS.**

J. TO CONSIDER AND TAKE ACTION ON SUCH OTHER ORDERS, RESOLUTIONS, AND RELATED MATTERS AS REQUIRED OR APPROPRIATE TO CALL FOR THE DISTRICT ELECTION.

The Board then reviewed and took action on calling a public election to be held on May 7, 2022 to elect two (2) commissioners to the District Board under Health & Safety Code, §775.0345. The Board appointed and approved the following items: an agent for the election; an early voting clerk and deputy early voting clerk; designating election precincts and polling places; designating an early voting polling place; the form for the notice of election; the contract needed with Hart InterCivic, Inc., for election services related to conducting the election, the contract with KNOWiNK for services related to conducting the election; as well as considered any additional related actions related to the election. After review, Mr. **Henderson** made a Motion, seconded by Mr. **Kramer** to approve the Order for the May 7, 2022 election. Thereafter, President **Fossum** called for a vote and the motion passed by a vote of 4 to 0.

ELECTION OF DISTRICT OFFICERS.

The Board next considered the election of officers. Following the discussion, Mr. **Fleming** made a motion to nominate the following persons to the offices below:

President:	Bret Fossum
Vice-President:	Marshall Kramer
Secretary:	Russell Solomon
Treasurer:	Sam Henderson
Asst. Sec/Treas:	Michael Fleming

Mr. **Henderson** seconded the motion. Chairman **Fossum** next called for a vote and the motion passed by a vote of 4 to 0.

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

Design Activities:

- MA finalizing construction documents.
 - Coordinating additional scope of work.
 - Replacement of paving due to failed subgrade.
 - Coordinating with County for permitting process.

Anticipated Activities:

- Finalize construction documents 2/4/22
- Issue for permitting 2/11/22

Chief Sidwell discussed the additional cost for the scope of work. The total cost for the additional scope of work is \$11,300.00.

Mr. **Henderson** made a motion to approve the cost associated with the scope work for \$11,300.00. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

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

Mrs. Robin Humphries with HdL Companies, Inc. presented the District's Sales Tax Report.

Thereupon, Mr. **Henderson** made a motion to approve the Monthly Sales Tax Report as presented. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

Please see the Report from Mrs. Robin Humphries with HdL Companies, Inc. for 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. As of December 31, 2021, the District's Cash Balance totals \$16,343,526.00. The Projected Cash Reserve as of 12/31/2021 is \$11,095,338.00. The District's Total Debt Service Outstanding is \$21,322,044.00. The District's combined Note Balances (Liabilities and Equity) total \$16,343,525.59. The District has collected \$6,412,864.65 in Sales Tax Revenue for 2021.

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 4 to 0.

Please see the Report from Mr. Rich Majeres with ABIP CPA Advisors, LLC for complete listings and details of all figures presented.

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

Mrs. Brian 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 \$313,753.38. Mr. **Kramer** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 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 December and January for \$826,061.46. Mr. **Fleming** seconded the motion. Chairman **Fossum** next called for a vote and the motion passed by a vote of 4 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION ON THE AMENDMENT(S) TO THE DISTRICT'S 2022 BUDGET.

Chief Sidwell discussed the amendments to the District's 2022 Budget. "We have identified the need to start replacing more structural PPE each year for a number of reasons. We request board approval to move the remaining \$37,426.10 from the 2021 Structural PPE line (640130) to the 2022 budget. With the discounts that Chief Donovan has been able to secure for our next purchase, these funds will help with additional sets of PPE that are needed." Chief Bank also discussed the ongoing issue of acquiring the ambulances and adding this to the 2022 budget.

Mr. **Henderson** made a motion to allocate \$538,000.00 for the Ambulance and PPE and come out of reserves. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

TO REVIEW AND TAKE ACTION ON MINUTES OF PRIOR MEETINGS.

Item tabled.

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

Chief McAeter discussed his report. Chief McAeter stated, "We have received quotes from US Digital for radios. We have received applications for Firefighter vacancies. We plan on interviewing for three (3) positions in January 2022."

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. EMS had 901 calls for December 2021. The average response time was six (6) minutes, forty-three (43) seconds. There were four-hundred seventy (470) non-transport/non-emergency calls. Life Flight was utilized once this month. EMS conducted zero Mutual Aid for December. Chief Bank discussed how the call volume has increased due to growth and not Covid-19. In the process to hire four (4) EMTs. Acquiring EMS supplies continues to be an issue. There has been a recall on saline flush. The staff continues to be burned out with the call volume, and general problems are throughout healthcare.

TO RECEIVE A FIRE DIVISION REPORT FROM ASSISTANT CHIEF MARK DONOVAN AND TAKE ANY NECESSARY ACTION RELATED TO THE REPORT.

Chief Donovan discussed his report. Suppression had 313 calls for December 2021. Year to date, Suppression totaled 4,185 calls.

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

Chief Sidwell discussed his report. “The admin team has had two (2) Zoom meetings with our NetSuite team. We have had a considerable discussion internally, and we are going to ask NetSuite to slow down on the implementation process to allow more time to get tasks completed. Walla has completed the District’s W2, and ACA audits for the 2021 Calendar Year. Walla has met the end-of-year medical benefits for the 2022 Calendar Year.”

“For the TIFMAS Hurricane IDA, we are still working on this deployment’s reimbursement process and are estimating around \$150,000.00 for reimbursement. For the TIFMAS Lubbock, Texas, we have not started the reimbursement process for this deployment. I hope to provide the Board with an estimate for reimbursement by the next regular Board meeting.”

“We are adding Chief Donovan as a signer to the Administrative account with Allegiance. I have received their paperwork and need to get it processed. This is only information, and no action is required.”

“Chief Richter has been working on an issue with Station 1 regarding the domestic water line and the backflow preventer. She was informed that the water district had sent numerous letters to the builder/contractor to complete the Customer Service Inspection and final builder inspections. She was told these are extremely overdue and are required by law. She was also informed they could not complete these inspections without the report for this repaired backflow, and without the report, we are currently in direct violation of the rate order. EDP confirmed they had not received any reports for the repaired backflow preventer. I have reached out to Austin Shaw today and am awaiting a response. Depending on his response, we need to ask legal to send a letter.”

Chief Sidwell requested board approval for the following, “EAP needs the renewal of services agreement to be signed. There have been no changes in price increase; everything remains the same as previous years.”

Mr. **Kramer** made a motion to continue renewal services with EAP. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

TO REVIEW, DISCUSS, AND TAKE ACTION ON AN AGREEMENT WITH HARRIS COUNTY PUBLIC HEALTH RELATED TO SHARING NATIONAL EMERGENCY MEDICAL SERVICES INFORMATION SYSTEM DATA.

Chief Bank discussed an agreement with Harris County Public Health related to sharing National Emergency Medical Services Information System data. There is no cost to the District, and all information is placed into the ESO system.

Mr. **Henderson** made a motion to proceed moving forward with the agreement with Harris County Public Health related to sharing National Emergency Medical Services Information System data. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

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

Chief Sidwell stated, “Engine 3, Engine 6, and Medic 6 are all in the shop for repairs. A Fleet Incident occurred on January 16, 2022. Medic 5 backed into an HCSO patrol vehicle. The incident has been filed with VFIS.”

TO REVIEW, DISCUSS, AND TAKE ACTION ON THE ACQUISITION OF NEW HEAVY APPARATUS FOR THE DISTRICT’S FLEET.

Chief McAteer discussed the reserve fleet, “We have a 20-year-old Pumper that is beginning to become hard to acquire parts on an old vehicle. We need a reliable reserve the same as the front line fleets. We have received vehicle information from Pierce in regard to leasing vehicles. They have a few stocked trucks available.”

Chief Donovan presented his presentation to the Board on the acquisition of new heavy apparatus for the District’s fleet. Chief Donovan recommended option 1 A: Two (2) Pumpers and one (1) Aerial.

Mr. **Henderson** made a motion to authorize the Command Staff to issue a Purchase Order to Pierce for vehicles. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 3 to 0. Mr. Kramer abstained from voting on the motion.

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.

Item tabled.

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING THE ADOPTION AND AMENDMENT OF DISTRICT POLICIES AND/OR JOB DESCRIPTIONS.

Item tabled.

TO REVIEW, DISCUSS, AND TAKE ACTION REGARDING THE DISTRICT’S ADMINISTRATION OF SUPPRESSION PAYROLL.

Chief McAteer discussed the District’s Administration of Suppression payroll. Chief McAteer stated, “Balanced pay has become problematic due to all the manual manipulation conducted in the iSolved payroll system. We have decided to shift away from balance pay and

move forward with an hour for hourly pay. This would align us with EMS and Administration pay groups and keep us consistent. No one's pay is changing."

Chief Sidwell stated, "Currently, we are paying our full-time suppression staff with a "balanced paycheck." This has been the process for many years under previous administrations. With the administration now being responsible for suppression payroll, it has become evident that the District has a large liability. Currently, Employee Smith's bi-weekly payment is 84 hours per cycle. In one cycle, they at minimum work 96 hours, and then the next cycle, they work 72 hours. When the employee works additional hours, there is no issue, and their extra ST and FLSA OT are calculated correctly. The liability lies when the employee takes a sick day or vacation time and works more hours in the same cycle. Someone now has to go into the timecard and manipulate it to force the hours to calculate their extra ST and FLSA OT. Something similar happens when you add holidays into the timecard. During November and December, we had a time when we had to delete the employee's holiday and add it back as we were processing payroll."

"I asked David Manley to sit with me during payroll, and he sees and understands how this is currently being processed and believes this is a liability. Working with David, I created a spreadsheet to determine if an employee was paid on a balanced check would their gross annual pay remain the same if they are paid for actual hours worked, and the answer was yes, to the penny. There will be no financial impact to the District budget."

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 THE ATTORNEY COLLECTS UNDER SAID CONTRACT.

Mr. **Henderson** made a motion 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 the attorney collects under said Contract. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

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.

Mr. **Henderson** made a motion to impose an additional penalty on delinquent taxes pursuant to §33.07 of the Tax Code and adopt a Resolution regarding the same for taxes. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

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.

Mr. **Henderson** made a motion to impose an additional penalty on delinquent taxes to defray collection costs by the District's delinquent tax attorney, pursuant to §33.08 of the Tax Code and the adoption of a Resolution regarding the same. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

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.

Mr. **Henderson** made a motion to impose an early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to §33.11 of the Tax Code and the adoption of a Resolution regarding the same. Mr. **Fleming** seconded the motion. Chairman Fossum next called for a vote and the motion passed by a vote of 4 to 0.

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.

Chief Sidwell discusses the following: “We have attached a list of radio equipment that Chief Strait has determined has no value to the district and is at the end of useful life. We are requesting approval for these items to be sent to auction.”

Mr. **Henderson** made a motion for the District to work with GovDeals to dispose of radios. Mr. **Fleming** seconded the motion. Chairman **Fossum** next called for a vote and the motion passed by a vote of 4 to 0.

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, FEBRUARY 2, 2022, AT 5:00 P.M., AND THE REGULAR MONTHLY MEETING TO BE HELD ON WEDNESDAY, FEBRUARY 16, 2022, AT 6:00 P.M.

The Bill Pay meeting will be held on Wednesday, February 2, 2022, at 5:00 p.m.

The Regular Monthly meeting will be held on Wednesday, February 16, 2022, at 6:00 p.m.

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

The Board entered closed session at 8:08 p.m., to consult with legal counsel. The Board adjourned from closed session at 8:39 p.m.

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

The Board did not enter closed session regarding any real estate matters.

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

The Board did not enter closed session regarding any personnel matters.

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

The Board took no action regarding any personnel matters following closed session

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

The Board took no action regarding any real estate matters following closed session

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 8:40 p.m. Mr. **Fleming** seconded the motion. Chairman **Fossum** next called for a vote and the motion passed by a vote of 4 to 0.

The foregoing minutes were passed and approved by the Board of Commissioners on May 18, 2022.



Russell Solomon
District Secretary