

HARRIS COUNTY EMERGENCY SERVICE DISTRICT NO. 47

MINUTES OF REGULAR MEETING

June 15, 2023

The Board of Directors of Harris County Emergency Service District No. 47 (“the District”) met in regular session, open to the public, on the 15th day of June 2023 at 7:00 p.m. at the Westlake Fire Department, 19636 Saums Rd., Houston, TX 77084, a designated meeting place of the Board. The roll was called of the duly constituted members of the Board, to-wit:

Mitch Copeland	President
John P. Blanke	Commissioner
Gilberto Porras	Vice President, Assist. Treasurer, Assist. Secretary, and Records Retention Officer
Brian Havran	Secretary and Public Information Officer
Mike Miller	Treasurer and Investment Officer

All Commissioners were present at the Fire Station.

Also present at the fire station were “Butch” Callegari, Jr. of Callegari Law Firm, PC, Attorney for the District (“Attorney”); Marc Palmer, Interim Fire Chief of Westlake Fire Department; Brian Desilets of Clarity Consulting Corp., bookkeeper for the District; Ryan Fortner of Revenue Management Services; Joseph Ellis of McCall Gibson Swedlund Barfoot PLLP, auditor for the District; and Ginny Valls, recording secretary for the District.

Commissioner Copeland called the meeting to order at 7:11 p.m., and the following business was transacted.

There was no one from the public in attendance so the matter was deferred.

Comm. Copeland discussed the minutes from the May regular meeting. Comm. Havran and Attorney Callegari had a few corrections. The section on the pledged collateral was clarified. The section on the open records request was discussed and clarified. Fall calls was changed to calls in which people fell. McCall Gibson was added instead of Mr. Ellis in the section regarding the audit of the Department’s financials and there was only one law that Comm. Havran wanted Attorney Callegari to look into. **Comm. Havran made a motion to accept the May regular meeting minutes as corrected. Comm. Porras seconded the motion, and the motion was unanimously accepted by the District.**

The discussion of the retirement plan was deferred. Mr. Love should be able to attend next month.

Commissioner Copeland next discussed the bookkeepers’ report. Mr. Desilets presented the report for May 2023 to the District for their review. Mr. Desilets explained that he would be unable to attend the meeting in October because his son was getting married. He will email the reports prior to the meeting. **After review, Comm. Porras’ motion, seconded by Comm. Havran to approve the Bookkeeper’s report, the District’s Financial Report, the Investment Report and payment of the bills as presented, received unanimous consent of the Board.**

The sales and use tax collection was next for discussion. Mr. Fortner presented the report to the District. The report from May 2023, was reviewed. He noted that filers are down 2%. He has asked for additional

information from the state. Many are ecommerce but he wants clarification. The amount brought in this year is still ahead of this time last year. He will let the District know what he finds out when he receives the information. Comm. Havran briefly discussed Senate Bill 1053. He stated it did not pass. It was also discussed that it would not greatly help with collections. Attorney Callegari explained the history of the decision to wait to start collecting sales tax in the District. **After review, Comm. Miller's motion, seconded by Comm. Blanke, to approve the Sales Tax report received unanimous consent of the Board.**

Commissioner Copeland recognized Interim Chief Marc Palmer for consideration of the Fire Department report for the month of May 2023. Interim Chief Palmer presented copies of the written monthly report detailing the number of calls by category and the overall response times. Call volume is up. Response times are down a little, but we are not encouraging responding units to go too fast. The accident of another agency was briefly discussed. Back to back calls and back to back to back calls have increased. Many are a quick turnaround. The school bomb scare was discussed. We also had a large diesel leak and a fast-food restaurant fire recently. Chief Palmer discussed that risk vs. benefit to fighting fast food fires and explained that the department would quickly go defensive depending on the fire. The retention pond has been inspected and RSB is handling the paperwork and inspection. The lawsuit was discussed. Westlake and Chief Palmer were both named in the suit. Attorney Callegari explained the process and what to expect. Comm. Havran asked how the department was preparing for hurricane season. The department has been training and making sure we have supplies and fuel. If one develops we will get the boats ready to deploy. We have also been discussing and training more on driving in water and the guidelines for such. We will stage at Cardiff if the need arises. Comm. Havran asked if we have found a grant writer. Chief Palmer wants to see where were with manpower. We have many new recruits and if we can keep them we should not need to hire full-time employees at this time. Fry Road MUD donated funds to the department to purchase a fit test machine, extrication tool upgrade, 12 sets of bunker gear, security cameras, gear locker doors, and fitness equipment. They will be assisting the department with the lift gate for the highwater vehicle later in the year as it takes three months to install the lift gate. **After review, Comm. Havran's motion, seconded by Comm. Miller to approve the Fire Department's report as presented, received unanimous consent of the Board.**

The audit of the department's financials was discussed. The ESD received one proposal for \$27K. Eight companies were contacted. It would probably not be a big deal if the audit was skipped for one year. The District asked McCall Gibson if they would consider doing the Fire Department audit with the District audit. Mr. Ellis explained the criteria and differences in the two audits. He also explained why he cannot do the department audit with his firm. Mr. Ellis will send a few more names to Attorney Callegari. Ms. Valls asked if he had any recommendations for an alternative to the audit. Mr. Ellis stated that he could perform a report of agreed upon procedures that the District requests. This would look at specific item the District may want to have reviewed. The District will compile a list of items and discuss it at a later date.

The audit for the District was next for consideration. Mr. Ellis presented the audit report for review. The population for the District is closer to 90K and he will change it. Attorney Callegari will get the requested information on the Stryker lease and Ms. Valls will get Mr. Ellis the VIN number for the Tahoe that was donated. The issue last month regarding the collateral at the bank was discussed. The issue was fixed and nothing bad happened but the District could move the tax deposits to Texas Class and this would keep the issue from happening in the future. Mr. Desilets will get it changed. **After review, Comm. Havran made a motion, seconded by Comm. Miller to approve the audit of the District's financials.** The Commissioners signed the letter to approve the audit.

The sidewalk safety project was discussed. There is a commitment from five entities and four are offering to assist with funding. The District will need a letter of support or a resolution to give to them to move forward. Attorney Callegari discussed the application from the county and the cost associated with the project. The amount

exceeded what the District had in mind to offer for assistance. Attorney Callegari suggested the District decide an amount and he will correct the resolution and submit it to the county. Attorney Callegari read the drafted resolution to the commissioners. **Comm. Havran made a motion, seconded by Comm. Porras, to participate financially with Harris County in the sidewalk construction project at a cost not to exceed \$200,000.00. The motion received the Board's unanimous consent. Comm Miller then motioned to approve the written resolution authorizing the participation with Harris County on the Greenhouse Sidewalk Construction Project. Comm. Blanke seconded the motion, which received the Board's unanimous consent.** The resolution will be distributed to the commissioners for signing and sent to Harris County.

Amending the District Budget was deferred.

The attorney has nothing to report.

Comm. Havran discussed the recent laws that did not pass and some that did. Nothing really changed for the District. He mentioned one that allows removal of personal property from the roadway. This would allow the department to remove vehicles from the roadway after accidents. Ms. Valls will investigate whether it applies to Westlake or not. He also discussed the "I see dead people" law preventing the selling or sharing of images after incidents.

The next meeting will be July 20, 2023.

**THERE BEING NO FURTHER DISTRICT BUSINESS TO CONDUCT, Comm. Porras motioned for adjournment at 9:04 p.m. Comm. Havran seconded the motion, which received the Board's unanimous consent.**

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Passed and approved (date)

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Brian Havran, Secretary