

HARRIS COUNTY EMERGENCY SERVICE DISTRICT NO. 47

MINUTES OF REGULAR MEETING

December 17, 2020

The Board of Directors of Harris County Emergency Service District No. 47 (“the District”) met in regular session, open to the public, on the 17th day of December, 2020 at 7:00 p.m. at the Westlake Fire Department, 19636 Saums Rd., Houston, TX 77084, a designated meeting place of the Board and via telephone conference due to the current COVID-19 pandemic. The Commissioners and members of the general public may participate in the meeting via Zoom video conference (using the video provisions of Section 551.127 of the Texas Government Code). The designated and primary method for participation is by telephone conference call pursuant to Chapter 551.125 of the Texas Government Code. The roll was called of the duly constituted members of the Board, to-wit:

Brian Havran	President
John P. Blanke	Vice-President
Gilberto Porras	Secretary and Records Retention Officer
Mitchell Copeland	Assistant Secretary and Assistant Treasurer

Commissioner Havran and Commissioner Copeland were present at the Fire Station. Commissioner Blanke and Commissioner Porras were present via electronic device. The meeting was recorded via zoom.

Also present at the fire station were Santos Acuna of Precision Utility, LLC, the District’s Bookkeeper (“Bookkeeper”); and Mark Palmer, Fire Chief of Westlake Volunteer Fire Department. Marsha Thomas and Mike Miller, members of the community, were present at the station. W.A. “Butch” Callegari, Jr. of Callegari Law Firm, PC, Attorney for the District (“Attorney”); Brian Desilets of Precision Utility, LLC.; Ginny Valls, Fire Department bookkeeper (“bookkeeper”) were present via electronic device. Joseph Ellis of McCall Gibson Swedlund and Barfoot PLLC joined the meeting at 7:16.

Commissioner Havran called the meeting to order at 7:05p.m., and the following business was transacted.

Attorney Callegari confirmed that COVID emergency still exists and explained the protocol for electronic meetings and in person meetings.

Marcia Thomas and Mike Miller, members of the community, were present at the meeting.

The approval of prior minutes was then given consideration. The approval of the minutes from the regular November meeting held on November 19, 2020 were reviewed. Comm. Havran stated he found a couple of typographical corrections and they have been noted. Commissioner Blanke asked if he could receive a contact list as well. **Comm. Copeland made a motion to accept the minutes as corrected. Comm. Porras seconded the motion and the motion was unanimously accepted by the District.**

The sales and use tax report was not received by Mr. Fortner and the matter will be deferred.

Commissioner Havran then recognized Santos Acuna for consideration of the Bookkeeper’s report for the month of November. The report was emailed prior to the meeting. The report was reviewed by

the commissioners. Paychex had an issue and is being corrected. The pledged securities were discussed. The District is 122% collateralized. Mr. Acura and Attorney Callegari got the issue squared away the next morning. Comm. Havran asked Mr. Acura to check into the funds for insurance. The District amended the budget last month and Mr. Acura will make sure it was updated. There was also an error with the variance on the utility vehicle and Mr. Acura will correct it. **After review, Comm. Copeland's motion, seconded by Comm. Blank 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.**

Commissioner Havran recognized Chief Mark Palmer for consideration of the Fire Department report for the month of November 2020. Chief Palmer presented copies of the written monthly report detailing the number of calls by category and the overall response times. Chief Palmer stated the new Squad was delayed due to a recall and should be here in late December. Chief Palmer is preparing for a meeting with ISO on January 13, 2020. Life scan physicals are being scheduled for January 4th – 15th. Please get with Ms. Valls if you are interested. Chief Palmer discussed some of the electrical repairs at the station. The badge pinning ceremony went great. The department has started its annual candy toss soon. It is a bit different this year as they are only be going down main streets. We have had some complaints that citizens want the department to go down every street but cars parked along the curbs and low hanging trees all play a factor in the decision to go down only main streets. **Upon motion by Comm. Porras and seconded by Comm. Blanke, the Board unanimously approved the Fire Department report.**

Mr. Ellis emailed the engagement letter for the District. Comm. Havran did not get the email. Attorney Callegari will forward it to the Board. The audit will be put on the agenda for January 2021.

Comm. Porras left the meeting due to audio issues.

Traffic pre-emption was then discussed. Comm. Havran stated he would like to leave it on the agenda for next month for discussion. There are many intersections in common with ESD 48. We will need to sit down and discuss this with them.

Comm. Porras rejoined the meeting.

The contract with Cypress Creek Communication Center was discussed. The contract was discussed. The District can terminate with a fee and with a ninety day notice. It is an evergreen contract. The consensus was to stay with them until that is not an option anymore. **After discussion, Comm. Copeland's motion, seconded by Comm. Porras to renew the contract with Cypress Creek Communication Center received the unanimous consent of the Board.**

The procedures related to the sale of District assets were discussed. The matter was tabled previously due to Chief Palmer's absence. Attorney Callegari gave a recap of the procedures for sales or distribution of assets. The statues and laws were discussed in depth. The laws are such that in order to sell an asset the District will advertise it and the department can receive sealed bids to determine who would receive the asset. Assets can be donated with no advertisement. The other option would be to auction the asset. Comm. Copeland stated the District needs a more precise contract with the Department for the future. Comm. Havran stated the District did not have any issue paying for advertising to keep the District legal. Attorney will start reviewing the contract between the District and the Department and discuss with the Board within the next few months.

Amending the budget was deferred.

Mr. Miller is interested in becoming a commissioner for ESD 47. Two other people have come to Comm. Havran regarding the position and possibly a third. The position should be filled in January 2021.

Attorney Callegari stated he is monitoring the situation with Cypress Creek and ESD 11. He suggested staying on the outside of this issue as long as the District can. He also stated it would be similar the process that ESD 48 and West I-10 went through.

Safe D has been cancelled due to the Pandemic. There will be training in the fall and is scheduled for September 15th through the 17th. Safe D 2022 has been scheduled for February 17 – 19, 2022 at the Kalahari Convention Center in Roundrock, Texas. Comm. Havran thanked all the commissioners for their efforts in 2020 and is hoping for big things in 2021. The next meeting will be January 21, 2021.

THERE BEING NO FURTHER DISTRICT BUSINESS TO CONDUCT, Comm. Blanke motioned for adjournment at 8:47 p.m. Comm. Havran seconded the motion, which received the Board’s unanimous consent.

Passed and approved (date)

Gilberto Porras, Secretary