

HARRIS COUNTY EMERGENCY SERVICE DISTRICT NO. 47

MINUTES OF REGULAR MEETING

July 15, 2021

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 July 2021 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:

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

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

Also present at the fire station were Santos Acuna of Precision Utility, LLC, the District’s Bookkeeper (“Bookkeeper”); W.A. “Butch” Callegari, Jr. of Callegari Law Firm, PC, Attorney for the District (“Attorney”); Cathy Wheeler and Derek Michael of Sales Revenue, Inc.; Mark Palmer, Fire Chief of Westlake Fire Department; Bobby Branch, Communications Officer at Westlake Fire Department; and Alberto Sayago, Fire Department Board Treasurer.

Commissioner Havran called the meeting to order at 7:06p.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.

There were no members from the public so public comment was deferred.

The approval of prior minutes was then given consideration. Deferred.

The review of the audit for the Department were deferred.

Kathy Wheeler and Derek Michael with Sales tax Revenue were here to discuss Sales Revenue Inc. They have made major changes in the company. Ryan Fortner is no longer with SRI. Ms. Wheeler asked that we be patient and they will take care of the District. Moving forward, they will need to have a letter to the comptroller signed allowing access to more than just Mr. Fortner so there will be no more missing items. Will attend meetings as needed. Apologized for missing reports etc. in the past. Derek presented

the report to the District. The report was reviewed by the District. Attorney Callegari does not object to the letter and Comm. Havran signed it. She will get with the District to schedule when SRI will attend. **After review, Commissioner Copeland made a motion to accept the sales and use tax report. Comm. Porras seconded the motion, and the motion was unanimously accepted by the District.**

Commissioner Havran then recognized Santos Acuna for consideration of the Bookkeeper's report for the month of June 2021. The report was emailed prior to the meeting. The report was reviewed and discussed by the commissioners. Mr. Acuna is working diligently to get everything transferred to the Bank of the Ozarks. **After review, Comm. Porras motion, seconded by Comm. Miller 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 investment options and amending the broker authorizations was then reviewed and discussed. There was discussion regarding requirements and policies of the Bank of the OZK. **After review, Comm. Copeland's motion, seconded by Comm. Porras to amend the District's broker authorizations and to switch the banking relationship to Bank of the Ozarks in compliance with the District's investment policy. The motion received unanimous consent of the Board.** Attorney Callegari will prepare a written resolution to be signed.

Commissioner Havran recognized Chief Mark Palmer for consideration of the Fire Department report for the month of June 2021. Chief Palmer presented copies of the written monthly report detailing the number of calls by category and the overall response times. Calls are up for the year. We are still waiting on the calculation from ISO. Two ambulances are ready to be sold or auctioned. We are still working on getting quotes for door access. Two different quotes so far and looking for more. One is cloud based. West Comm. Meeting and they will be ready and running September 1, 2021. Chief was very impressed. Chief presented the District with the fee schedule for West Comm. The base fee and payment schedule was discussed. They don't have firm numbers yet. Attorney Callegari has a meeting with Attorney Manley next week. He will be getting clarification on details of the contract. Chief had a roofer come out due to leaks. He was given a quote of \$150 to replace the rubber boots on the vents in the roof. We also need to have a sheetrock person and a painter come out and repair where we had water damage in the ceiling and feels we need to get the ceiling and walls in the apparatus bay repainted. The bunker gear room ceiling was not painted when station was built. Chief Palmer would like to pursue getting quotes. Alberto Sayago gave a report on the hiring of the new Chief. Have not been able to get all the candidates interviewed yet. Hoping to present them at the next station meeting. Interviews are going well and are very thorough. **Upon motion by Comm. Miller and seconded by Comm. Porras, the Board unanimously approved the Fire Department report.**

Defer the doors

Chief and Attorney Callegari will get together to create a write up on the ambulances for auction.

No other action needed on West Comm. this time.

The Contract between the HC ESD 47 was discussed. Attorney Callegari got feedback on the contract including exclusivity, district funds vs. department funds, distance to travel to. There was discussion on these matters. Exclusivity will go both ways. Chief Palmer discussed separation of funds and

how he broke them out. Comm. Copeland explained why the contract clarifications are necessary. Chief Palmer explained the funding needed by the department to take care of expenses in the event the District were to cancel the contract. The whole process is to ensure the relationship between the District and the Department for the future. Chief Palmer will get the District a breakout of what needs to be paid by the District and what needs to be paid for by the Department. Funds from training courses, MUD funds, Vending Machine funds, and fundraising funds will be under the departments control. **After discussion, Comm. Miller made a motion, seconded by Comm. Copeland to accept the contract between the District and the Department. The motion received the unanimous consent of the Board.**

Firearms Carry Policy was discussed. Policy is to have no firearms on apparatus or in the building. Attorney Callegari will review the Department By-Law. Attorney Callegari will look to be sure the District does not need signage.

Commissioner Havran discussed Safe D. He explained the benefits of being a member of Safe D. In the past it has not benefitted the District. The District would receive discounted rates for training classes. The cost is \$1,100 and would pay for itself. The hours of training needed by each commissioner are as follows: Comm. Blanke 6, Comm Copeland 3, Comm. Havran 0 with 3 to carry over, Comm. Miller 6 and Comm. Porras 3. **Upon motion from Comm. Copeland, seconded by Comm. Porras, the Board unanimously approved the District joining Safe-D.**

The upcoming election was discussed. Three commissioners are up for re-election. Comm. Havran, Comm. Porras and Comm. Miller. The District can call for the election before the next meeting and cancel after the next meeting as needed. **After discussion, Comm. Porras made a motion, seconded by Comm. Miller to approve contracting with Harris County for election services and equipment for the November 2, 2021 election. The motion received the unanimous consent of the Board. Upon motion from Comm. Miller, seconded by Comm. Porras, the Board unanimously approved adopting the order to call the commissioner's election. Upon motion by Comm Havran, seconded by Comm. Miller, the Board unanimously approved the motion to appoint W.A. Callegari Jr. as the agent for the commissioner's election. Upon motion by Comm. Porras, seconded by Comm. Copeland, the Board unanimously approved the motion to authorize the Harris County Clerk to establish compensation paid to election officials. Upon motion by Comm. Copeland, seconded by Comm. Miller, the Board unanimously approved the motion to file the Voter Rights Act submission as needed.**

The tax levy was then discussed. Comm. Havran presented a tentative schedule of possible meeting dates to comply with setting the tax rate. There was much discussion on deadlines and meeting dates. The District will need to propose, publish then set the rate. The District will discuss it August 23, have the tax hearing on September 15, then set the rate on September 23, 2021.

The budget for the fire department was discussed. The highlighted items are Westlake expenditures. There was more discussion on what is paid for on both sides. Chief Palmer stated that in the future when Dr. Fite retires, a new medical director will cost between \$80k and \$100k. Chief Palmer discussed why bunker gear was lower and some items in capital expenditures. Attorney Callegari stated that the District did not have to adopt the budget tonight so that everyone could take a better look at the separation. Chief Palmer asked that communications be put back into the Westlake budget. Attorney Callegari felt the best thing to do was to send out the proposed budget in about a week so everyone can get a good look at it and decide at the next meeting.

The District's budget was deferred.

Amending the budget was deferred.

The Attorney then gave report. He had been thinking of the labor law issue and the statement of the District being more involved. He feels it is in the best interest of the District to let the Department handle. He will call Attorney Pratt to get clarification for the labor laws.

Chief Palmer asked about discussing the radios. Comm. Havran stated they are not on the agenda. Comm. Copeland asked why it had been taken off. Comm. Havran stated they matter was tabled. Chief Palmer brought Communications Officer, Bobby Branch to the meeting to discuss any questions or concerns about the radios. Attorney Callegari stated the matter could be discussed if a commissioner brings it up but that no decisions could be made tonight. Comm. Copeland stated he has questions. Mr. Branch explained many aspects of the radios including failure, interoperability, programming, UHF and 800 as well as the ability to communicate with neighboring departments. The monthly fee with Harris County was discussed. If going to 800 the District will be charged the higher monthly fee for each radio. Chief Palmer suggested possibly purchasing more 800 radios for suppression.

THERE BEING NO FURTHER DISTRICT BUSINESS TO CONDUCT, Comm. Porras motioned for adjournment at 10:10 p.m. Comm. Miller seconded the motion, which received the Board's unanimous consent.

Passed and approved (date)

Gilberto Porras, Secretary