

**MINUTES OF THE JANUARY 21, 2019 MEETING OF  
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46**

A Meeting was duly called of **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46**, which was held on January 21, 2019, at the Offices of the District at the Atascocita Fire Department Headquarters Building located at 18425 Timber Forest Drive, Humble, Texas 77346.

The Meeting was called to order at 7:02 p.m., by **TOM TRUVER**, President. Those Commissioners present were **TOM TRUVER**, **RON CLARKE** and **BUDDY RICE**. Commissioners **JOHN COYLE** and **STEVE PEPPER** were not in attendance at this meeting. Chief of Department Mike Mulligan, Assistant Chief-Fire Sean Richardson, Director of ITC & Operations Support Mike Wassell, District Administrator Mary Anne Sokol, District Counsel Ira Coveler of Coveler & Peeler, P.C., and Mr. Brad Dill of BD Realty were also in attendance for the meeting. Eagle Scout candidate Dan Ellett was also in attendance as part of his government education studies.

The Board then addressed agenda item 2, to elect District officers. Mr. **RICE** made a Motion for the officers to remain the same. Mr. **CLARKE** seconded the Motion. After discussion, the Motion was approved by a vote of 3 to 0. The following commissioners have been re-elected to the positions besides their names:

<b>TOM TRUVER</b>	President
<b>JOHN COYLE</b>	Vice-President
<b>RON CLARKE</b>	Treasurer
<b>BUDDY RICE</b>	Secretary
<b>STEVE PEPPER</b>	Assistant Secretary & Assistant Treasurer

The Board addressed agenda item 3, review of the Meeting Minutes of prior meeting(s). Thereupon after review, a Motion was made by Mr. **CLARKE**, seconded by Mr. **RICE** to approve the Minutes of the regular meeting held December 17, 2018. After discussion, the Motion was approved by a vote of 3 to 0.

The District next reviewed a financial report prepared by **MARY ANNE SOKOL**, District Administrator. The Board reviewed the reports and had some questions to Ms. Sokol. Ms. Sokol stated that the District was at 111% of the expense budget at this point in the year, but the overage was due to planned debt reduction expenditures. Without the debt reductions, which were considered withdrawn from the District reserve as opposed to current operations, the District expenses are currently tracking at 92% of the projected budgeted expenses for the year. Two additional capital disbursements were introduced for the District's consideration. Ms. Sokol presented the being a principal/interest payments to Prosperity Bank in the amounts of \$95,389.71 and \$72,274.00. Following the discussion, Mr. **RICE** made a Motion, seconded by Mr. **CLARKE**, to accept the financial report including payment to Prosperity Bank and purchase of Tahoe/ambulance as presented. The Motion was approved by a vote of 3 to 0.

The Board then addressed District bills and commissioner submittals. After review, a Motion was made by Mr. **CLARKE**, seconded by Mr. **RICE** to approve payment of submittals as presented. The Motion was approved by a vote of 3 to 0.

The Board next addressed the audit proposal received from McCall Gibson Swedlund Barfoot PLLC for the District's 2018 Audit. After review, Motion was made by Mr. **CLARKE**, seconded by Mr. **RICE** to engage McCall Gibson Swedlund Barfoot PLLC to prepare the District 2018 Audit, but stated that the cost of the Audit cannot exceed \$27,000 without District's approval. After discussion, the Motion was approved by a vote of 3 to 0.

The Board next received reports from the Department. Chief Mike Mulligan presented the reports for the District inviting any questions the commissioners may have. The Board had no inquiries. After review, a Motion was made by Mr. **RICE**, seconded by Mr. **CLARKE**, to receive the Department reports as presented. After discussion, the Motion was approved by a vote of 3 to 0.

The Board moved item 8 of the agenda, regarding the acquisition of real property for the maintenance facility to closed session. Mr. Coveler reported that he did not have the PGAL contract completed at this time.

The Board then addressed the acquisition or lease of mobile housing units. Discussion was held regarding the lease of trailers though no action was taken by the Board.

The Board next addressed matters related to the Texas Emergency Services Retirement System ("TESRS") Board. The current Board members were appointed and confirmed as follows:

**Buddy Rice** whose term was reappointed in 2019.

**Anthony Wright** who is serving the balance of his 2018 term.

**Jetta Richardson** whose term was reappointed in 2019.

**David DeMartino** who is serving the balance of his 2018 term.

**Josh Krause** who is serving the balance of his 2018 term.

**Clinton Sneed** whose term was reappointed in 2019

After review, a Motion was made by Mr. **COYLE**, seconded by Mr. **RICE** to continue the terms of the current TESRS Board members. The Motion was approved by a vote of 3 to 0.

There were no thirty (30) day advance requests submitted by the Department.

The Board next addressed the sale or disposal of surplus and/or salvage property pursuant to Texas Health and Safety Code §775.251. After review, a Motion was made by Mr. **TRUVER**, seconded by Mr. **RICE** to post items for disposal. The Motion was approved by 3 to 0.

The Board took no action on repairs for equipment, apparatus and facilities in service to the District.

The Board then discussed if a quorum would be available for the next scheduled meeting on Monday, February 18, 2019. The Board confirmed that the February 18, 2019 meeting date would be acceptable.



The Board then reviewed items to be placed on the February meeting agenda. An item pertaining to finance options for Station 29 will be included on the February 18, 2019 meeting agenda.

The Board opened the floor for public comment. Dan Ellett, Eagle Scout, asked the Board about the process for remodeling Station 29.

The Board entered Closed Session at 7:27 p.m., to consult with District counsel. The Board returned to Open Session at 8:01 p.m.

Following closed session, the Board reopened agenda item 8 regarding the

The Board then addressed the acquisition of property for the development of a maintenance building. There was discussion regarding the property adjacent to existing Station 39. After review, a Motion was made by Mr. **RICE**, seconded by Mr. **TRUVER** to approve moving forward with the acquisition of the property adjacent to Station 39 upon the terms discussed in closed session with Mr. Brad Dill. After discussion, the Motion was approved by a vote of 2 to 1 with Mr. **RICE** and Mr. **TRUVER** in favor of the proposition and Mr. **CLARKE** voting against the proposition. Mr. **CLARKE** requested that the record reflect that not only was he voting against pursuing this particular parcel of property, but that he was opposed to moving forward with any additional real estate acquisitions. He stated that the District having its own maintenance facility was totally unnecessary and a waste of time and effort.

Mr. **CLARKE** then made a Motion to call for a special meeting in which the Public would be invited to attend. He stated that we would explain to the public how we are proceeding forward with the maintenance building and that the public would be asked if we should move forward with this acquisition. Mr. **CLARKE** stated that the public could become informed of the District's intent to move forward with the maintenance building and related renovation of same. He also added as part of his motion that the public's participation would be encouraged by providing additional notice of the meeting. Neither Mr. **RICE** nor Mr. **TRUVER** made a second to Mr. **CLARKE**'s motion. The Motion failed for lack of a second.

Mr. **CLARKE** expressed his feeling that the maintenance facility would be an absolute losing proposition with the public.

Following Mr. **CLARKE**'s motion there was some informal discussion with Mr. Coveler in open session regarding what kind of additional notices could be provided to the public and what was required by Texas law for a meeting.

There being no further business brought before the Board, Mr. **CLARKE** made a Motion, seconded by Mr. **RICE** to adjourn the meeting. The meeting adjourned at 8:10 P.M.

  
Secretary of the Board