

MINUTES OF MARCH 20, 2023 MEETING
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46

A meeting was duly called of **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46**, which was held on March 20, 2023 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 7:00 p.m., by **TOM TRUVER**, President. Those Commissioners present were **TOM TRUVER, BUDDY RICE, JOHN BOLLOM, and RON CLARKE**. Commissioner **JAMES CONE** was not in attendance at the meeting. Chief of Department Mike Mulligan, Assistant Chief of EMS Sean Conley, Director of ITC & Operations Support Mike Wassell, Director of Human Resources and Finance Mary Anne Sokol, District Counsel, Mr. Ira Coveler, District Counsel of Coveler & Peeler, P.C., Melissa Wiggins of Coveler & Peeler, P.C., Mark Christensen of Christensen Building Group, and members of the public and Department were also in attendance.

The Board opened the floor to receive public comment though none was offered.

The Board next discussed matters related to the Station 29 construction project and District's maintenance facility including the approval of any certified pay applications received from Martinez Architects ("MA"). Mr. Wassell presented an update on the projects and made note of the following matters:

1. Station 29 – Options are being reviewed to relocate the existing St. 29 sign with a suggestion to ground-mount it behind the current neighborhood sign. Window frames and glazing were installed after prior incorrect installation in February, though water tightness testing will not occur until paving is completed. Painting in the apparatus bay has begun though efforts are ongoing between MA and Christensen Building Group to find a solution regarding the mezzanine area. One (1) right-of-way permit is still outstanding, delaying connection of permanent power by CenterPoint. Anticipated activities include site grading, site paving, sidewalk installation and HVAC mounting and installation.
2. Training Field – Lay out and design of Training Center Feasibility has begun, and Martinez Architects is coordinating with the Department to review drawings and options.
3. Fleet Maintenance – Site detention has been allocated to the Humble ISD detention system, with efforts ongoing to coordinate water access with the City of Humble and resolve conflicts regarding the storm sewer outfall pipe which is now 90% installed. Coordination efforts between MA and the fencing contractor to complete the gate site fencing are ongoing.
4. Station 39 - Some programing and specification designs have been prepared though communication is ongoing between Martinez Architects and the Department to

determine requirements for expansion and revision of current plans. Revisions to proposed floor plans are under review based on Department comments. Elevation concepts for owner review are expected to be generated shortly.

The Board discussed other concerns over 456 linear feet of interior wall bracing which was not installed during construction of Station 29. Mr. Christensen offered compensation for the value owed in lieu of demolishing the walls to rebuild them with the requested braces. The Board stated that at this time there was no need for the bracing to be installed on the interior walls, but that the amount of the credit could not be finalized at this time. Mr. **RICE** next made a Motion, seconded by Mr. **CLARKE** to table the issue regarding the compensation for the missing braces for later consideration. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 4 to 0.

Mr. Christensen then addressed concerns regarding the mezzanine area of Station 29 stating that there had been months of confusion and miscommunications with MA. He stated that plumbing and other mechanical systems had been installed making aesthetic corrective action very difficult and costly at this time. After continued discussion regarding the design process and communication history, Mr. **BOLLOM** made a Motion, seconded by Mr. **CLARKE** to table the issue of aesthetic repairs to the mezzanine, pending further review with Mr. Martinez and Mr. Christensen. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 4 to 0.

One (1) pay application was then presented to the Board. Pay application No. 18 was certified by Martinez Architects to be paid in the amount of \$138,741.30. It was also noted that pay application No. 17, discussed and approved for payment pending committee review during the prior month's meeting, had been previously submitted and paid. After review, Mr. **RICE** made a Motion, seconded by Mr. **CLARKE** to approve payment of pay application No. 18. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 4 to 0. At this time, Mr. Christensen advised the Board that completion of the Station 29 project would likely be extended through the end of May 2023 due to lack of permanent power and extensive interior work yet to be completed.

The Board then received a sales tax report from ESD Tax Management Services. President **TRUVER** stated sales tax allocations for March 2023 totaled \$439,967.63, an approximate \$68,000 increase over the same period in 2022. Total allocations to date in 2023 totaled \$1,520,460.62 compared to \$1,410,684.63 received in the same period of 2022. After review, Mr. **BOLLOM** made a Motion, seconded by Mr. **CLARKE** to accept the sales tax report as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 4 to 0.

Next, the Board received a financial report from Mary Anne Sokol who advised the Board that the District's bank balances totaled \$16,545,000.75 at the end of February 2023. Funds had been moved into TexasClass, which would be seen in the March financial report presented next month. Ms. Sokol reported that comparisons of budgeted funds vs. actual finances showed the District to be in good financial standing. Ms. Sokol further stated that to date, 96.9% of the 2022 property taxes had been collected. She also noted that difficulties related to financial reporting

due to coding issues by the District's outside financial consultant, which had been discussed during the February 2023 meeting had since been rectified and all reports were now available and being created without any issues. After review, Mr. **CLARKE** made a Motion, seconded by Mr. **BOLLOM** to approve the financial report as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 4 to 0.

The Board next discussed payment District bills and commissioner submittals. Ms. Sokol stated that the total figure for the month's checks amounted to \$312,658.35. She also mentioned a wire payment of \$147,324.34 due April 5, 2023 as one of three (3) final payments for two (2) new medic units. Finally, Ms. Sokol stated one (1) submittal for Commissioner **BOLLOM** for \$1,650 reflecting payments for December through March. After review, Mr. **CLARKE** made a Motion, seconded by Mr. **BOLLOM** to approve the payment of the District's bills and commissioner submittal as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 4 to 0.

The Board then discussed the Minutes of the February 20, 2023 meeting. After review, Mr. **RICE** made a Motion, seconded by Mr. **CLARKE** to approve the prior meeting minutes. Thereafter, President **TRUVER** called for a vote and the Motion was approved by a vote of 4 to 0.

The Board next reviewed the Department reports which were provided by Chief Mulligan prior to the meeting. After review, Mr. **RICE** made a Motion, seconded by Mr. **BOLLOM** to approve the reports as provided. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 4 to 0.

The Board then discussed matters related to mandatory Department member physicals. Chief Mulligan advised the Board that after last year's physicals, members of the Department voiced questions and concerns about medical records being held on the premises and the requirement for mandatory physicals in general. After managing the issue of records storage, and consulting with David Manley of Coveler & Peeler, P.C., it was the Chief Mulligan's recommendation that physicals no longer be mandatory for administrative and EMS staff, though they would still be invited to participate at their discretion. 1582 Physicals would remain mandatory for all suppression staff. The Board also discussed looking into providers such as LifeScan for yearly physicals to compare services with the Department's current practices. No action was taken by the Board.

The Board next reviewed submittals of thirty (30) day advance request(s) for necessary purchases related to the provision of emergency services in accordance with the current District Budget. Mr. Wassell presented a proposal to the Board totaling \$26,195.35 for purchase of the microphone system which had been tested and was well received during the prior month's meeting. He further advised the Board that this system would also comply with any potential future mandates regarding recording and streaming of monthly meetings and Board activities. After review, Mr. **BOLLOM** made a Motion, seconded by Mr. **CLARKE** to approve the purchase of audio/visual equipment. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 4 to 0.

The Board then reviewed the sale or disposal of obsolete surplus and/or salvage property pursuant to Texas Health and Safety Code §775.0735. Mr. Wassell provided a list of equipment to the Board for review which was slated for disposal through auction. After review, Mr. RICE made a Motion, seconded by Mr. CLARKE to approve the list of property to be auctioned by the District. Thereafter, President TRUVER called for a vote and the Motion passed by a vote of 4 to 0.

The Board next reviewed any necessary repairs of equipment, apparatus and facilities in service to the District, though none were presented and no action was taken at this time.

The Board did not choose to meet in Closed Session to consult with legal counsel or to discuss sales tax matters, to discuss personnel matters, or deliberate regarding real estate matters.

The Board took no action regarding District real estate or personnel matters.

The Board next discussed any new items which need to be on the agenda for the subsequent District meetings including the regular District meeting set for April 17, 2023. Mr. RICE stated he would be absent from that meeting due to a schedule conflict, though a quorum of Commissioners would still be present. No further items of note were presented.

There being no further business brought before the Board, Mr. CLARKE made a Motion, seconded by Mr. BOLLUM to adjourn the meeting at 7:45 P.M. Thereafter, President TRUVER called for a vote and the Motion passed 4 to 0.

The foregoing minutes were passed and approved by the Board of Commissioners on April 17, 2023.



JOHN BOLLUM
District Secretary of the Board