

MINUTES OF OCTOBER 21, 2024 MEETING
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 46

A public meeting was duly called by the Board of Commissioners of **Harris County Emergency Services District No. 46** on **October 21, 2024**, which was held at the Atascocita Fire Department, Headquarters Building located at **18425 Timber Forest Drive, Humble, Texas 77346**.

CALL MEETING TO ORDER, ROLL CALL AND ESTABLISH A QUORUM.

The meeting was called to order at 7:00 p.m. by **TOM TRUVER**, President of the Board and Chairman of the meeting.

President **Truver** announced that a quorum was present. Those Commissioners present for the meeting were:

Tom Truver	President	Present
Buddy Rice	Vice President	Present
John Bollom	Treasurer	Present
Ron Clarke	Secretary	Present
James Cone	Asst. Sec/Treas.	Present

Also present at the meeting were Chief of the Department, Mike Mulligan, Director of ITC & Operations Support Mike Wassell, Assistant Chief of Operations Terry Wygal, EMS Director Sean Conley, Ira Coveler and Melissa Wiggins (arriving at 7:24 p.m.) of Coveler & Peeler, P.C., District legal counsel, Ricardo Martinez of Martinez Architects, Alberta Balderas of ESD Tax Management Services, and members of the Fire Department and public.

JOIN TOGETHER IN THE PLEDGE OF ALLEGIANCE.

The District Commissioners and other persons present at the meeting joined together to recite the Pledge of Allegiance to the United States and Texas.

TO RECEIVE PUBLIC COMMENT.

The Board first opened the floor to public comment though none was forthcoming.

TO RECEIVE THE DISTRICT'S 2023 AUDIT REPORT AND DISCUSS AND TAKE ACTION RELATED TO THE SAME.

Next, the Board received the District's 2023 audit report from Mr. Josh Rambo of McCall Gibson Swedlund Barfoot PLLC ("the Firm"). Mr. Rambo presented the audit, informing the Board that the Firm would be issuing an unmodified opinion, representing a clean report with no material concerns. He noted some difficulty in receiving information to complete the audit, but otherwise advised that there were no notable issues with the report. After review, Mr. **CLARKE**

made a Motion, seconded by Mr. **CONE**, to approve the audit report as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION ON ANY MATTERS RELATED TO THE STATION 29 CONSTRUCTION PROJECT.

The Board next received a construction report from Mr. Ricardo Martinez of Martinez Architects regarding the Station 29 project. Mr. Martinez informed the Board that work was ongoing at Station 29 to complete the installation of all the interior systems and to tidy up exterior finishes. He added that he was hopeful the Station 29 project could be completed in late November. Mr. Martinez then presented Pay Application No. 8 in the amount of \$376,033.42 for Board approval. After review, Mr. **BOLLOM** made a Motion, seconded by Mr. **CONE**, to approve the report, and payment of Pay Application No. 8 to MACO Construction as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

TO REVIEW, DISCUSS AND TAKE ANY NECESSARY ACTION RELATED TO THE CONSTRUCTION OF THE DISTRICT' S MAINTENANCE FACILITY.

Mr. Martinez stated that he would reach out to MACO Construction as well as the Humble ISD school engineers regarding the project. In particular, Mr. Martinez stated that it could be possible to modify the order of the work in order to obtain water service at the site. No further updates were available regarding the project.

TO RECEIVE A SALES TAX REPORT FROM ESD TAX MANAGEMENT SERVICES.

Ms. Alberta Balderas next presented the District's sales tax report, stating that October allocations totaled \$474,205.39, a \$34,472.44 increase over the same period in 2023. Seven (7) taxpayers provided significant allocations in the month of September for a total allocation of \$169,875.05, approximately \$32,778.49 more than September 2023. She then noted several entities whose allocations were being investigated for validity or who failed to post allocations during the month of September.

Mr. Coveler requested clarification on sales tax gained from sales through mobile food trucks and was told that though tax should be figured based on the location of each sale, allocations were often made based on the owner's registered address. After discussion, Mr. **CONE** made a Motion, seconded by Mr. **CLARKE**, to approve the report as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

TO RECEIVE A FINANCIAL REPORT FROM MARY ANNE SOKOL AND TAKE ANY NECESSARY ACTION REGARDING THE REPORT.

Chief Mulligan then advised the Board regarding the District's financial report, noting that payroll and overtime expenses were over budget but under review. The expenses were expected due to the cost of hiring and training new EMS and firefighting personnel, though he would continue to monitor those expenses. Mr. **RICE** inquired if overtime payments included state

deployments which would be reimbursed to the District, though Chief Mulligan clarified that funds received in return for deployments went into the District's reserves and would not show as true reimbursements for individual payouts in the report under the same budget line item. After discussion, Mr. **CLARKE** made a Motion, seconded by Mr. **BOLLOM**, to approve the report as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

TO PAY DISTRICT BILLS AND APPROVE COMMISSIONER SUBMITTALS PURSUANT TO TEXAS HEALTH AND SAFETY CODE 5775.038(A-1).

The Board next reviewed District bills and Commissioner submittals for payment. After review, Mr. **CLARKE** made a Motion, seconded by Mr. **BOLLOM**, to approve payment of the bills and submittals as received. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

TO APPROVE THE MINUTES OF PRIOR MEETING(S).

The Board then reviewed minutes of the September 16, 2024 meeting. After review, Mr. **BOLLOM** made a Motion, seconded by Mr. **CONE**, to approve the minutes as presented. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION ON THE DEPARTMENT REPORTS.

Next, the Board discussed Department reports which were provided prior to the meeting. After review, Mr. **BOLLOM** made a Motion, seconded by Mr. **CONE**, to approve the reports as provided. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION ON 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.

No submittals were forthcoming for Board approval at this time, though Mr. Wassell advised that requests to purchase a new pumper and aerial apparatus could be presented in December.

TO REVIEW, DISCUSS AND TAKE ACTION FOR THE SALE OR DISPOSAL OF OBSOLETE SURPLUS AND/OR SALVAGE PROPERTY PURSUANT TO TEXAS HEALTH AND SAFETY CODE 5775.0735.

The Board took no action regarding the sale or disposal of District property.

TO REVIEW, DISCUSS AND TAKE ACTION ON ANY NECESSARY REPAIRS OF EQUIPMENT, APPARATUS AND FACILITIES IN SERVICE TO THE DISTRICT.

The Board took no action regarding repairs to District property, though Mr. Wassell informed the Board at this time that repairs to the fleet maintenance building after Hurricane Beryl were ongoing.

TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE 551.071 TO CONSULT WITH LEGAL COUNSEL OR TO DISCUSS SALES TAX MATTERS AS PERMITTED BY TAX CODE 323.3022.

The Board convened in Closed Session at 7:42 p.m. to consult with legal counsel.

The Board reconvened in Open Session at 8:07 p.m.

TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE 551.074 TO DISCUSS PERSONNEL MATTERS.

The Board did not meet in Closed Session to discuss personnel matters.

TO MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE 551.072 TO DELIBERATE REGARDING REAL ESTATE MATTERS.

The Board did not meet in Closed Session to deliberate real estate matters.

REVIEW AND TAKE ACTION ON DISTRICT REAL ESTATE MATTERS AND PERSONNEL MATTERS.

The Board took no action regarding real estate or personnel matters at this time.

DISCUSS ANY NEW ITEMS WHICH NEED TO BE ON THE AGENDA FOR THE SUBSEQUENT DISTRICT MEETINGS, INCLUDING THE REGULAR DISTRICT MEETING SET FOR NOVEMBER 18, 2024

At this time, the Board confirmed the date of the District's upcoming meeting for Monday November 18, 2024.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING CHANGING THE DISTRICT'S REGULAR MEETING DATE AND TIME.

The Board took no action regarding changing the District's regular meeting schedule at this time.

RECEIVE ANY ANNOUNCEMENTS FROM THE BOARD OF COMMISSIONERS OR THE DEPARTMENT STAFF.

No announcements were made by the Board of Commissioners or Department staff.

ADJOURNMENT.

There being no further business brought before the Board, Mr. **BOLLOM** made a Motion, seconded by Mr. **CLARKE**, to adjourn the meeting at 8:08 p.m. Thereafter, President **TRUVER** called for a vote and the Motion passed by a vote of 5 to 0.

The foregoing minutes were approved by the Board of Commissioners on November 18, 2024.

By:

A handwritten signature in dark ink, appearing to read 'RON CLARKE', written over a horizontal line.

RON CLARKE
Board Secretary