

MINUTES OF JANUARY 20, 2025 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 **January 20, 2025** 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.	Absent

Also present at the meeting were Chief of the Department, Mike Mulligan, Assistant Chief of Operations Terry Wygal, Ira Coveler and Melissa Wiggins of Coveler & Peeler, P.C., District legal counsel, 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 next opened the floor to public comment, though none were forthcoming.

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

Chief Mulligan then addressed Station 29 matters, informing the Board that due to contamination in the lines of the current HVAC system, requests had been made for quotes to repair or replace the system as soon as possible. The contamination occurred due to vandalism on site at the Station in the prior year, and based on past experiences, Chief Mulligan recommended replacing the entire system. The purchase would be considered an emergency repair, and would be charged against Christensen Building Group as a matter of the current lawsuit and counterclaims by the District. A proposal for the unit's replacement had been received from Waller Mechanical in the amount of \$127,800, and was recommended for approval by the Department.

After review, Mr. **Clarke** made a Motion, seconded by Mr. **Rice**, to approve the emergency repair and replacement of the Station 29 HVAC system at a cost not to exceed \$130,000. Thereafter, President **Truver** called for a vote, and the Motion passed by a vote of 4 to 0.

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

The Board took no action related to the District's maintenance facility.

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

President **Truver** next presented the District's sales tax report for the month of December, and 2024 overall. Allocations for the month of December totaled \$491,111.24, with a year-to-date total of \$5,563,488.73. Seven (7) taxpayers contributed significant allocations, totaling \$163,341.57. Six (6) entities were being researched due to missed or abnormal allocations. Allocations for the month of January totaled \$489,153.20. After review, Mr. **Rice** made a Motion, seconded by Mr. **Clarke**, to accept the report as presented. Thereafter, President **Truver** called for a vote and the Motion passed by a vote of 4 to 0.

TO RECEIVE A FINANCIAL REPORT AND TAKE ANY NECESSARY ACTION REGARDING THE REPORT.

Chief Mulligan then presented the District's financial report, noting a current bank balance of \$9,758,602. Overall, the 2024 budget was exceeded by approximately 3.6%, though more revenue was received than anticipated for the year. He especially noted that EMS revenues exceeded \$3,500,000 compared to a budgeted expectation of \$2,000,000. After review, Mr. **Bollom** 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 4 to 0.

TO PAY DISTRICT BILLS AND APPROVE COMMISSIONER SUBMITTALS PURSUANT TO TEXAS HEALTH AND SAFETY CODE §775.038(A-1).

The Board next reviewed bills and submittals for Commissioner compensation, including eleven (11) submittals for Commissioner Rice in 2024. After review, Mr. **Bollom** made a Motion, seconded by Mr. **Clarke**, to approve payment of the bills and submittals as presented. Thereafter, President **Truver** called for a vote, and the Motion passed by a vote of 4 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING REVIEW OF THE TERMS OF THE EVERGREEN AUDIT ENGAGEMENT WITH MCCALL GIBSON SWEDLUND BARFOOT PLLC.

Mr. Coveler next presented the District's audit continuance agreement with McCall Gibson Swedlund Barfoot Ellis, PLLC, advising that the fee for the 2024 audit would likely cost up to \$31,000. He advised against changing auditors at this time. After review, Mr. **Clarke** made a Motion, seconded by Mr. **Rice**, to approve the engagement with McCall Gibson as presented. Thereafter, President **Truver** called for a vote and the Motion passed by a vote of 4 to 0.

TO APPROVE THE MINUTES OF PRIOR MEETING(S).

The Board next reviewed minutes of the District's December 2024 meeting. After review, Mr. **Clarke** made a Motion, seconded by Mr. **Bollom**, to approve the minutes as presented. Thereafter, President **Truver** called for a vote, and the Motion passed by a vote of 4 to 0.

TO REVIEW, DISCUSS AND TAKE ACTION REGARDING THE SELECTION OF ADDITIONAL BOOKKEEPING SERVICES FOR THE DISTRICT.

Chief Mulligan then advised the Board that out of several solicitations, two (2) responses were received for bookkeeping services to the District, though neither met the full scope of the initial request. He therefore recommended reviewing and resubmitting the solicitation accordingly. Mr. Coveler further informed the Board that at least two (2) entities declined to submit proposals based on the District's preferred software platform, and advised it would be better to retain a CPA to address the District's financial concerns. No action was taken at this time.

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

Chief Mulligan next presented the Department reports, noting that usage hours for the District's medic units had decreased due to running less calls with the City of Houston. He further advised that response hours and usage across the District would begin to average out now that Station 29 was active. After review, Mr. **Bollom** made a Motion, seconded by Mr. **Rice**, to approve the minutes as presented. Thereafter, President **Truver** called for a vote, and the Motion passed by a vote of 4 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.

The Board took no action related to Department requests.

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 §775.0735.

The Board took no action related to the sale 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 related to repairs of District property.

TO RECEIVE A REPORT FROM THE GOVERNMENTAL RELATIONS COMMITTEE REGARDING THE 2025 LEGISLATIVE SESSION.

Mr. **Bollom** next updated the Board regarding current legislative efforts, including a bill to address changing rules to allow Departments to preapprove budgeted expenditures to \$50,000, rather than the current \$2,000 limit. Chief Mulligan requested that the District Committee for legislative matters meet regularly to discuss updates, and potential trips to participate in future legislative efforts throughout this session.

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 did not meet in Closed Session to consult with legal counsel.

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 related to real estate or personnel matters.

DISCUSS ANY NEW ITEMS WHICH NEED TO BE ON THE AGENDA FOR THE SUBSEQUENT DISTRICT MEETINGS, INCLUDING THE REGULAR DISTRICT MEETING SET FOR FEBRUARY 17, 2025.

The Board next confirmed the next meeting date for Monday, February 17, 2025.

TO REVIEW AND DISCUSS ANNUAL CONFLICTS OF INTEREST REQUIREMENTS UNDER LOCAL GOVERNMENT CODE §176.003 (CONFLICTS DISCLOSURE STATEMENT REQUIRED) AND §171.004 (AFFIDAVIT AND ABSTENTION FROM VOTING REQUIRED).

Mr. Coveler next reviewed conflict of interest requirements for members of the Board related to any upcoming or future agreements with third-party entities. No action was taken.

TO REVIEW AND DISCUSS ACCESS TO PERSONAL INFORMATION UNDER THE PUBLIC INFORMATION ACT, INCLUDING REVIEW OF SECTIONS 552.024, 552.117 AND 552.1175.

Mr. Coveler next reviewed confidential information forms with the Board related to Public Information Act requests. No action was taken.

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

Mr. **Bollom** complimented the work on Station 29, and advised everyone to tour and appreciate the new building.

ADJOURNMENT.

There being no further business brought before the Board, Mr. **Clarke** made a Motion, seconded by Mr. **Bollom**, to adjourn the meeting at 7:23 p.m. Thereafter, President **Truver** called for a vote and the Motion passed by a vote of 4 to 0.

The foregoing minutes were approved by the Board of Commissioners on February 17, 2025.

By:



RON CLARKE
Board Secretary