

**Meeting Minutes**  
**Harris County Emergency Services District No. 7**

The Board of Commissioners of HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 7 held a meeting on **November 18, 2021 at 6:30 p.m.** at the following location in the District, **Spring Fire Department Administration Building, 656 East Louetta Road, Spring, Texas 77373.**

<b>Melanie Gander</b>	<b>President</b>	<b>(Present at the meeting location)</b>
<b>Gayle Fuller</b>	<b>Vice-President</b>	<b>(Absent)</b>
<b>Todd Anderson</b>	<b>Treasurer</b>	<b>(Present at the meeting location)</b>
<b>Keith Willingham</b>	<b>Secretary</b>	<b>(Present at the meeting location)</b>
<b>David Mills</b>	<b>Asst. Treasurer</b>	<b>(Present at the meeting location)</b>

**Also in attendance:**

Scott Seifert, Fire Chief, Spring Fire Department - **(Present at the meeting location)**

Scott Schoonover , Spring FD Deputy Chief - **(Present via Tele-Conference)**

John Peeler, Coveler & Peeler, District Legal Counsel - **(Present at the meeting location)**

Dawn Selden, Coveler & Peeler, - **(Present at the meeting location)**

Greg Thrower, Special Legal Counsel for real estate **(Present via Tele-Conference)**

**Marshall Holmes, Litigation Counsel (Present via Tele-Conference)**

Jill Henze, Breedlove & Co., P.C., CPA - **(Present at the meeting location)**

Greg Monroe, Spring FD Captain - **(Present via Tele-Conference)**

Steve Schoonover, Spring FD Sr. Captain - **(Present via Tele-Conference)**

Damaris Rolon, Spring FD Administrative Support Specialist - **(Present at the meeting location)**

Tim Burke, Spring FD IT Manager - **(Present at the meeting location)**

Shannon Taylor, HCESD7 Administrator - **(Present at the meeting location)**

**Call meeting to order.**

Commissioner Melanie Gander called the meeting to **ORDER** at 6:30 p.m.

**To receive public comment.**

No public comment was made.

**SKIP TO AGENDA ITEM 7**

- 7. To review and act on financial matters including, financial report, investments, depository institutions, depository security agreements, audits, Investment Policy, and District bills.**

Jill Henze with Breedlove & Co., P.C. presented a draft of the audited financial statements for Harris County Emergency Services District No. 7, ending 2020.

**[Commissioner David Mills entered the meeting 6:50 p.m.]**

**[District legal counsel John Peeler entered the meeting 6:55 p.m.]**

Commissioner Gander moved to approve the District audit subject to revisions discussed and authorize filling with the County. Second by Commissioner Willingham. Motion approved 4-0.

#### **6:58p.m. ENTER CLOSED SESSION**

Closed Sessions, the Board met under items 3 and 4. The Board did not conduct a closed session under item 5.

- 3. To meet in Closed Session pursuant to Government Code §551.071 to consult with legal counsel regarding pending or contemplated litigation, settlement offers or on matters which require confidentiality under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and Tax Code §323.3022 to discuss sales tax matters.**

Commissioners Gander, Willingham, Anderson and Mills met with John Peeler, Marshall Holmes, Greg Thrower and Chief Seifert to review legal issues, including matters related to litigation with Brookstone and legal matters related to the sale of real estate.

- 4. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters.**
- 5. To meet in Closed Session pursuant to Government Code §551.074 to discuss personnel matters.**

#### **7:28 p.m. RECONVENE FROM CLOSED SESSION**

- 6. To review and act on any matters related to ongoing litigation/claims, including approval of settlement documents.**

Motion by Commissioner Gander to approve the mediation settlement agreement with Brookstone with funding to occur on or about January 6, 2022 and to agree to dismiss the suit upon receipt of settlement funds. Motion was seconded by Commissioner Willingham. Motion was approved by a vote of 4 to 0.

#### **REOPEN AGENDA ITEM 7**

**7. To review and act on financial matters including, financial report, investments, depository institutions, depository security agreements, audits, Investment Policy, and District bills.**

The District's 2020 audit was presented by Jill Henze of Breedlove & Co., PC. Motion by Commissioner Gander and seconded by Commissioner Anderson to accept the audit as presented and authorize filing with the County. Motion was approved by a vote of 4 to 0.

District bookkeeper Renee Butler was not present during the meeting, the Board of Commissioners reviewed Mrs. Butler's monthly District financial reports, including the following items of note: General Fund Current balance is \$27,131,347.80 and cash and investment reports from October to November.

Commissioner Gander moved to approve the bookkeeper's report as presented and pay District bills as presented. Second by Commissioner Anderson. Motion approved 4-0.

**8. To review and take any action regarding construction, improvements, repairs, renovations to real property, facilities and stations, including construction payments, change orders, permits, engaging architect(s) or engineer(s), and selecting contractor(s), including but not limited to administrative or maintenance facilities, training facilities and all emergency services stations.**

No action taken by the Board.

**9. To review and take action on issues related to access to facilities by the public and changes to firearm laws.**

Legal Counsel John Peeler discussed gun laws related to access to government facilities in Texas, and difference for open meetings. He suggested posting signs at the meeting location for HCESD 7 meetings, as no guns are allowed in meetings held under the Open Meetings Act. Mr. Peeler and Chief Seifert will continue to review issues related to public access to buildings and security measures in general.

No action taken by the Board.

**10. To review and take any action regarding real estate, including sale, purchase, lease, platting, utilities, encumbrances and legal actions related to real estate.**

Fire Chief Scott Seifert discussed SFD's Training Division is leasing High Ground Airsoft's facility for training exercises (an indoor airsoft arena). The Training Division is in need of their own training space and have located a stand-alone facility that would suit their needs. The facility lease is \$9,000.00 per month, a lease would need to be signed and utilities paid by the District. The 2020 budget would not change. Currently, the Training Division uses High Ground Airsoft's facility 15-20 days a month, with no fees, but that may change.

Commissioner Mills moved to approve the initial terms of the lease as presented. Second by Commissioner Gander. Motion approved 4-0.

- 11. To review and act on matters related to financing, payment and acquisition of capital items, including equipment and vehicles, and action on acquisition/construction financing of same, including retiring or incurring financing for the construction of District facilities or acquisition of vehicles and equipment.**

Commissioner Gander moved to designate Government Capital as the loan placement agent for the District to secure a \$10,000,000 loan secured by a property tax pledged for the construction of the new training facility and authorized Chief Seifert to coordinate with Government Capital Corporation on the presentation of loan options at the December meeting.

Second by Commissioner Anderson. Motion approved 4-0.

- 12. To review and act on sales tax matters.**

A sales tax report was provided for the Board to view payments, trends and projections.  
No action taken by the Board.

- 13. To review and take action on the ratification of a continuing Contract with a private law firm pursuant to §6.30 of the Tax Code for the collection of delinquent District ad valorem property taxes and providing for the payment of up to 20% of the delinquent taxes, penalties, and interest which are collected by the attorney under said Contract.**
- 14. To discuss and take action on the imposition of additional penalty on delinquent taxes pursuant to §33.07 of the Tax Code and adoption of a Resolution regarding same for taxes.**
- 15. To discuss and take action on the imposition of additional penalty of delinquent taxes to defray costs of collection by the District's delinquent tax attorney, pursuant to §33.08 of the Tax Code and adoption of a resolution regarding same.**
- 16. To discuss and take action on the imposition of early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to §33.11 of the Tax Code and adoption of a Resolution regarding same.**

Mr. Peeler reminded the Board that the contract with Linebarger Goggan Blair & Sampson, LLP is an ongoing contract that is only canceled if the District chooses to cancel it, but noted that the District always notes in its minutes that the contract is to remain in effect each year. Commissioner Willingham moved to continue the District's contract with Linebarger Goggan Blair & Sampson, LLP and to approve the resolution presented by counsel regarding the imposition of penalties under tax Code §§ 33.07, 33.08 and 33.11 to defray the costs of Linebarger Goggan Blair & Sampson, LLP's collections efforts. Second by Commissioner Gander. Motion approved 4-0.

**17. To review and act regarding insurance.**

No action taken by the Board.

**18. Fire Department report on activities, including current and long-range information exchange.**

Fire Chief Scott Seifert presented information on the following:

- October's Profit and Loss Reports. Commissioner Mills would like to view month to month reports for future meetings.
- Transaction list of all expenses paid for October.
- The Personnel budget is low due to turnover (staff are leaving for various reasons).
- Hiring 14 more firefighters in 2022.
- The structure at the new CenterPoint tower is being set.
- Rescue 71 is in the final inspection stages at Pierce.
- Engine 77 and Ladder 75 will start production soon.
- The five newly hired firefighters will start their shifts on Monday.
- Officer badge pinning ceremony is planned for November 19, at 18:00.
- Firefighter badge pinning ceremony is planned for November 20, at 14:00.
- Job posting for 2022 will be mid-December, with a start date in March.
- Commissioner Willingham, Commissioner Mills, Chief Seifert, Chief Logan, and Donald May will review the Construction Manager at Risk ("CMAR") proposals.
- Chief Seifert plans to attend the Texas Fire Chiefs workshop event in December.

No action taken by the Board

**19. To review, discuss and take action on mutual aid or interlocal agreements, including those regarding emergency services or disaster operations.**

No action taken by the Board.

**20. To review and take action regarding the disposition of surplus and salvage property.**

Commissioner Gander moved to accept the Surplus and Salvaged Equipment report as presented and to authorize donation of 8 - Scott RIT 1 Packs to the Texas A&M Forest Service Helping Hands Program, as presented. Second by Commissioner Willingham. Motion approved 4-0.

**21. To review and act on matters related to communications, dispatching, or traffic preemption, including interlocal agreements, contracts or purchasing equipment.**

No action taken by the Board.

**22. Receive ESD committee reports.**

No action taken by the Board.

**23. To review and act on personnel matters, including policies, scheduling, evaluations, benefits, compensation, hiring, retention and evaluation of District employees, including District command staff, administrative staff, and suppression personnel.**

No action taken by the Board.

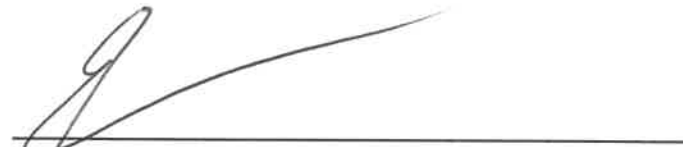
**24. To review and approve minutes of prior meetings.**

Commissioner Willingham moved to approve meeting minutes from October 21, 2021 and Special Meeting minutes from November 11, 2021 as presented. Second by Commissioner Gander. Motion approved 4-0.

**25. To review and act to schedule the next regular monthly meeting date as well as any items that need to be on the next meeting agenda.**

The next regular meeting is December 16, 2021 at 6:30 p.m.

There being no further business brought before the Board, or any further public comment. Motion to adjourn made by Commissioner Gander. The meeting is adjourned at 8:19 p.m.



Commissioner Keith Willingham  
District Secretary



Shannon Taylor, Preparer