

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 **December 16, 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.**

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

Also in attendance:

Robert Logan, Assistant Fire Chief, Spring Fire Department - **(Present at the meeting location)**
Scott Schoonover , Spring FD Deputy Chief - **(Present at the meeting location)**
John Peeler, Coveler & Peeler, District Legal Counsel - **(Present at the meeting location)**
Dawn Selden, Coveler & Peeler - **(Present at the meeting location)**
Renee Butler - McLennan & Associates, District Bookkeeper - **(Present at the meeting location)**
Greg Thrower, Special Legal Counsel for real estate - **(Present via Tele-Conference)**
Landon Newton, Government Capital Corp. - **(Present at the meeting location)**
Martin Vila, Raba Kistner - **(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.

Mr. Martin Vila, Senior Vice President with Raba Kistner introduced himself to the Board. He asked about the status of the training facility project and expressed interest in acting as the project engineer. The Board will address this inquiry on Agenda Item 9.

[Commissioner David Mills entered the meeting 6:31 p.m.]

THE BOARD UNANIMOUSLY AGREED TO SKIP TO AGENDA ITEM 11

- 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.**

Mr. Landon Newton with Government Capital Corporation, presented bids from four lenders to secure a \$10,000,000 loan secured by a property tax pledged for the construction of the new training facility. Mr. Newton discussed lender options for a 15 year or 20 year term from TIB National Association, BciCapital, Inc., TRUIST Bank, and Southside Bank.

The Board held action on the selection of the lender pending Closed Session to consult with legal counsel on some questions regarding the proposed structure of the loan.

- 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.**
- 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.**

6:47 p.m. ENTER CLOSED SESSION

Closed Sessions, the Board met under items 3 and 4.

7:18 p.m. RECONVENE FROM CLOSED SESSION

REOPEN AGENDA ITEM 11

- 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 secure a \$10,000,000 loan with TIB National Association at a 15 year term and 2.06 % interest rate and authorized the Board officers to execute documents with a planned closing of December 27, 2021. Second by Commissioner Fuller. Motion approved 5-0.

The Board noted that Mr. Newton provided draft documents for the loan. Government Capital Corporation will provide the final loan documents to legal counsel for review prior to Board execution. Signed documents need to be returned by December 22, 2021.

THE BOARD UNANIMOUSLY AGREED TO SKIP TO AGENDA ITEM 9

- 9. 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.**

Chief Logan informed the Board that the Construction Committee has begun the review of construction manager at risk ("CMAR") proposals in consultation with Abercrombie Planning + Design. Chief Logan reported that the construction committee is not ready to provide final scoring and recommendations for the Board to take action to select the CMAR company to construct the logistics, training and administration project at this time. Chief Logan noted that Mr. Abercrombie with Abercrombie Planning + Design is checking references for all three candidates.

No action taken by the Board.

THE BOARD UNANIMOUSLY AGREED TO SKIP TO AGENDA ITEM 7

- 7. To discuss, and take action on the engagement of an engineering firm to research and formulate current District Boundaries and to produce a digital map of the District's boundaries.**

District legal counsel, John Peeler reviewed requirements under the Election Code for political subdivisions to maintain accurate records of their boundaries to assist the Voter Registrar in developing voter rolls. He recommended that the District engage consultants to create a new, up to date District map to meet the requirements.

Commissioner Gander moved to authorize the District President to engage such consultants at a cost not to exceed \$12,000 to create a new District map for voter registration purposes. Second by Commissioner Willingham. Motion approved 5-0.

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

District bookkeeper Renee Butler presented the monthly District financial reports, including the following items of note: General Fund Current balance is \$27,614,782.43 and cash and investment reports from November to December. A check payable to Metro Fire for \$5,190.00 for equipment for the new Rescue truck was approved.

Commissioner Gander moved to approve the bookkeeper's report as presented and pay District bills as presented. Second by Commissioner Fuller. Motion approved 5-0.

THE BOARD UNANIMOUSLY AGREED TO SKIP TO AGENDA ITEM 6

- 6. To review and act on any matters related to construction or real estate contract claims, or litigation, including approval of settlement documents.**

No action taken by the Board.

THE BOARD UNANIMOUSLY AGREED TO SKIP TO AGENDA ITEM 10

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

No action taken by the Board.

THE BOARD UNANIMOUSLY AGREED TO SKIP TO AGENDA ITEM 12

- 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.**

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 Fuller. Motion approved 5-0.

17. To review and act regarding insurance.

Commissioner Willingham is researching this information.

No action taken by the Board

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

Assistant Fire Chief Robert Logan presented information on the following:

- November's Profit and Loss Reports.
- Transaction list of all expenses paid for November.
- Public Assistance Grant has cleared FEMA and is being processed by TDEM. Once approved by the state, HCESD 7 will receive a check for \$65,000 for the winter weather event.
- The job posting for additional firefighters is active. Up to 14 firefighter positions are available for this hiring phase.
- Rescue 71 final inspection is this week.
- Fires - House fire today on Treaschwig.
Barn fire yesterday on Stuebner Airline.
House fire December 5, on Cypressgate Dr.
1 firefighter sustained minor burns (2 sets of gear damaged).
House fire December 5, on Magnolia Walk.
- Pumper will start January completion approximately in March.
- Ladder will start February completion in April or May.
- Long wait times for apparatus orders, approximately 16-20 months for engine now, with 5-10% increase from last price of Engine 77.
- New station patches (stickers) have been added to apparatus.
- New apparatus can have the Ward Diesel exhaust system added.

Commissioner Mills moved to leave the purchase order open to allow for the two new apparatus to have the Ward Diesel exhaust system added. Second by Commissioner Gander. Motion approved 5-0.

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 Mills moved to accept the Surplus and Salvaged Equipment report as presented and to authorize disposing of items and donating items to the Texas A&M Forest Service Helping Hands Program, and Goodwill as presented. Second by Commissioner Gander. Motion approved 5-0.

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

Chief Logan stated the (“TECC”) Texas Emergency Communications Center is doing great, no issues. 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 take action on proposed Memorandum of Understanding with American Military University to establish a relationship with the District and provide a discount to employees to attend.

Item is tabled till next month.

25. To review and approve minutes of prior meetings.

Commissioner Gander moved to approve meeting minutes from November 18, 2021 as presented. Second by Commissioner Anderson. Motion approved 5-0.

26. 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 January 20, 2022 at 6:30 p.m.


8:09 p.m. RE-ENTER CLOSED SESSION TO CONSULT WITH LEGAL COUNSEL

8:16 p.m. RECONVENE FROM CLOSED SESSION

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 8:16 p.m.



Commissioner Keith Willingham
District Secretary



Shannon Taylor, Preparer