

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 **June 18, 2020 at 6:30 p.m.** at the following location in the District, **Spring Fire Department Administration Building, 656 East Louetta Road, Spring, Texas 77373.**

The District Board of Commissioners met in person, and due to the status of COVID-19 in the County, allowed other persons to appear via teleconference to provide information and counsel to the Board.

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|-------------------------|------------------------|--|
| Bob Schmanski | President | (Present at the meeting location) |
| Gayle Fuller | Vice-President | (Present Via Tele-Conference) |
| Keith Willingham | Secretary | (Present at the meeting location) |
| Todd Anderson | Treasurer | (Present at the meeting location) |
| Melanie Gander | Asst. Treasurer | (Present at the meeting location) |

Also in attendance:

Scott Seifert, Fire Chief, Spring Fire Department - **(Present at the meeting location)**
Robert Logan, Spring FD Assistant Fire Chief - **(Present Via Tele-Conference)**
Jerod Davenport, Spring FD Deputy Chief - **(Present Via Tele-Conference)**
Joel Crenshaw, Spring FD Deputy Chief - **(Present Via Tele-Conference)**
John Peeler, Coveler & Peeler, District Legal Counsel - **(Present Via Tele-Conference)**
Renee Butler, McLennan & Associates, District Bookkeeper - **(Present at the meeting location)**
Terry Lynch, JT Lynch Company, LLC - **(Present at the meeting location)**
Andy Lynch, JT Lynch Company, LLC - **(Present at the meeting location)**
Jeff Lynch, JT Lynch Company, LLC - **(Present at the meeting location)**
Greg Thrower, Special Legal Counsel for real estate - **(Present Via Tele-Conference)**
Tim Burke, Spring FD IT Manager - **(Present at the meeting location)**
Donald May, Spring FD Facilities Maintenance Coordinator - **(Present at the meeting location)**
Tracee Evans, Spring FD Communications Director - **(Present Via Tele-Conference)**
Shannon Taylor, HCESD7 Administrator - **(Present at the meeting location)**

Call meeting to order.

Commissioner Bob Schmanski called the meeting to ORDER at 6:30 p.m..

To administer oath(s) to newly elected/re-elected and or/appointed District commissioners.

Commissioners Bob Schmanski, Todd Anderson and Melanie Gander took the oath of office to resume their positions as District commissioners. The three commissioners signed the Oath of Office and Statement of Elected Appointed Officer documents witnessed by a notary.

To elect District officers.

Commissioner Gayle Fuller asked to no longer serve as District Vice President and suggested Commissioner Melanie Gander would be a good choice for that position.

The following officer positions were elected unanimously:

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|-------------------------|------------------|
| President | Bob Schmanski |
| Vice President | Melanie Gander |
| Secretary | Keith Willingham |
| Treasurer | Todd Anderson |
| Asst. Sec./Asst. Treas. | Gayle Fuller |

To receive public comment.

No public comment was made.

6:36 p.m. ENTER CLOSED SESSION

[COMMISSIONER FULLER EXITED THE MEETING COINCIDING WITH THE START OF CLOSED SESSION].

Closed Sessions, the Board included Fire Chief Scott Seifert and Legal Counsel John Peeler, for items 5, 6, and 7 and included real estate special counsel Greg Thrower and real estate consultants Terry Lynch, Andy Lynch and Jeff Lynch for item 6.

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

7. To meet in Closed Session pursuant to Government Code §551.074 to discuss personnel matters.

7:41 p.m. RECONVENE FROM CLOSED SESSION

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

Attorney Greg Thrower provided documents by email regarding the sale of the District's James C. Leo property: The Fourth Amendment to Commercial Contract - Unimproved Property and Addendum to Commercial Contract - Unimproved Property (the "Fourth Amendment") which extends Feasibility Period for 60 days to September 14, 2020. Commissioner Schmanski moved to approve the Fourth Amendment to the contract on the James C. Leo property, which will extend the feasibility period for sixty days. Second by Commissioner Gander, motion approved 4-0.

Commissioner Schmanski moved to authorize engaging Terry Lynch and JT Lynch Company, LLC. at his normal rate for real estate assessment needs. Second by Commissioner Gander, motion approved 4-0.

To review and act regarding master plan or site planning for the proposed training facility.

Commissioner Schmanski updated the Board on recent meetings with Tommie Abercrombie of Abercrombie Planning + Design, to discuss designing the education building and fire props. Construction costs have dropped and this will impact the costs for the training facility projects.

No action taken by the Board.

To review and take action on financial matters including, financial report, investments, depository institutions, depository security agreements, Investment Policy, and District bills.

Renee Butler with McLennan & Associates presented the Bookkeeping Report Summary: the General Fund Current balance is \$22,909,422.78, investment reports from May to June, Director's fees and bills. Additional invoices - \$6,250.00 to TRL Consulting and two invoices for SynchronPile Inc. for \$590.00 each, were presented at the meeting.

Commissioner Schmanski moved to approve the bookkeeper's report amended and pay bills as presented. Second by Commissioner Willingham, motion approved 4-0.

To review, discuss and take action on District budget(s).

Chief Scott Seifert described how he and Renee Butler are streamlining and re-organizing the District's budget, as some of the expenses are currently covered in Spring Volunteer Fire Association's approved budget. By fine tuning the categories and loans, finances will be allocated more accurately.

Commissioner Schmanski moved to amend the revised District budget. Second by Commissioner Anderson, motion approved 4-0.

To review and discuss 2021 budget and 2020 tax setting planning and scheduling, including review of new Truth in Taxation procedures.

District legal counsel, John Peeler advised the Board at July's meeting the 2021 budget should be 90% complete as the tax setting process has undergone some changes which could restrict the time available to the District to approve its budget and tax rate this year. Forth coming actions include: A special meeting will need to be scheduled the week of August 10-13 to review the budget and propose the tax rate, a public hearing will be held if the proposed tax rate exceeds the No New Revenue Rate, and a newspaper notice will be published regarding the public hearing.

7:40 p.m. RECESS

7:48 p.m. RECONVENE IN OPEN SESSION

To review and take action on matters related to financing, payment and acquisition of capital items, including equipment and vehicles, and action on debt, including retiring debt or incurring debt to finance the construction of District facilities or acquire equipment.

Commissioner Schmanski reported he has made informal inquiries to potential lenders regarding the training facility construction financing and believes very favorable rates will be available.

No action taken by the Board.

To review and take action on sales tax matters.

The Board notes sales tax collections are up 5% compared to the same period for 2019, possibly due to the COVID-19 stay at home restrictions and on-line purchases.

To review and take action regarding insurance.

Commissioner Keith Willingham is consulting with the District's insurance representative, Glen Hastings, on a comprehensive review of all District insurance to ensure proper coverage levels.

To review and take any action regarding construction, improvements, repairs renovations to District real property 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 and all District and Department stations.

Facilities maintenance coordinator, Donald May informed the Board of needed surge protection resulting from two recent power outages at the Administration building. An adjustable breaker tested suppression system is estimated to cost between \$6,000.00 - \$8,000.00. Mr. May and Commissioner Anderson will investigate the matter and follow up with the Board. No action taken by the Board.

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

- Chief Seifert presented:
- 1) The Profit and Loss Reports for Spring Volunteer Fire Association (January 1 to March 31) and Harris County Emergency Services District No. 7 (April 1 to present). The SVFA profit and loss reports will cease at some point, as the transition to an ESD department continues.
The ESD profit and loss reports reflect \$1,000,000.00 under budget due to personnel.
 - 2) Fire Reports.
 - 3) Continue working with Renee Butler on organizing the budgets.
 - 4) Commissioner fees are paid out of the General fund. Chief Seifert suggested the Commissioner fees should go through Paycom (payroll software) and out of the Payroll account.

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

In Deputy Chief Schoonover's absence, Chief Seifert presented a report of items to dispose of as well as requesting to donate 30 - AV2000 SCBA Masks, 75 - King Tube Airway Devices, 50 - Hand Powered Airway Suction Devices and 8 - RIT Pak 1 Frames to the Texas A&M University Forest Service. Commissioner Schmanski moved to approve the Surplus and Salvaged Equipment disposition and trash items disposal request, including donation to the Texas A&M University Forest Service, second by Commissioner Anderson. Motion approved 4-0.

To review and take action on mutual aid agreement(s).

No action taken by the Board.

To review and take action on matters related to communications, dispatching, or traffic preemption, including approving interlocal agreements or purchasing equipment.

Chief Logan reported:

- 1) Moving into Phase 2 of traffic preemption.
- 2) Cypress Creek EMS and ESD 11 are in contract negotiations.
- 3) ESD 1/HCEC could be a provider for dispatch services.
- 4) Discussion of housing a new dispatch center.

Receive ESD committee reports.

No action taken by the Board.

To review and take action regarding municipal actions affecting the District.

Mr. Peeler reported that his office is working with the Harris County Tax Office regarding the territory annexed by the Woodlands in 2019, as the District will need to negotiate with the Woodlands regarding the reimbursement owed to the District under Health and Safety Code § 775.022.

To review and act on any issues related to the District's transition to become the direct provider of fire protection services, including: financial issues; acquisition of assets.

No action taken by the Board.

To review and take action 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.

To review and approve minutes of prior meetings.

Commissioner Willingham moved to approve the May 21, 2020 meeting minutes with amended corrections. Second by Commissioner Schmanski, motion approved 4-0.

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 July 16, 2020 at 6:30 p.m. Tax and budget related meetings are tentatively scheduled for August 6 and late August, as well as a meeting August 13 for tax setting and regular meeting issues.

To review and act on matters related to COVID-19, including but not limited to meeting procedures, emergency expenditures and continuity of functions per Government Code Chapter 418.

Chief Seifert reported Spring Fire Department facilities are closed to the public until further notice, with no public access to stations; the Fire Department work from home order is extended till July 6, for Administrative staff; as employees continue to be productive working from home.

Chief Logan reported firefighter crews are wearing surgical masks, gloves and goggles when dispatched and only one person wearing an N95 mask, gloves and goggles is sent in to evaluate the patient(s).

Three firefighters have been diagnosed with COVID-19. One tested positive today and two members tested two weeks ago have no symptoms and are cleared to work.

Adjourn.

There being no further business brought before the Board, or any further public comment. Motion to adjourn made by Commissioner Willingham, second by Commissioner Schmanski.
The meeting is adjourned at 8:20p.m.



Commissioner Keith Willingham
District Secretary



Shannon Taylor, Preparer