

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 19, 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.

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

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)
Joel Crenshaw, Spring FD Deputy Chief - (Present Via Tele-Conference)
Scott Schoonover, 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 Via Tele-Conference)
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)
Ray Holliday, BRW Architects - (Present at the meeting location)
Donald May, Spring FD Facilities Maintenance Coordinator (Present at the meeting location)
Greg Monroe, Spring FD Captain - (Present Via Tele-Conference)
Steve Schoonover, Spring FD Sr. Captain - (Present Via Tele-Conference)
Tracee Evans, Spring FD Communications Director - (Present Via Tele-Conference)
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 Bob Schmanski called the meeting to ORDER at 6:30 p.m.

To receive public comment.

No public comment was made.

6:35 p.m. ENTER CLOSED SESSION

Closed Sessions, the Board included Legal Counsel John Peeler, for items 3, 4, and 5. Item 4 included real estate consultants Terry Lynch, Andy Lynch, Jeff Lynch and Legal counsel for real estate, Greg Thrower.

- 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.**

7:08 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.

Commissioner Schmanski moved to terminate the contract with ACP Equipment and Service, LLC due to breach based upon their abandonment of the land clearing project at the Leo property and authorize legal counsel to notify ACP Equipment and Services, LLC of same. Second by Commissioner Gander. Motion approved 5-0.

Commissioner Schmanski moved to accept the contract to sell District real estate based upon the basic terms presented by real estate consultant Terry Lynch, subject to review by legal counsel for both parties. Second by Commissioner Fuller. Motion accepted 5-0.

Commissioner Schmanski asked Terry Lynch to follow up with the two companies who are interested in clearing the James C. Leo property, to see if they are ready to meet and discuss the offer.

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

Deputy Chief Joel Crenshaw informed the Board he will meet with Mr. Tommy Abercrombie of Abercrombie Planning+Design, the week after Thanksgiving.

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.

District bookkeeper, Renee Butler presented the monthly District financial reports, including the following items of note: General Fund Current balance is \$19,769,556.45, cash and investment reports from October to November reviewed, and commissioner compensation.

In addition to the bills listed in the report, these additional invoices were presented for review: North West Communications for \$36.70; request to reimburse the Operations account for Capital Expenditures for \$349.00.

Commissioner Fuller motioned to approve the bookkeeper's report as amended and pay bills as presented. Second by Commissioner Willingham, motion approved 5-0.

To review, discuss and act on District current year budget(s).

Chief Seifert reported that the 2021 Budget has an error for the Health Insurance Benefits category. The error was due to meeting with the benefits provider after the budget was presented to the Board. Commissioner Gander moved to amend the 2021 Budget to reflect option 4 as presented by Chief Seifert. Second by Commissioner Schmanski. Motion approved 5-0. The Board noted that the 2021 Budget expenditures now total \$26,923,621.00.

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.

Chef Seifert stated a Letter of Intent was issued to Caldwell County Chevrolet for three new staff vehicles (Chevrolet Tahoes) when they are available in 2021.

Commissioner Schmanski reported that he has held preliminary discussions with Landon Newton of Government Capital regarding proposed funding for next year if HCESD 7 needs it for training facility construction.

No action taken by the Board.

To review and act on sales tax matters.

The Board noted that sales tax revenue is up 6.9% for the year.

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.

Commissioner Schmanski moved to ratify the continuation of a contract with a private law firm (Linebarger Goggan Blair & Sampson), 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.

Second by Commissioner Anderson. Motion approved 5-0.

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.

To discuss and take action on the imposition of additional penalty on 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.

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 Fuller moved to approve the Resolution presented by counsel on the imposition of additional penalty on delinquent taxes pursuant section §33.07 of the Tax Code, section §33.08 of the Tax Code and section §33.11 of the Tax Code. Second by Commissioner Schmanski. Motion approved 5-0.

To review and act regarding insurance.

No action taken by the Board.

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.

Ray Holliday with BRW Architects presented the Board an award from Firehouse Magazine for their 2020 Station Design Awards. Station 74 won the Gold Volunteer/Combination Award for the use of architectural elements, high performing materials, energy efficiency and firefighter safety.

Facilities Maintenance Coordinator, Donald May informed the Board AC and heat inspections are taking place at all SFD stations and currently there are no issues.

A final walk through at Station 74 with LDF Construction has one issue to address.

Commissioner Schmanski asked counsel to move this item higher on future agendas.

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

Fire Chief Scott Seifert presented information on the following:

- Profit and Loss Reports and stated the department is \$2,300,000.00 under budget.
- The 8 firefighters who were presented to the 100 Club were also presented to The Houston Live Stock Show & Rodeo for their First Responder of the Year awards to take place in February.
- Texas Commission on Fire Protection (TCFP) certification was November 3, 2020 with no violations.
- Chief Seifert received his TCFP Head of Department Certification on November 10, 2020.
- Station 77 - A ceremony is planned for November 23, 2020 to honor District Chief Shawn Babendure's memory with a display case featuring his bunker gear.
- Due to COVID-19, the annual SFD Banquet is cancelled. Letters will be sent to invitees regarding the cancellation.
- A badge pinning ceremony planned for the newly hired 6 firefighters is rescheduled for 2021 due to COVID-19. A total of 17 members are included since the previous new hires were cancelled as well.
- Job postings for Firefighters and Training Captains are forthcoming.
- Amazon is planning to build a new warehouse in the Spring area.

To review and take action to approve fees for governmental relations and legislative services to be carried out and coordinated by legal counsel.

Commissioner Schmanski moved to approve additional legal services to the engagement with Coveler & Peeler regarding governmental relations for 2021 for an estimated cost of \$100,000.00 to be invoiced by Coveler & Peeler, P.C. Second by Commissioner Fuller. Motion approved 5-0.

To review, discuss and take action on mutual aid or interlocal agreements regarding disaster operations, including revisions or amendments to the Harris County Basic Plan.

No action taken by the Board.

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

No list of items for surplus or disposal.

To review and act 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 inter-local agreements or purchasing equipment.

Chief Schoonover stated a structural analysis (by CenterPoint Energy), is in progress for the new Springwood Tower which was approved at October's meeting.

Receive ESD committee reports.

No action taken by the Board.

To review and act regarding municipal actions affecting the District.

John Peeler has HCESD 7's audit from Jill Henze with Breedlove & Co. P.C, CPA and information from the tax office and will correspond with The Woodlands regarding compensation owed to the District under Health and Safety Code section 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 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.

Chief Seifert and Assistant Fire Chief Logan will work with the department chiefs regarding the Texas Fire Chiefs Association designation in 2021 or 2022.

To review and take action on Records Management and Records Retention matters, including updates to designation of records officer(s), records policies, retention schedules, and to approve Records Disposition Log(s).

No action taken by the Board.

To review and approve minutes of prior meetings.

Commissioner Fuller moved to approve the October 15, 2020 meeting minutes. Second by Commissioner Anderson. Motion approved 5-0.

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 December 17, 2020 at 6:30 p.m.

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.

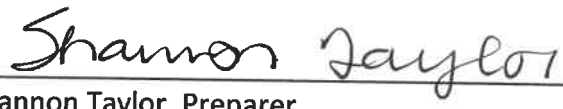
No action taken by the Board.

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 Anderson. The meeting is adjourned at 7:51 p.m.



Commissioner Keith Willingham
District Secretary



Shannon Taylor, Preparer