

1. Establish quorum and call to order: President D. McJunkin established a quorum and called the meeting to order at 8:06am. Commissioners present were: B. Warren, K. Stacy, E. Krenek and T. Kuykendall.
2. Citizens Inquiry: Guests present were ESD 4 attorney, Scott Smith; Kaye Townley with Municipal Accounts and Consulting; Mr. Terry Geick and Mrs. Harriett Geick. Mr. Geick spoke about his property being removed from the district.
3. Review and approve minutes from March 19, 2019 meeting; March 12, 2019 workshop and April 2, 2019 meeting: Commissioner K. Stacy motioned to accept the minutes from March 19 meeting, March 12 workshop and April 2, 2019 meeting as presented; Commissioner E. Krenek seconded the motion; all voted AYE, motion passed.
4. to item #5
5. Old Business:
  - a. Potential action on the ESD property considered for contribution to the County as discussed with Commissioner Meyers office - Memorandum of Understanding: moved to executive session
  - b. ESD4 and Fire Training Facility design and construction: no update
  - c. Future station locations: no update
  - d. Temporary station #4: B. Crone reported that a meeting was held with Cross Creek, FBC Fire Marshall and the City of Fulshear to review the property layout and design. The outcome was very positive and everyone was satisfied with the design. Cross Creek will let us know when the property is cleared and then Mobile Modular buildings will come to the site for a final layout check. Cross Creek is working with the City of Fulshear on permits.
  - e. ESD computers, tablets, iPad upgrades/new purchase: B. Crone presented options recommended by our IT Consultant, Henry Ngo. After a brief discussion, it was decided to get more options and include MAC/Apple as that is what the treasurer and office are using and there haven't been any problems. No action was required.
6. Options for sale of land owned by District on FM 1093 including sale to Fort Bend County or third parties: moved to executive session
7. Authorize response to Terry Geick regarding request for removal from the boundaries of the district: ESD4 Attorney, Scott Smith, addressed Mr. Geick's request for exclusion from the district by stating that there is no provision in the Texas Health and Safety Code Chapter 775 for exclusion. S. Smith gave a brief history of this agenda item and stated that the election was held in May 2013. President McJunkin allowed Mr. Geick to comment briefly. S. Smith stated the annexation was a two-part election/ballot where the petitioners voted to be annexed and ESD4 residents voted to accept the annexation. Commissioner Krenek asked how large his property is and Mr. Geick responded 14 acres with one house. Commissioner Stacy asked how property owners were notified and S. Smith stated that public notices are the only requirement. Public meetings were held and S. Smith asked if Mr. Geick had attended any of the meetings and he responded yes, the one held at Foster High School. S. Smith stated again that there is no provision in Chapter 775 to allow for exclusion from the boundaries of the District and Commissioner T. Kuykendall remarked that Chapter 775 would have to be revised before the District could do anything. President McJunkin stated there is no action required, no action was taken.

8. Insurance policies renewal: B. Crone provided an overview of the insurance and provided the new rate quote information for an increase to the excess liability coverage. Commissioner E. Krenek motioned to increase excess liability coverage to \$5million/\$10million with an annual premium of \$5,938; Commissioner B. Warren seconded the motion; all voted AYE, motion passed.

Returned to item #4

4. Bookkeeper's Report: Kaye Townley presented the bookkeeper's report. Commissioner Kuykendall asked that future reports exclude employee names under Child Support payments. K. Townley reported that Texas Class investments are at 2.6% interest. Commissioner T. Kuykendall motioned to accept the bookkeeper's report as presented; Commissioner K. Stacy seconded the motion; all vote AYE, motion passed.
  - a. Authorize payment of bills: Commissioners asked that K. Bone include employee payroll on future List of Bills. Commissioner E. Krenek motioned to approve the payment of bills as presented; Commissioner K. Stacy seconded the motion; all voted AYE, motion passed. B. Crone added that Patsy Schultz, FBC Tax Assessor-Collector, would be retiring as of April 30, 2019.
  - b. CDARS renewal: B. Crone reviewed the CDARS renewal with First National Bank in the amount of \$5 million for a 26 week renewal. There would also be an investment into Texas Class in the same amount. These amounts were previously discussed with the Treasurer and Bookkeeper based on upcoming expenses. The Texas Class investment is more fluid than CDARS accounts and can be accessed without penalties if needed. Commissioner E. Krenek motioned to approve the renewal and investment as presented; Commissioner T. Kuykendall seconded the motion; all voted AYE, motion passed.
9. Status of legal representation: President McJunkin began by stating that B. Crone had reached out to Radcliffe Bobbitt Adams Polley (RBAP) to possibly represent the ESD after the transition and that RBAP made their presentation at the special meeting held Monday, April 15, 2019. Our current attorney, S. Smith, agreed that he had been hired to see the ESD through the transition period and is happy to let us move forward with new representation. President McJunkin stated that after the presentation it was voted to terminate our letter of agreement with Smith Murdaugh Little Bonham (SMLB) effective April 30, 2019. It was then voted on to accept RBAP as our new legal counsel effective May 1, 2019. Commissioner Kuykendall stated he was surprised to hear this and that he was unaware of any complaint or desire to have new representation and added that he was not comfortable with the way this was handled. B. Crone discussed the email she had sent SMLB with questions on some of the charges on our invoice and the response she received from S. Smith. Commissioner Krenek stated he was not aware that there would be any action taken at the meeting on Monday. President McJunkin said that SMLB would stay on until April 30<sup>th</sup> and would help transition to the new firm. Commissioner Kuykendall asked who could call a special meeting and S. Smith responded that anyone could call for a special meeting.
10. MUD 81 letter residents regarding hydrants in their coverage area: B. Crone said the letter in the drop box would be sent to specific residents of MUD 81. Brandi explained that MUD's supply the department with information on hydrant locations and we then add to our maps. Brandi and Chief Meier drove through MUD 81 territory to check placements of hydrants and several locations were not accessible. MUD 81 wants to ensure that we agree with and support them on this letter. B. Crone added that neither the ESD nor fire department has control over the hydrants. Commissioner B. Warren motioned to support the letter from MUD 81 as presented; Commissioner T. Kuykendall seconded the motion; all voted AYE, motion passed.
11. Run report from Fire Chief: Chief Meier reviewed his report with the board.

12. Adjourn to executive session: Adjourned to executive session at 9:35am. Commissioner K. Stacy departed the meeting at 10:02am. The board reconvened to general session at 10:16am. Commissioner T. Kuykendall motioned to authorize an appraisal for the entire tract of property located on FM 1093 and a second appraisal for the property located in the flood plain-12 acres; Commissioner B. Warren seconded the motion; all voted AYE, motion passed.
13. Adjourn: Commissioner T. Kuykendall motioned to adjourn the meeting; Commissioner E. Krenek seconded the motion; all voted AYE, motion passed. The meeting adjourned at 10:20am.

Respectfully submitted,

Handwritten signature in cursive script, appearing to read "K. Bone".