

1. Establish quorum and call to order: President D. McJunkin established a quorum and called the meeting to order at 8:00am. Other Commissioners present were: K. Stacy, E. Krenek, T. Kuykendall and R. Pechukas. District employees in attendance were: Brandi Crone, Business Manager; Chief Herc Meier, Assistant Chief Wade Goates and Battalion Chief Tom Hughes. Consultant in attendance was Regina Adams of Radcliffe Bobbitt Adams Polley, LLC (“RBAP”), District general counsel. District employee in attendance via conference call was Karol Bone, Administrative Assistant. Consultants in attendance via conference call were: Kaye Townley of Municipal Accounts and Consulting (“MAC”), District Bookkeeper, and Bill Blitch of Blitch Associates, District Financial Advisor.
2. Public Comment: None.
3. Minutes from the March 17, 2020 meeting: Commissioner Stacy motioned to approve the minutes as presented, Commissioner Pechukas seconded the motion; all voted AYE, motion passed.

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5. Bookkeepers Report, including authorize payment of bills:
 - a. 2015 Pumper payment or payoff option: Ms. Townley presented the Bookkeeper’s Report and List of Bills. Commissioner Kuykendall motioned to accept the Bookkeeper’s Report and list of bills as presented; Commissioner Stacy seconded the motion; discussion ensued and Commissioner Krenek asked questions pertaining to the payoff amounts of the Quint and the Pumper, respectively. It was noted that the Pumper payoff amount included an early payoff penalty of \$6,270.63. Upon further review, Commissioner Pechukas noted it would be less expensive to pay off the loan early with the penalty. The Board suspended further discussion on this matter to allow for further research.
4. District Real Estate, Design and Construction Matters:
 - a. Status of EOC and Fire Training Facility design and construction
 - i. Materials testing proposals: Ms. Crone then presented to and reviewed with the Board the materials testing proposals from Gessner, Alpha and Terracon along with a comparison summary of such proposals. Various aspects of the proposals and forms of contracts were reviewed and it was noted that Gessner has done prior work on this project. Commissioner Pechukas motioned to accept the Terracon proposal and approve the agreement for same subject to attorney review, Commissioner Krenek seconded the motion; Commissioner Krenek made further comments noting various necessary revisions to the agreement. With regard to one of the contract comments from Commissioner Krenek, Commissioner Kuykendall stated that any errors with the construction of the building, the contractor would be the primary responsible entity and this the geotechnical engineer would carry a secondary liability. Commissioner McJunkin stated that the geotechnical engineer adds a layer of inspection; all voted AYE, motion passed.

(5a continued) After review of the debt service schedule, Ms. Townley explained that the District would save \$17,158 by paying off this loan in May. Further extensive discussion ensued regarding the total payoff amounts and the timing of all payments due. Commissioner Kuykendall amended his motion to include authorizing providing proper notice of the payoff and include in the list of bills the regular May payment of \$81,538.07 for the 2015 Spartan Pumper; Commissioner Stacy seconded the amendment; all voted AYE, motion passed.

4.a.ii. Resolution of the Board of the District Regarding a Loan (\$6,657,705):

Commissioner Pechukas noted the proposed terms of the loan were discussed at the March Board meeting. Ms. Adams reviewed the Resolution and other loan documents with the Board. Ms. Adams also noted that there is no cost of issuance attributable to the District. Ms. Adams also asked if the Board intended for the entire 46 acre site to be security for the loan, as that is the way the security agreement is currently structured. After discussion, it was the consensus of the Board to only include the acreage attributable to the EOC/training facility project, which would be approximately 15 acres, as security for the loan in the security agreement. Ms. Adams noted that a new survey of the subject property would need to be prepared for inclusion with the loan documents. The Commissioners confirmed that the survey include the full site development plan including the buildings, parking, training area and detention/drainage easement area. Ms. Adams noted that the loan agreement specifies that the loan may not be paid off or refinanced for 5 years. Commissioner Krenek motioned to adopt the Resolution and approve and authorize execution of all related loan documents subject to the revised legal description, as discussed, seconded by Commissioner Pechukas; Commissioner McJunkin clarified that this motion will include agenda items 4a.ii and 4a.iii, Loan Agreement, Deed of Trust and Security Agreement and Escrow Agreement with Capital One Public Funding and TMI Trust, LLC respectively; Commissioner Krenek confirmed same. Ms. Adams stated that the loan agreement requires the District to follow section 148 of the Internal Revenue Code, which requires the District to adopt and follow the requirements of a post issuance tax-exempt debt compliance policy. Ms. Adams stated she would include same on the May agenda. All voted AYE, motion passed.

iii. Loan Agreement, Deed of Trust and Security Agreement and Escrow Agreement with Capital One Public Funding and TMI Trust, LLC respectively: This item as included in the motion in agenda item 4a.ii.

iv. Declaration of Maintenance Covenant and Easement for Storm Water Control Facilities with Fort Bend County ("FBC"): Ms. Crone stated FBC Drainage District requires this covenant and easement for detention/drainage facilities constructed within FBC for new development. Ms. Crone, Chief Meier and Commissioner Pechukas noted it is a standard request that outlines the terms under which FBC Drainage District would have the right to maintain the District's storm water control facilities should the District not maintain

same to FBC's standards. Ms. Adams noted that she had reviewed same. Commissioner Pechukas noted he would like to speak with Mark Vogler further regarding this matter. The Commissioners reviewed the rationale for such agreement and the timing of execution of same so as not to delay the permit process. After discussion, Commissioner Pechukas motioned to approve, subject to final review by a committee of Commissioners Krenek and Pechukas, Ms. Adams and Ms. Crone, seconded by Commissioner Kuykendall; all voted AYE, motion passed.

- b. Future station locations – moved to executive session.
- c. Site acquisition for future Station 4 site: Ms. Crone provided an update regarding the site location in the Cross Creek Ranch subdivision and noted that the District is awaiting the transactional documents from the developer and a timeline for same has not been provided. Chief Meier showed the Board the future station location on the map.
 - i. Membership in the National Cooperative Purchasing Alliance "NCPA": Chief Goates discussed the proposed temporary building, provided the Board with pictures of the items the District intends to purchase and timelines for the implementation of same. Chief Goates stated he has not received a quote for the apparatus storage building yet and the site work is not included in any cost estimates at this time. Commissioner Pechukas motioned to approve items 4c i, ii and iii, seconded by Commissioner Stacy; all voted AYE, motion passed.
 - ii. Master Intergovernmental Cooperative Purchasing Agreement with NCPA: This item was previously approved.
 - iii. Contracting with Box Modular for the acquisition of a modular building for temporary Station 4: This item was previously approved.
- d. Installation of the Draeger Training System (the "System") and the Affordable Training Tower (the "Tower")
 - i. Concrete foundation bid for the System and Tower on 2 acres: Ms. Crone noted that bids have not yet been received as Chief Meier is researching engineers to stamp the foundation drawings as required by the City of Fulshear. It was noted that the costs for provision of same have been provided by Affordable Drill Tower and from LJA for the System foundation. Chief Goates stated he is awaiting a proposal from Pinnacle Engineering for same. Chief Meier stated that if the Board wishes to accept LJA's and Affordable Drill Tower's proposals the process can move forward. Commissioner Kuykendall inquired regarding the costs; Chief Meier noted that LJA's cost is \$3,950 and Affordable Drill Tower is \$2,500. Commissioner Krenek asked if the District needed both drawings and Chief responded affirmatively as both structures require foundations. Commissioner Krenek motioned to accept both proposals, as discussed, seconded by Commissioner Kuykendall; all voted AYE, motion passed.
- e. Request for Qualifications ("RFQ") for Architectural Services for future station design: Ms. Crone noted that RFQ's were sent out with a response deadline of May 7, 2020.

6. Additional available policy options for AFLAC benefit plan: Ms. Crone stated that she has correcting several issues with the AFLAC discrepancies that took place during the open enrollment period with Commissioner Stacy, as previously noted with the Board. Commissioner Stacy reviewed the coverages currently provided by the District and discussed offering the hospital policy and life insurance to employees in the future. Ms. Crone added that the premiums would be paid for by the employees that select these optional coverages, not the District. Ms. Crone added that such policies are portable should the employee leave the District. Commissioner Stacy motioned to make available through the benefits plan during the next open enrollment period or for onboarding employees the additional AFLAC coverages, including the hospital plan and individual life insurance, Commissioner Kuykendall seconded the motion; all voted AYE, motion passed.

7. Liaison to FBC Commissioner's office: Commissioner McJunkin reminded the Board that the intent of this position when it was created was to maintain an open line of direct communication with Commissioner Meyer's office. He also stated his perception of the benefits and risks of continuing to maintain such position and added that with Commissioner Pechukas' appointment to the Board, the position becomes redundant. Commissioner Kuykendall stated that the goal that the Board was trying to accomplish would be accomplishable through Commissioner Pechukas. Commissioner Pechukas stated that due to his position in Commissioner Meyers office, if other Commissioners met with Commissioner Meyers, he would be in the meeting as well. Ms. Adams reminded the Board of the potential for conflicts of interest with such dual role depending upon the matters being discussed and Commissioner Pechukas confirmed that if that becomes an issue, he would recuse himself. Commissioner Kuykendall stated due to the current make-up of the Board, he motioned to eliminate the position of Liaison to FBC Commissioner's office, seconded by Commissioner Krenek; all voted AYE, motion passed.

8. Policy regarding standing deadline for submission of qualifications, proposals and bids: Commissioner Pechukas began by stating this was his request, and he believes it makes sense to have a policy in place where entities apprised of a deadline within which their proposals et al must be provided and suggested such standing deadline be no later than noon on the Thursday prior to a Board meeting so that they may be provided to the Commissioners on the Friday prior to the Board meeting. Commissioner Krenek suggested that there could be exceptions due to emergencies, but the standard would be noon on Thursday the week prior to provide the Board time to review the documents. Further discussion regarding timing ensued. Commissioner Pechukas motioned to set a policy where statements of qualifications, proposals and/or bids are due to the District office no later than 10 days prior to the District Board meeting. Chief Meier stated that 10 days would be too far in advance and suggested one week prior to the Board meeting, Commissioner Pechukas revised his motion to state the standing deadline would be by close of business one week prior to the Board meeting, seconded by Commissioner Kuykendall; Commissioner McJunkin added that he hoped District administration would provide feedback if this process does not work; All Commissioners voted AYE, motion passed.

9. District employee credit card policy: Ms. Crone reviewed the credit card policy with the Board. Commissioner Kuykendall motioned to approve Policy 1409 regarding District credit cards, seconded by Commissioner Pechukas; All Commissioners voted AYE, motioned passed.
 - a. Designate Fire Chief and Business Manager to select the credit card company and establish line of credit per policy: Ms. Crone recommended that the Fire Chief maintain a credit line of \$10,000; Assistant Chief, \$5,000; each Battalion Chief, \$2,500; and that the Business Manager's current credit limit is \$10,000. Ms. Crone recommended that the District continue utilizing New First National Bank for the credit cards. Ms. Crone added that each individual employee would be responsible for their own expense reports and Chief Meier and Chief Goates will review and approve them. Ms. Crone stated that she does not expect an increase in credit card expenses, as the expenses for which her card is typically utilized would then be disseminated to other employees who also have credit cards. Commissioner Krenek motioned to establish the lines of credit as reflected in Ms. Crone's recommendation with \$10,000 for Fire Chief, \$5,000 for Assistant Chief, \$2,500 for each Battalion Chief and \$10,000 for Business Manager and by utilizing New First National Bank, seconded by Commissioner Kuykendall; All Commissioners voted AYE, motion passed.
10. Resolution requesting FBCAD re-evaluate all property values in light of COVID-19: Commissioner Pechukas stated he requested this item as it is something he and Commissioner Krenek have been working on. Commissioner Pechukas explained that the resolution requests that the Texas Governor, Comptroller and FBC Chief Appraiser to limit the tax burden on FBC taxpayers, as the COVID-19 pandemic is an economic emergency. Commissioners Pechukas and Krenek briefed the Board that other entities in the State would be submitting the same or similar resolutions. Commissioner Pechukas motioned to approve the Resolution, as presented, subject to final review by legal counsel, seconded by Commissioner Krenek. Commissioner Pechukas asked that if the motion passes, the Resolution be sent to the Governor, Comptroller and FBC Chief Appraiser Jordan Wise and filed with the FBC Clerk's office. Commissioner Kuykendall noted that legislators have stated that they solved the property tax valuation issue for taxpayers and now the Commissioners must rescue the taxpayers and he is frustrated with the way State legislators communicate and push the burden down to local government. All Commissioners voted AYE, motion passed.
11. Creation and administration of District social media accounts and policy for same: Commissioner McJunkin stated that he has a District Facebook page created but believed the fire department would change the name in the future. Commissioner McJunkin stated he believes the Facebook page name should change to Fulshear-Simonton Fire Department. Chief Meier and the Board the discussed the purpose of the Facebook page and the information intended to be disseminated on it. Commissioner McJunkin stated that the Board and department staff has the same mission but different

perspectives and suggested using a name that reflects Fulshear Simonton Fire Department.

12. Fire Department COVID-19 update: Chief Meier and Assistant Chief Goates explained the District has begun a disinfectant process in the stations and apparatus and that BC Hughes is working with the supply vendor to purchase cleaning items that are needed. They added that the Department has had masks, hand sanitizer and gloves donated. Chief Meier noted two Battalion Chiefs left the Department for FBC HAZMAT. Chief Meier also expressed the concerns with the possibility of losing access to part-time District fire fighters, who work full-time for Houston Fire Department, due to a higher potential for quarantine due to COVID-19. Chief Meier noted that because of that concern, he temporarily changed the shifts from 4 to 3 so that the District can maintain current staffing levels. Chief Meier stated that two captains have been promoted and such process was discussed. Commissioner Stacy asked if the Department was conducting any testing and Chief Meier said not at this time, but he will look into same at a later date once more reliable antibody tests are available. Chief Goates reviewed the temperature checks that are being done twice daily at the stations. Chief Goates added that the Department's medical director has been training the fire fighters on COVID-19 and has shared his experiences in the ER related to the virus.
13. District Administration Report: Ms. Crone explained that the 26-week CDARS account matured. Ms. Crone added that after reviewing interest rates and available options with Commissioner Stacy and the bank, the funds were reinvested into another 26-week CDARS. Ms. Crone added that Brad Dill of BD Realty has stated that when the Board is ready to move forward with his services, he is available. Ms. Crone then reported that the Department is interviewing part-time fire fighters and posted for full-time fire fighters and cadets. Ms. Crone stated that precautions are being taken during interviews based on COVID-19 recommendations/requirements.
14. Fire Chief Run Report: Chief Meier reported that the Department had a total of 183 responses in March- Station 1 responded to 70 calls and Station 3 responded to 113. Chief Meier stated that 3 part-time fire fighters have left the Department recently.
15. Adjourn to Executive Session to discuss matters concerning pending or contemplated litigation, consultation with attorney, real property, or personnel, as authorized pursuant to Texas Government Code, Section 551.071, et seq: The Board adjourned to executive session at 10:56am and reconvened to general session 11:08am, at which time no action was taken.
16. Adjourn: Commissioner Stacy motioned to adjourn the meeting; Commissioner Pechukas seconded the motion; all voted AYE, motion passed. The meeting was adjourned at 11:10am.

Passed and approved this 19th day of May, 2020.


T. Kuykendall
Secretary, Board of Commissioners

