

**MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS**

DECEMBER 20, 2022

THE STATE OF TEXAS	§
COUNTY OF FORT BEND	§
FORT BEND COUNTY EMERGENCY SERVICES DISTRICT NO. 4	§

The Board of Commissioners (the "Board" or the "Commissioners") of Fort Bend County Emergency Services District No. 4 (the "District") met in regular session, open to the public, at 33301 F.M. 1093, Fulshear, Texas 77441, the regular meeting place of the District, on Tuesday, December 20, 2022, at 8:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Daniel McJunkin	President
Ed Krenek	Vice President
Tommy Kuykendall	Secretary
Kim Stacy	Treasurer
Robert Pechukas	Assistant Secretary/Treasurer

All members of the Board were present, except Commissioner Pechukas, thus constituting a quorum. The following District employees were in attendance: Fire Chief Herc Meier; Assistant Chief Wade Goates; and Ms. Karol Bone, Administrative Assistant. Also in attendance were: Ms. Regina D. Adams and Ms. Meredith King (via teleconference), attorneys, and Ms. Raechel Rodriguez (via teleconference), legal assistant, of Radcliffe Bobbitt Adams Polley PLLC (the "Attorney" or "RBAP"), attorney for the District; Ms. Carol Morrison (via teleconference) of Municipal Accounts & Consulting, L.P. ("MAC"), bookkeeper for the District; Mr. Ricardo Martinez (via teleconference) of Martinez Architects ("Martinez"); and Mr. Chad Nesvadba, P.E. of Huitt-Zollars, Inc. ("Huitt-Zollars" or "Engineer").

WHEREUPON, the meeting was called to order at 8:04 a.m. and evidence was presented that public notice of the meeting had been given in compliance with the law. The posted notices of the meeting are attached hereto.

PUBLIC COMMENT

There was no public comment.

APPROVE CONSENT AGENDA

The Board reviewed the items reflected on the Consent Agenda. Commissioner McJunkin explained that this portion of the agenda deals with routine matters of the Board, and that no separate discussion of such items would occur unless a Commissioner or a member of the public requests that an item be moved to the regular portion of the agenda.

Commissioner McJunkin noted there were no purchase orders requiring action. Commissioner McJunkin inquired about the cost of the workers' compensation insurance coverage. Commissioner Stacy noted there was an increase in bodily injury coverage. It was also noted that there were no amendments to the budget for Fiscal Year Ending ("FYE") December 31, 2023. The Commissioners also discussed with Chief Meier the workers' compensation and property insurance proposals.

Mr. Nesvadba entered the meeting at this time.

Upon motion by Commissioner Krenek, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to approve or authorize the item(s) on the Consent Agenda, as follows:

1. Minutes from the November 15, 2022 Board meeting;
2. Bookkeeper's Report, including authorize payment of bills, subject to revisions as discussed;
3. List of declared surplus assets;
4. Publication of Notice of District Administration Office;
5. Filing of Annual Report with Texas Department of Emergency Management;
6. 2023 Annual Agenda;
7. Payment of VFIS insurance premium via ACH;
8. Payment to Texas Mutual Workers' Compensation premium via ACH;
9. Filing financial and tax-related information with Texas Comptroller pursuant to Texas Local Government Code, Section 203.062 and Texas Government Code, Section 403.0241 for the Special Purpose District Public Information Database; and
10. Receipt of Financial Advisory Brochure from Blich Associates.

PRESENTATION ON DISTRICT SALES AND USE TAX FEASIBILITY AND AVAILABILITY

The Board tabled this matter.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

CENTRAL STATION AND FIRE TRAINING FACILITY CONSTRUCTION

Ms. Adams reminded the Board that the final Pay Application ("PA") for this project was received and sent to the Auditor. Ms. Adams noted that the final PA would be considered upon completion and acceptance of the construction audit.

A discussion ensued regarding the warranty period. Ms. Adams noted that the warranty period began on the date of the Certificate of Substantial Completion, which was April 16, 2022.

CROSS CREEK RANCH ("CCR") STATION DESIGN AND CONSTRUCTION INCLUDING PAY APPLICATIONS, CHANGE ORDERS AND ALLOWANCE TRANSFERS

Mr. Martinez reviewed with the Board the competitive proposal tabulation for construction of the CCR Station. Mr. Martinez noted there were two (2) proposers and reviewed their pricing and added that Millennium Construction had the lower price with the alternate add-ons. A discussion ensued regarding interviewing the proposers to further evaluate them on January 9, 2023.

AUTHORIZE PAYMENT OF VFIS INSURANCE PREMIUM (DUE JANUARY 2023) VIA ACH

It was noted there was a late property and auto insurance proposal from VFIS for the Board's consideration. Upon motion by Commissioner Kuykendall, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to accept the property and auto insurance proposal from VFIS and authorize payment for same.

DISTRICT REAL ESTATE, DESIGN AND CONSTRUCTION MATTERS:

JORDAN RANCH STATION DESIGN

There was nothing to report at this time.

FULSHEAR STATION DESIGN

Ms. Bone stated that the District was awaiting Statements of Qualifications for general geotechnical services and surveying services which were due January 12, 2023. In response to a question from Commissioner Krenek, Chief Meier noted the design process is ongoing.

PROPOSAL(S) FOR ISO CONSULTANT SERVICES

Chief Meier presented to the Board multiple proposals from Mike Pietsch, P.E. Consulting Services, Inc. ("Mike Pietsch") for various ISO consulting services for a total cost of \$60,000.00 as a sole source provider of these services. Upon motion by Commissioner Krenek, seconded by Commissioner Stacy, after full discussion and the question being put to the Board, the Board voted unanimously to accept all proposals from Mike Pietsch for ISO consulting services not to exceed \$60,000.00.

COMMUNICABLE DISEASE POLICY

Chief Meier and Ms. Adams reviewed with the Board the statutory requirements related to the Communicable Disease Policy and that, at roll-out, there were misunderstandings of how to implement it and that paid time off ("PTO") would be due to impacted employees under such policy. An extensive discussion ensued regarding the appropriate application of the

Communicable Disease Policy. Upon motion by Commissioner Krenek, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to reimburse the PTO bank up to \$22,000.00 for 2022 to comply with the District's Communicable Disease Policy.

Commissioner Kuykendall requested that Chief Meier provide the Commissioners with a report reflecting how much PTO was paid in 2022.

RESOLUTION ADOPTING COMMISSIONER FEES OF OFFICE AND REIMBURSEMENT POLICY (THE "PER DIEM AND REIMBURSEMENT RESOLUTION")

Ms. Adams reviewed with the Board the terms of the proposed Per Diem and Reimbursement Resolution. A discussion ensued regarding appropriate expenses and what duties qualify for fees of office. Ms. Adams went on to recommend the Commissioners submit their verification of expenses and per diems monthly and not once per year. An extensive discussion ensued and Ms. Adams addressed questions from the Commissioners. Upon motion by Commissioner Kuykendall, seconded by Commissioner Krenek, after full discussion and the question being put to the Board, the Board voted unanimously to adopt the Per Diem and Reimbursement Resolution.

RECRUITMENT THROUGH MILITARY VETERANS PROGRAM

The Board postponed this matter.

STAFF APPRECIATION

The Board postponed this matter.

DISTRICT ADMINISTRATIVE REPORT

Ms. Bone noted the cut-off date to cancel rooms for the SAFE-D Annual Conference was January 3, 2023, otherwise, charges would apply to any cancellations after that date.

FIRE CHIEF RUN REPORT

Chief Meier gave the Fire Chief's Report and noted that there were 362 calls in the prior month. Chief Meier reported that the Santa Claus tour concluded the evening before, and noted that in future years, he would recommend dedicating an off-duty driver to the Santa Claus tour.

Chief Goates noted one (1) conditional full-time firefighter employment offer was made and that four (4) part-time firefighter employment offers were accepted conditionally.

PERSONNEL MATTERS

CONVENE IN EXECUTIVE SESSION

Commissioner McJunkin then stated that the Board would enter into Executive Session to discuss personnel matters.

All meeting attendees, with the exception of all members of the Board present, Chief Meier, Ms. Adams, Ms. King and Ms. Rodriguez exited the meeting at 9:47 a.m.

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, Section 551.074, regarding personnel matters, Commissioner McJunkin convened the Board into Executive Session at 9:50 a.m. The persons present in the Executive Session at various times were Commissioners McJunkin, Krenek, Stacy, and Kuykendall; Chief Meier; Ms. Adams; Ms. King; and Ms. Rodriguez.

Chief Meier exited Executive Session.

Chief Meier then re-entered Executive Session.


RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at 10:29 a.m. and Commissioner McJunkin reconvened the meeting in open session, at which time the Board took the following action:

Upon motion by Commissioner Stacy, seconded by Commissioner Kuykendall, after full discussion and the question being put to the Board, the Board voted unanimously to authorize creation of the new exempt position of Deputy Chief of Administration with a salary not to exceed \$110,000.00.

There being no further business to come before the Board, the meeting adjourned at 10:32 a.m.

PASSED, APPROVED, AND ADOPTED this 17th day of January, 2023.



Secretary, Board of Commissioners

(DISTRICT SEAL)

