

**MINUTES OF THE MAY 21, 2015 MEETING OF THE
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11**

A Meeting was duly called of the **HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11**, which was held on May 21, 2015, at Cypress Creek EMS Education Center, 7111 Five Forks Rd., Spring, Texas 77379.

The Meeting was called to order at 9:00 a.m. by **LYNN LEBOUF**, President. Those Commissioners present were **LYNN LEBOUF, FRED GRUNDMEYER, KAREN PLUMMER, ROBERT BERLETH, and KEVIN BROST**. Also present were **HOWARD KATZ, of COVELER & KATZ, P.C.**, the District's Counsel, **BILL RUSSELL, of MYRTLE CRUZ, INC.**, the District's bookkeeper, and Board officers of Cypress Creek EMS ("CCEMS"), and members of the public. Also present were Chad Joiner of Joiner Partnership, Inc., District architects on the Station 513/Coventry project, and Andrew McKinney, attorney for CCEMS. Also present was Debbie Gibson, of McCall Gibson Swedlund & Barfoot, the District's auditor.

The Board addressed approval of the Minutes of the April 16, 2015 regular meeting. During review, the following correction was noted: on page 4, the spelling of Koronis was noted. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BROST** to approve the Minutes. After discussion, the Motion was approved by a vote of 4 to 0 (Mr. Berleth abstaining due to absence from that meeting).

The Board then addressed Financial Matters. The District received a report from **BILL RUSSELL, of MYRTLE CRUZ, INC.**, the District's bookkeeper. He reported that the operating account balance of the District following the prior meeting was \$7,249,069.11. He also noted the receipt of tax revenue since the prior meeting in the amount of \$138,974.96, tax penalty and interest of \$2,806.38, and interest of \$1,875.246. He also reported that as of this meeting and prior to the payment of current bills, \$7,391,829.34 was on deposit at the Prosperity Bank operating account, plus time deposits of \$240,000.00 plus interest at four banks and \$2,000,000.00 at Central Bank (CDARS program), plus demand deposits of \$212,853.71 (Prosperity Bank), plus \$5,211.31 at TexPool,

plus CD/investment accounts plus interest as to all said accounts/CD: \$235,574.72 at Spirit of Texas Bank, \$232,320.91 at Icon Bank, \$225,093.93 at Community Bank (previously Vista Bank), and \$1,589,706.75 at Compass Bank, plus \$240,000.00 at three banks. He also said that all District funds were properly insured and/or secured by pledged securities. Thereupon, after review, Motion was made by Mr. **BROST**, seconded by Mr. **BERLETH** to approve the Financial Report as presented. After discussion, the Motion was approved by a vote of 5 to 0.

As part of the Financial Report, the Board then addressed District investments. Mr. **RUSSELL** suggested the following action: none at this time. Thereupon, after review, Motion was made by Mr. **BROST**, seconded by Mr. **BERLETH** to approve the District's Investment Report. After discussion, the Motion was approved by a vote of 5 to 0.

The Board received a presentation from representatives of Wells Fargo Bank regarding the services and investment features offered by the bank.

The Board then addressed payment of District bills. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BROST** to approve the payment of District bills as follows:

1.	Myrtle Cruz, Inc. (bookkeeping)	\$	1,787.52
2.	Coveler & Katz, P.C. (legal-April)	\$	3,852.48
3.	Joiner Partnership, Inc. (Station 513)	\$	2,216.80
4.	Lyendecker Consulting (Loan inspection fee Station 513.)	\$	395.00
5.	McCall Gibson Swedlund Barfoot (Dist. audit)	\$	8,000.00
6.	SAFE-D (Ann membership)	\$	1,100.00
7.	SAFE-D (Conf. reg K. Plummer)	\$	195.00
8.	HCAD (Qrtly fee)	\$	29,203.00

After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the District's 2013 audit presented by Debbie Gibson, of McCall Gibson Swedlund & Barfoot, the District's auditors. Ms. Gibson said the report was clean with no exceptions or qualifications. There was general discussion. There was discussion about classification of assets and capital purchases. Without objection, approval of the audit was held for the June meeting.

The Board then addressed 2015 property tax exemptions. Counsel presented an evaluation of the homestead and over-65 and disabled exemptions at various levels and for a general homestead exemption at 5%. There was discussion about the financial demands of the District and the costs, including the possibility of new station construction. Thereupon, after review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to approve Exemptions of \$50,000.00 for the over-65 and disability property account categories. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed engagement of a law firm to collect 2014 and prior delinquent taxes. The Board noted that the firm of Linebarger Goggan Blair and Sampson collected the Harris County delinquent taxes and the District taxes were part of the consolidated county tax bill. After review, Motion was made by Mr. **BROST**, seconded by Mr. **BERLETH** to approve the engagement of the law firm of Linebarger Goggan Blair and Sampson to collect 2014 and prior delinquent taxes at the penalty rate of 20%. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed imposition pursuant to Section 33.07, Texas Tax Code, of a 20% penalty for delinquent 2014 property taxes. After review, Motion was made by Mr. **BERLETH**, seconded by Ms. **PLUMMER** to approve the imposition pursuant to Section 33.07, Texas Tax Code, of a 20% penalty for delinquent 2014 property taxes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed imposition pursuant to Section 33.08, Texas Tax Code, of a 20% penalty for delinquent 2014 property taxes. After review, Motion was made by Mr. **BERLETH**, seconded by Ms. **PLUMMER** to approve the imposition pursuant to Section 33.08, Texas Tax Code, of a 20% penalty for delinquent 2014 property taxes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed imposition pursuant to Section 33.11, Texas Tax Code, of a 20% penalty for delinquent 2014 personal property taxes. After review, Motion was made by Mr. **BERLETH**, seconded by Ms. **PLUMMER** to approve the imposition pursuant to Section 33.11, Texas Tax Code, of a 20%

penalty for delinquent 2014 personal property taxes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed revisions to the 2015 District budget. No action was required.

The Board addressed review of the District five-year plan. There was discussion about station construction or renovation. The Board addressed with Mr. England the current Treschwig station. Mr. England said there was activity involving a possible road condemnation that might affect that station. He said it is a stand alone facility. There was also discussion about a new Spring VFD station.

The Board then addressed the payment of CCEMS Operations and Capital funding as set forth in the Financial Report. Mr. **RUSSELL** noted that Operations funding was due at this meeting in the amount of \$893,805.42. After review, Motion was made Mr. **BROST**, seconded by Ms. **PLUMMER** to pay the CCEMS Operations. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the payment of CCEMS Capital funding. Mr. England said there was none.

The Board then received a report from CCEMS. Brad England, Executive Director of CCEMS, presented the report.

Mr. England, referring to the CCEMS report, noted the line graphs showing responses, response times, dispatch times, fire/ems breakdown in dispatched calls and hospital times as well as for EMS billing collections information.

Mr. England said that in April there were 20 mutual aid responses in District territory and CCEMS provided 33 mutual aid responses to out of District territory. He reported that CCEMS has responded to a chronologic total of 495 STEMI calls, with a 98% correct call rate. Mr. England said that 7 minutes 58 seconds was the average total response time, with 6 minutes 52 seconds the average travel time and average scene time was 23 minutes 41 seconds, and the average transport was 17 minutes 11 seconds. Mr. England said that the average dispatch time at 48 seconds was well under the 90 seconds national average. He also reported that for the prior month end CCEMS responded to

3,111 calls, with the prior month's ALS being 1,369 and BLS being 457. Mr. England said there were also 6 life flights.

Mr. England said CCEMS was recognized by the American Heart Assoc. with a Gold Award for Heart Patient Care related to the Stemi program CCEMS performs. He said CCEMS was the only Gold Award agency in the Houston region.

Mr. England said there was a disagreement that CCEMS had with the accreditation agency concerning how it charged for the CCEMS academy. He said CCEMS was pursuing a switchover to Lonestar College for the Academy accreditation program.

After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to receive the CCEMS monthly report. During discussion, the Board and Mr. England discussed the legal costs being incurred by CCEMS in its litigation with the Texas Attorney General concerning the PIA ruling issued by the AG. Mr. **BROST** said the costs were \$22,000.00 so far. Mr. **BERLETH** asked if CCEMS had established a reserve for the costs and the possible costs and attorneys fees that might have to be paid by CCEMS in that lawsuit. Andrew McKinney, attorney for CCEMS said there was no exposure for such costs. Mr. **BERLETH** said he disagreed with that assessment. After discussion, the Motion was approved by a vote of 4 to 0 (Mr. Berleth abstaining).

The Board received a report from Chad Joiner of Joiner Partnership, Inc. District architects on the Station 513/Coventry project. He addressed the work progress. Mr. Joiner said there was a Pay App to the contractor Brookstone in the amount of \$83,351.64, as certified due by the architect. After review, Motion was made by Mr. **BROST**, seconded by Mr. **GRUNDMEYER** to approve the Pay App. After discussion, the Motion was approved by a vote of 5 to 0.

Mr. **BERLETH** asked Mr. England about staffing the new station. Mr. England said there was a 3-month lead time to place the crew in a station.

Mr. Joiner addressed two change orders: (1) delete the PA system (\$8,200.00 reduction); (2) add day room alert system lighting (\$1,677.00 increase). Mr. Joiner said all adjustments would be made in the contingency fund. The change orders were approved without objection.

The Board then addressed E-Views. Ponderosa VFD Fire Chief Fred Windisch delivered a report. He noted that there was discussion about other agencies considering participation in the program. No action was required at this time.

The Board addressed commissioner non-attendance at District meetings. Mr. **BERLETH** said he was here. Ms. **PLUMMER** said it was unfair to the Board members for him to miss so many meetings, and he should decide if he wants to be on the Board or not. Mr. **BERLETH** said would be here for the next six months.

The Board then addressed third party communications. Counsel said he presented materials sent to him by Wayne Dolcefino addressing the CCEMS entertainment expenses.

The Board next addressed creation of a position of District office manager. Counsel said that he was revising the job description.

Without objection, the Board tabled consideration of the Harris County Office of Homeland Security Emergency Management Plan.

Counsel delivered a legislative update.

The Board received public comment.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 10:13 a.m.

Secretary of the Board