

**MINUTES OF THE NOVEMBER 17, 2011 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 November 17, 2011, 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 LeBOUEF**, President. Those Commissioners present were **LYNN LeBOUEF, JOSH FETNER, FRED GRUNDMEYER, KAREN PLUMMER** and **THOMAS SLONEK**. Also present were **HOWARD KATZ, of COVELER & KATZ, P.C.**, the District's Counsel, **BRAD ENGLAND**, Executive Director of Cypress Creek EMS ("CCEMS"), and **BILL RUSSELL, of MYRTLE CRUZ, INC.**, the District's bookkeeper, and members of the public.

The Board first reviewed the Minutes of the October 19, 2011 regular meeting. After review, Motion was made by Mr. **FETNER**, seconded by Mr. **GRUNDMEYER** to approve the Minutes. After discussion, the Motion to approve the Minutes was approved by a vote of 5 to 0.

The Board then received a Financial Report from **BILL RUSSELL**, of **MYRTLE CRUZ, INC.**, the District's bookkeeper. Mr. **RUSSELL** delivered the report. He reported that the operating account balance of the District following the prior regular meeting was \$17,377.32. He also noted the receipt of tax revenue since the prior meeting in the amount of \$7,382.56 tax penalty and interest of \$1,656.62 and interest of \$646.51. He reported that as of this meeting and prior to the payment of current bills, \$626,223.79 was on deposit at the Prosperity Bank operating account, plus CD/investment accounts of \$450,000.00 (2@\$225,000.00), plus interest as to all said accounts/CDs, plus demand deposits of \$12,363.26 (Prosperity Bank), plus \$5,197.88 at TexPool, plus \$1,837.53 at Central Bank, plus \$33,497.78 at Spirit of Texas Bank, plus \$29,700.78 at Icon Bank, plus \$23,600.92 at Vista Bank Texas, plus \$10,560.06 at Compass Bank. He also said that all District funds were properly insured and/or secured by pledged securities.

Thereupon, after review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **FETNER** to approve the Financial Report as presented. During discussion, the Board discussed the possibility of doing a tax anticipation loan in the amount of \$500,000.00. Counsel said he would place that as an agenda item for the next meeting. 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** noted that certain Certificates of Deposit or other accounts were scheduled to mature or warranted revised investment following this meeting. He presented an investment report and investment schedule (compiled with District Commissioner/Investment Officer Josh Fetner). After review, Motion was made by Mr. **FETNER**, seconded by Ms. **PLUMMER** to approve and authorize the investment schedule as outlined in the Financial Report. After discussion, the Motion was approved by a vote of 5 to 0.

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

1.	Myrtle Cruz, Inc. (bookkeeping)	\$	1,791.34
2.	Coveler & Katz, P.C. (legal-October)	\$	1,781.67
3.	Joiner Partnership (Station 511)	\$	2,340.00
4.	Texas Mutual Insurance Co. (W/C)	\$	272.00

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

The Board then addressed engagement of a law firm to collect 2011 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 Ms. **PLUMMER**, seconded by Mr. **FETNER** to approve the engagement of the law firm of Linebarger Goggan Blair and Sampson to collect 2011 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 2011 property taxes. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **FETNER** to approve the imposition pursuant to Section 33.07, Texas Tax Code, of a 20% penalty for

delinquent 2011 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 2011 property taxes. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **FETNER** to approve the imposition pursuant to Section 33.08, Texas Tax Code, of a 20% penalty for delinquent 2011 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 2011 business personal property taxes. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **FETNER** to approve the imposition pursuant to Section 33.11, Texas Tax Code, of a 20% penalty for delinquent 2011 business personal property taxes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed District 2011 budget review. Mr. **RUSSELL** said no action was required at this meeting.

The Board addressed the proposed CCEMS 2012 budget. Brad England, Executive Director of CCEMS, said the total CCEMS budget was \$7,420,000.00 (non-ESD funding) plus \$7,743,230.00 (ESD funding). He said the funding amount requested from the District's was \$7,743,230.00. He said the allocation of District funding was: \$1,450,000.00 for health insurance; \$300,000.00 for worker's compensation; \$1,250,000.00 for CommCenter wages; and \$4,743,230.00 for EMS personnel payroll. Counsel said that the amount requested exceeded the amount in the District 2012 budget for CCEMS. Counsel suggested that the Board can approve the monthly allocation based on the \$7,743,230.00, at \$645,269.00 per month for January-June 2012, and then re-evaluate based on the June 30 Y-T-D expenses. However, Counsel said that the full amount cannot be approved at this time because it exceeded the District approved 2012 budget line for CCEMS. After review, Motion was made by Mr. **FETNER**, seconded by Mr. **GRUNDMEYER** to approve the District funding of \$645,269.00 per month for the January 1 - June 30, 2012 portion of the proposed CCEMS 2012 budget and then re-evaluate the District's funding commitment for

the remainder of 2012. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed the payment of CCEMS Operations and Capital funding as set forth in the Financial Report. Brad England, Executive Director of CCEMS, noted that Operations funding was due at this meeting in the amount of \$603,436.00, based on the 2011 CCEMS budget and current service agreement. After review, Motion was made by Mr. **FETNER**, seconded by Mr. **SLONEK** to approve the payment of CCEMS Operations in the amount of \$603,436.00. 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 noted that no Capital funding was due at this meeting.

The Board then received a report from CCEMS. Brad England, Executive Director of CCEMS, presented the report. He said that a full report with the written information as required by the service agreement had been prepared and mailed for the meeting.

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 October, Coastal Ambulance transported 4 patients on behalf of CCEMS. He reported that CCEMS responded to 286 STEMI calls to date, with a 97% correct call rate. Mr. England said that 8:06 minutes was the average total response time, with 6:53 the average travel time and average scene time was 25:27 minutes and the average transport at 15:24 minutes. Mr. England said that the average dispatch time at 52 seconds was well under the 90 seconds national average. He also reported that through October 31, CCEMS responded to 26,438 calls, with the prior month's ALS being 1,207 and BLS being 1,145. Mr. England said there were also 2 lifeflights in the prior month.

Mr. England also discussed the joint program with Lonestar College for a joint teaching facility. He said CCEMS has reviewed all the options and approved proceeding with Plan C: a new CCEMS institution/academy. Mr. England said that 2013 was the target date for plan implementation because that is when the National EMS Registry Certification plan will take effect.

Mr. England said CCEMS was approached by Little York VFD about building and cost-sharing for a new fire station in Little York's territory. He reported that the CCEMS board decided to pursue only a lease with Little York VFD.

Mr. England said the CCEMS "Fun In The Sun" health expo and craft show at CCEMS admin building for the community was a big success.

Mr. England reported that he expected CCEMS will need a new ambulance in 2013 or 2014.

Mr. England said that due to a change in the EMS billing bank depository the Medicare and Medicaid payments were delayed probably until December.

After review, Motion was made by Mr. **GRUNDMEYER**, seconded by Mr. **FETNER** to receive the CCEMS monthly report. After discussion, the Motion was approved by a vote of 5 to 0.

The Board addressed Station 511 and the payment of construction costs. Mr. **FETNER** reported that the project was proceeding. A payment request was received in the amount of \$211,395.16 which will be addressed at the next meeting.

The Board addressed E-View matters. Mr. **FETNER** said there was no news.

The Board then addressed the matter of whether to grant a tax exemption for goods-in-transit, as defined Tex. Tax Code 11.253(a)(2). At 9:40 a.m. Mr. **LeBOUEF** convened a Public Hearing pursuant to Article 8, Section 1-n, Texas Constitution, affording the public the opportunity to speak for, on, or against the exemption for the goods-in-transit, as defined Tex. Tax Code 11.253(a)(2), as amended by the 2011 Legislature. The Board received the public comment. Mr. **LeBOUEF** closed the Pubic Hearing at 9:45 a.m.

The Board then addressed whether to grant a tax exemption for goods-in-transit, as defined Tex. Tax Code 11.253(a)(2). The Board considered the matter and the comments received. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **SLONEK** not to grant a tax exemption for goods-in-transit, such that goods-in-transit shall remain subject to taxation by the District. After discussion, the Motion was approved by a vote of 5 to 0.

There being no further business brought before the Board nor any further

public comment, upon Motion made the meeting adjourned at 9:50 a.m.

Secretary of the Board