

**MINUTES OF THE NOVEMBER 15, 2012 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 15, 2012, 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, FRED GRUNDMEYER, KAREN PLUMMER, ROBERT BERLETH, and KEVIN BROST**. Also present were **NICOLE E. LIND, of COVELER & KATZ, P.C.**, the District's Counsel, **BILL RUSSELL, of MYRTLE CRUZ, INC.**, the District's bookkeeper, and **BRAD ENGLAND**, Executive Director of Cypress Creek EMS ("CCEMS"), and members of the public. Also present was H. Kent Twining, attorney for CCEMS.

The Board reviewed the Minutes of the October 18, 2012 regular meeting. The following changes were made: the interest amount on the tax anticipation note was noted at 3.0% on page 2; the amount of Coveler & Katz, P.C.'s September legal invoice under the payment of District bills was noted at \$2,302.80; and on page 4, the correct consulting firm was corrected to McGrath & Co. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to approve the amended 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 prepared by **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 meeting was \$822,407.26. He also noted the receipt of tax revenue since the prior meeting in the amount of \$7,248.60, tax penalty and interest of \$2,840.19 and interest of \$61.14. He reported that as of this meeting and prior to the payment of current bills, \$44,453.24 was on deposit at the Prosperity Bank operating account, plus demand deposits of \$12,371.02 (Prosperity Bank), plus \$5,204.21 at TexPool, plus CD/investment accounts plus interest as to all said accounts/CDs: \$34,418.50 at Spirit of Texas Bank, \$81,063.44 at Icon Bank,

\$24,039.91 at Vista Bank Texas, plus \$6,085.48 at Compass Bank and \$373,785.00 at Trustmark Bank. Mr. Russell said the report showed 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.

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

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| 1. | Myrtle Cruz, Inc. (bookkeeping) | \$ | 1,757.24 |
| 2. | Coveler & Katz, P.C. (legal-October) | \$ | 7,067.55 |
| 3. | Texas Mutual Insurance Co. (workers comp) | \$ | 272.00 |

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

The Board then addressed the ratification of a continuing contract with Linebarger Goggan Blair and Sampson for the collection of delinquent District ad valorem property taxes and providing for the penalty rate of 20%. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BROST** to approve the ratifying the continuing contract with the law firm of Linebarger Goggan Blair and Sampson to collect 2012 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 2012 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 2012 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 2012 property taxes. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to approve the imposition pursuant to Section 33.08, Texas Tax Code, of a 20% penalty for delinquent 2012 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 2012 business personal property taxes. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BERLETH** to approve the imposition pursuant to Section 33.11, Texas Tax Code, of a 20% penalty for delinquent 2012 business personal property taxes. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed revisions to the District 2012 budget. Mr. Russell said the budget did not require new revisions. Mr. **BROST** asked about the E-View payments. Mr. Russell said there would be sufficient money in the account to pay the E-View payments if invoiced for them in the remainder of 2012. The Board took no further action.

The Board then addressed revisions to the District 2013 budget. No action was required by the Board.

The Board then addressed the 2013 CCEMS budget. There was discussion about the budget. Mr. **BERLETH** asked Mr. England how he prepared the annualized column on his budget for some of the line items. Mr. England said that some items were set items so they were not annualized. Mr. **BERLETH** asked about "Longevity Retirement Plan". Mr. England explained the purpose of that line item, but stated that it had not been paid this year as there was not enough money to pay it. Mr. **BERLETH** and Mr. **BROST** said they did not think the monthly amount was what was agreed. Mr. Russell said he thought the amount was correct. Mr. **LeBEOUF**, Ms. **PLUMMER**, and Mr. **GRUNDMEYER** said the amount was what they remembered discussing at the last meeting. Ms. **PLUMMER** said she thought the budget was ready and we needed to approve an amount so that CCEMS and Mr. England could prepare for 2013. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BERLETH** to approve the CCEMS budget as presented by Mr. England. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed revisions to the 2012 CCEMS budget. No action was required by the Board.

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 required at this meeting

in the amount of \$412,500.00. After review, Motion was made by Ms. **BERLETH**, seconded by Mr. **GRUNDMEYER** to approve the payment of CCEMS Operations in the amount of \$412,500.00. 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.

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 response times were good. Mr. England reported that there were 6 life flights. The Stemi Program was doing well with a 98% success rate. He said that for the month of October, CCEMS had 29 mutual aid assist calls and CCEMS responded to 19 mutual aid assist calls outside their territory. He reported that the EMS Academy that CCEMS has been working on with Lonestar College is coming along and the next inspection will be in June. He said that there were some possible additions of several fire/ems departments coming in the communications center from Pearland. Mr. England said that there was a surprise inspection on November 1, 2012 which CCEMS passed. Mr. England also provided copies of the Board of a recent article about CCEMS written in the winter 2012 issue of Ponderosa Firefighter (ESD 28) and a letter from Constable Ron Hickman of Harris County Precinct 4, praising CCEMS on their satisfactory work and service to the community.

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

The Board addressed E-View matters. Mr. **BROST** said there was no new update, but that there would be one more meeting before the end of the year. There was discussion about reaching out to other entities such as ESD 9, Cy-Fair VFD and Methodist Hospital about their involvement with the E-View system. Mr. **LeBOUEF** asked about a projected cost to these entities. Mr. **BROST** said

he did not have a projected cost, but that the cost was \$85.00 per intersection. No additional action was taken by the Board.

The Board addressed the new Exxon project. Mr. England said he is still trying to schedule a meeting. No action was taken by the Board.

The Board then addressed reviewing the McGrath Consulting Performance Evaluation reports. Mr. England said that everyone is scheduled for their individual meetings, being held on Monday, November 26, 2012, starting at 8:00 a.m. No further action was taken by the Board.

The Board next addressed reviewing the terms of the 2013 service agreement with CCEMS. The Board discussed continuing the service agreement until after the McGrath Consulting Evaluation report comes out. After the report comes out, the Board will take additional action, if needed. No further action was taken by the Board.

The Board tabled reviewing establishing District Committees.

The Board addressed renewing the workers' compensation insurance for the District. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **BERLETH** to approve the renewal of the workers' compensation insurance for the District. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then discussed the purchase of District t-shirts, similar apparel and business cards. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **GRUNDMEYER** to approve the purchase of District t-shirts and business cards in an amount of \$150.00 per commissioner, not to exceed a total of \$1,000.00. After discussion, the Motion was approved by a vote of 4 to 0, with Mr. **LeBOUEF** abstaining from the vote.

Mr. Grundmeyer discussed the possibility of changing the date and/or time of future Board meetings for 2013. Counsel was asked to add it as an agenda item for the December 20, 2012 meeting.

Mr. Berleth asked Mr. England about the order of the new cardiac machines. Mr. England said that he was working on it and expects to have them by the end of the year.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 10:28 a.m.

Secretary of the Board