

**MINUTES OF THE FEBRUARY 21, 2013 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 February 21, 2013, 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 **HOWARD KATZ, 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 Kent Twining, attorney for CCEMS.

The Board reviewed the Minutes of the January 16, 2013 regular meeting. After review, Motion was made by Mr. **GRUNDMEYER**, seconded by Ms. **PLUMMER** 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 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 \$2,628,720.45. He also noted the receipt of tax revenue since the prior meeting in the amount of \$4,091,614.76, tax penalty and interest of \$3,297.71 and interest of \$800.34. He reported that E-View reimbursement from the participating fire districts was received in the amount of \$45,311.00. He also reported that as of this meeting and prior to the payment of current bills, \$6,062,625.12 was on deposit at the Prosperity Bank operating account, plus demand deposits of \$12,372.58 (Prosperity Bank), plus \$5,205.84 at TexPool, plus CD/investment accounts plus interest as to all said accounts/CD: \$34,458.41 at Spirit of Texas Bank, \$81,201.90 at Icon Bank, \$24,048.99 at Vista Bank Texas, plus \$6,085.48 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. **GRUNDMEYER**

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. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **GRUNDMEYER** to approve and authorize the investment schedule as outlined in the Financial Report: none at this time. 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. **GRUNDMEYER**, seconded by Ms. **PLUMMER**, to approve the payment of District bills as follows:

1.	Myrtle Cruz, Inc. (bookkeeping)	\$	1,787.74
2.	Coveler & Katz, P.C. (legal-January)	\$	3,270.43
3.	Klein VFD (E-View management)	\$	1,911.00
4.	Lynn LeBouef (Reimb. SAFE-D Training)	\$	95.00

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

The Board then addressed and took no action on revisions to the District 2013 budget.

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 \$700,000.00. After review, Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to approve the payment of CCEMS Operations in the amount \$700,000.00. The advanced funding being paid from the rear was in part to assist CCEMS in reducing its operating loan for when in 2012 the agreed reduced District funding was implemented. Mr. **BERLETH** asked if the line of credit loan and payments could be verified by CCEMS. Mr. England said he would. 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 reported that the EMS Academy was proceeding and that CCEMS has been working with Lonestar College to be inspected for accreditation in late June. Mr. **BERLETH** asked if CCEMS had received a Letter of Findings yet as to the academy. Mr. England said yes and agreed to forward the Letter of Findings. There was back and forth discussions between Mr. England and Mr. **BERLETH** regarding the CCEMS pass rate. Mr. **BERLETH** said that rate seemed very low compared to other academies. Mr. England said he could look into the pass rates.

Mr. England addressed the Exxon campus and the EMS contingent. There was discussion about whether there would be two sites with one building each for fire and EMS or one site for two building for fire and EMS.

Mr. England said that in January, there were 19 mutual aid responses in District territory and CCEMS provided 24 mutual aid responses out of District territory. He reported that CCEMS responded to 371 STEMI calls to date, with a 98% correct call rate. Mr. England said that 8:29 minutes was the average total response time, with 6:53 the average travel time and average scene time was 24:09 minutes and the average transport at 16:01 minutes. Mr. England said that the average dispatch time at 55 seconds was well under the 90 seconds national average. He also reported that through January 31, CCEMS responded to 2,660 calls, with the prior month's ALS being 1,483 and BLS being 1,454. Mr. England said there were also 3 life flights in the prior month.

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.

Mr. England discussed E-Views and hospital grants for the program. He said he did not see any grant funding being available. The Board determined to proceed with requesting hospital grants for E-View with Mr. LeBouef and Mr. Brost to determine the intersections for which to seek hospital grant funding. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to

have a letter of interest sent to the local hospitals in the E-View area requesting grant money for the project for intersections identified by Mr. LeBouef and Mr. Brost. After discussion, the Motion was approved by a vote of 5 to 0.

On miscellaneous matters, Mr. **BERLETH** commented on the required CCEMS annual personnel report for CCEMS from January 2012. There was also discussion about the county road project that Mr. England said he was privy to. Mr. **BERLETH** asked for Mr. England to forward Commissioner Jack Cagle's road construction report.

The Board addressed E-View matters. The District received information that 70 new sites were added in 2012.

There was general discussion about the Exxon campus and the EMS contingent. Counsel noted there was an executive session on the land matter.

The Board addressed the McGrath CCEMS review. Mr. **LeBOUEF** said that the report was now scheduled for submission by McGrath & Co. in late March or early April.

The Board then addressed adopting a policy to allow for commissioner compensation, plus expense reimbursement. There was discussion on the matter. Ms. **PLUMMER** said she does not do her ESD job for money but to support EMS in the community. She said she is against commissioner compensation. Mr. **BROST** said he works hard at this job and the statute recognizes that. There was additional comments for and against the compensation. Counsel said that reimbursement for expenses is always allowed even if the compensation policy was not approved. After review, Motion was made by Mr. **BROST**, seconded by Mr. **BERLETH** to approve adopting a policy to allow for commissioner compensation, plus expense reimbursement. After discussion, the Motion was defeated by a vote of 2 to 3.

The Board then addressed joining the SAFE-D organization. There was discussion about the benefits of membership. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to approve joining the SAFE-D organization and the payment of dues of \$1,000.00. After discussion, the Motion was approved by a vote of 5 to 0.

The Board then addressed purchasing and/or reimbursing the cost of District business cards for District commissioners and shirts. There was

discussion about who wanted cards and who did not. The consensus was to have cards for those who want cards and for those who want shirts. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** to approve purchasing and/or reimbursing the cost of District business cards for District commissioners and shirts for those commissioners who wanted them. After discussion, the Motion was approved by a vote of 5 to 0.

The Board recognized Tom Kikis and Steve Williams for public comment. Mr. Kikis said he was a local CPA and had been a resident in the CCEMS/ESD 11 area for over 35 years, and has been associated with Champions FD and Ponderosa VFD as well. He said he remembers when all the EMS and VFDs in the area were all volunteer. He said times have changed and these well-funded fire and EMS providers are necessary. He said he supported the election to raise the District tax rate to 6 cents.

At 10:40 a.m., the Board entered executive session to discuss real estate matters pursuant to Sections 551.072, Government Code. Kent Twining, attorney for CCEMS, asked if he and Mr. England could attend the executive session. Counsel said not at the out set and then only after if the Board required their attendance. Mr. Twining questioned whether that was appropriate because CCEMS was interested in the matter. He and Counsel discussed the purposed of the need for the closed session. Counsel said the Board had real-estate matters to discuss that was pertinent to the District. Counsel asked if Mr. Twining was objecting to the call of the closed session and he said no.

At 10:55 a.m. the Board re-entered open session.

The Board returned to the Exxon development. Counsel reported that the arrangement was at present for the developer Exxon/Springwoods Village area, Coventry Development, to convey land to the District. Mr. England said that he and CCEMS were working on this for a long time and if the District Commissioners want to come in now that was their choice but he did not appreciate it, that and he considered that CCEMS should take title just like it has with its prior land acquisitions. He also said that CCEMS already has financing lined up at a low rate. There was continued discussion about taking title. Counsel was asked about annexation and responded that if there was municipal annexation of the District's property and debt was protected because the city

would have obligations to pay on the property and/or the debt. He said there was no comparable protection if CCEMS owned the site or had the debt, similar to the Kingwood annexation. Mr. **GRUNDMEYER** said he believed CCEMS should take title. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** for the District to take title from the developer for the new EMS facility in the Exxon/Springwoods Village area. After discussion, the Motion was approved by a vote of 4 to 1.

The Board addressed a committee to interact with Exxon and Coventry Development. After review, Motion was made by Mr. **BERLETH**, seconded by Mr. **BROST** for Ms. Plummer and Mr. Brost along with Mr. England to be on the District committee. After discussion, the Motion was approved by a vote of 5 to 0.

The Board discussed a tax rate proposition on the May 11, 2013 election ballot. There was extended discussion about proposing a tax rate increase to six cents. There was discussion about a 1% sales tax. Counsel said that one ESD in the District's area had called a sales tax election and that if both passed, both failed under the statute. Mr. **BROST** said he liked sales tax but he did not want the District to deprive any of the fire districts that were already at 10 cents of the possibility of sales tax revenue. Mr. **BERLETH** questioned the cost of an election after the same proposition was soundly defeated in May. He said there was cost savings to wait until May 2014 when the next commissioner election will take place. Ms. **PLUMMER** said that would just invite a candidate to run as an anti-tax candidate like Mr. Berleth did in May 2012. Mr. **BERLETH** said yes he was against higher taxes when it did not make sense. Mr. **BROST** said that he did not see that more money was justified for CCEMS unless it was used to add an ambulance to the response regimen. Mr. **BERLETH** said the District does not have control of the money with CCEMS and therefore he opposed a tax hike. Mr. **LeBOUEF** said the Board just last month received a report from Dr. Welch about the expected growth and population increases. He said that Mr. England just said that Exxon will bring in 10,000 new employees to the area. Mr. **GRUNDMEYER** said that there will be big development with the Grand Parkway coming in. Mr. England said that he wants to add ambulances but he needs the money to do so. The Board and Mr. England addressed the expected growth of the District area and the future needs of the EMS service for the area. Thereupon, after review,

Motion was made by Ms. **PLUMMER**, seconded by Mr. **GRUNDMEYER** to approve placing on the May 11, 2013 District election a proposition to authorize the maximum tax rate in the District to increase to six cent. After discussion, the Motion was approved by a vote of 3 to 1, with Mr. Brost abstaining.

The Board addressed the Election Order as presented. Thereupon, after review, Motion was made by Mr. **GRUNDMEYER**, seconded by Ms. **PLUMMER** to approve the Election Order and call the May 11, 2013 tax rate proposition election to authorize a maximum tax rate in the District of six cents (\$.06/\$100). After discussion, the Motion was approved by a vote of 3 to 0, with Mr. Brost and Mr. Berleth abstaining.

The Board addressed appointing an Early Voting Clerk. Thereupon, after review, Motion was made by Mr. **GRUNDMEYER**, seconded by Ms. **PLUMMER** to approve appointing Earline Okrulik as Early Voting Clerk for the District election. After discussion, the Motion was approved by a vote of 3 to 0, with Mr. Brost and Mr. Berleth abstaining.

Counsel said that as previously established by the District, the District election would be based upon the fire districts with all District voters voting in their respective fire district:

**Harris County Emergency Services District No. 11
voters residing in HCESD No. 7 (Spring VFD area):**

HCESD No. 7 Election Precinct 1

County Precincts: 41, 110, 588, 897, 898, 913

Polling Place

Spring VFD Station No. 78
26511 Preston Street
Spring, Texas 77373

HCESD No. 7 Election Precinct 2

County Precincts: 114, 452, 552, 575, 672,
690, 735, 914, 999, 1029, 1030

Spring VFD Station 72
23000 Northcrest Drive
Spring, Texas 77389

HCESD No. 7 Election Precinct 3

County Precincts: 6, 399, 586, 587, 596,
634, 747, 888, 912, 1017, 1018

Spring VFD Station No. 73
4923 Treaschwig Road
Spring, Texas 77373

HCESD No. 7 Election Precinct 4

County Precincts: 246, 263, 482, 500, 633,
851, 874

Spring VFD Station No. 75
3915 F.M. 2920
Spring, Texas 77388

Harris County Emergency Services District No. 11

Voters residing in HCESD No. 13 (Cypress Creek VFD area):

HCESD No. 13 Election Precinct 1

County Precincts: 442, 479, 486, 602, 688,
691, 768, 805, 828, 878, 983

Polling Place

Cypress Creek VFD Station No. 21
14415 N. Eldridge Pkwy
Cypress, Texas 77429

HCESD No. 13 Election Precinct 2

County Precincts: 481, 519

Cypress Creek VFD Station 22
11900 Cypress-N. Houston Road
Cypress, Texas 77429

HCESD No. 13 Election Precinct 3

County Precincts: 478, 484

Cypress Creek VFD Station No. 23
9860 Cypresswood Drive
Houston, Texas 77070

HCESD No. 13 Election Precinct 4

County Precincts: 125, 548, 597, 609
823

Cypress Creek VFD Station No. 24
12073 Perry Road
Houston, Texas 77070

Harris County Emergency Services District No. 11

Voters residing in HCESD No. 16 (Klein VFD area):

HCESD No. 16 Election Precinct 1

County Precincts: 173, 245, 485, 551, 880, 926
982, 998, 1025, 1026

Polling Place

Klein VFD Station No. 6
11300 Gregson Road
Tomball, Texas 77377

HCESD No. 16 Election Precinct 2

County Precincts: 82, 112, 451, 484, 513,
515, 601, 623, 648, 668

Klein VFD Station 3
9755 Landry Blvd.
Spring, Texas 77679

HCESD No. 16 Election Precinct 3

County Precincts: 263, 672, 876, 916

Klein VFD Station No. 5
8134 Dowdell Road
Tomball, Texas 77375

HCESD No. 16 Election Precinct 4

County Precincts: 466, 477, 514, 614, 615,
624, 631, 757, 783, 853

Klein VFD Station No. 7
5518 Winding Ridge Drive
Spring, Texas 77379

Harris County Emergency Services District No. 11

Voters residing in HCESD No. 28 (Ponderosa VFD area):

HCESD No. 28 Election Precinct 1

County Precincts: 465, 520, 550, 757, 997
1045

Polling Place

Ponderosa VFD Station No. 61
17061 Rolling Creek
Houston, Texas 77090

HCESD No. 28 Election Precinct 2

County Precincts: 464, 874

Ponderosa VFD Station 62
4362 Louetta
Spring, Texas 77388

HCESD No. 28 Election Precinct 3

County Precincts: 399, 657, 883

Ponderosa VFD Station No. 63
21455 Imperial Valley
Houston, Texas 77073

Harris County Emergency Services District No. 11

Voters residing in HCESD No. 29 (ESD 29-Champions FD area):

HCESD No. 29 Election Precinct 1

County Precincts: 113, 451, 513, 516, 592,
614, 623, 669

Polling Place

HCESD #29 Fire Station
12730 Champion Forest Drive
Houston, Texas 77066

Harris County Emergency Services District No. 11

Voters residing in HCESD No. 10 (Northeast Fire & Rescue area):

HCESD No. 10 Election Precinct 1

County Precincts: 35, 457, 587, 599, 756, 1007,
1042, 1043, 1044

Polling Place

Cypress Creek EMS
6930 Cypresswood Point Ave.
Humble, Texas 77338

Harris County Emergency Services District No. 11

Voters residing in HCESD No. 17 (Little York VFD area):

HCESD No. 17 Election Precinct 1

County Precincts: 358, 520, 549, 614, 660, 717, 757,
957, 958, 1014, 1015, 1035, 1045

Polling Place

Little York VFD
1220 Rushworth
Houston, Texas 77014

Harris County Emergency Services District No. 11

Voters residing in HCESD No. 20 (Northwest VFD area):

HCESD No. 20 Election Precinct 1

County Precincts: 113, 468, 516, 592

Polling Place

Northwest VFD Station 4 5335
Green Pines
Houston, Texas 77066

Harris County Emergency Services District No. 11

**voters residing The Woodlands Township
(previously HCESD No. 7/Spring VFD area)**

County Precincts: 735, 914, 1029

Spring VFD Station 72
23000 Northcrest Drive
Spring, Texas 77389

Thereupon, after review, Motion was made by Mr. **GRUNDMEYER**,
seconded by Ms. **PLUMMER** to approve designating the election day precincts,

polling places and voting times for the District election. After discussion, the Motion was approved by a vote of 3 to 0, with Mr. Brost and Mr. Berleth abstaining.

Counsel said that as previously established by the District, early voting for the District election would also be based upon the fire districts with all District voters voting in their respective fire district:

Voters may only early vote in their respective Emergency Services District:

**Harris County Emergency Services District No. 11
voters residing in HCESD 7 (Spring VFD area)**

Spring Volunteer Fire Department Station 75
3915 FM 2920, Spring, Texas 77388

Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.

Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

**Harris County Emergency Services District No. 11
Voters residing in HCESD No. 13 (Cypress Creek VFD area):**

Cypress Creek Volunteer Fire Department Administration Building
11900 Cypress N. Houston Road, Cypress, Texas 77429

Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.

Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

**Harris County Emergency Services District No. 11
Voters residing in HCESD No. 16 (Klein VFD area):**

Klein VFD Administration Building
16810 Squyres Road, Spring, Texas 77379

Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.

Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

**Harris County Emergency Services District No. 11
Voters residing in HCESD No. 28 (Ponderosa VFD area):**

Ponderosa Volunteer Fire Department Administration Building/Station 61
17061 Rolling Creek, Houston, Texas 77090

Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.

Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

**Harris County Emergency Services District No. 11
Voters residing in HCESD No. 29 (ESD 29-Champions FD area):**

HCESD #29 Fire Station
12730 Champion Forest Drive, Houston, Texas 77066

Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.

Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

Harris County Emergency Services District No. 11
Voters residing in HCESD No. 10 (Northeast Fire & Rescue area):

Northeast Fire and Rescue
6930 Cypresswood Point Ave., Humble, Texas 77338
Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.
Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

Harris County Emergency Services District No. 11
Voters residing in HCESD No. 17 (Little York VFD area):

Little York VFD
1220 Rushworth, Houston, Texas 77014
Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.
Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

Harris County Emergency Services District No. 11
Voters residing in HCESD No. 20 (Northwest VFD area):

Northwest VFD Station 4
5335 Green Pines, Houston, Texas 77066
Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.
Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

Harris County Emergency Services District No. 11
voters residing in HCESD 7 including The Woodlands Township
(previously HCESD No. 7 area)

Spring Volunteer Fire Department Station 75
3915 FM 2920, Spring, Texas 77388
Days/Hours: Monday-Friday, 9:00 a.m. – 5:00 p.m.
Saturday, May 4, 2013: 9:00 a.m. – 12 noon.

Thereupon, after review, Motion was made by Mr. **GRUNDMEYER**, seconded by Ms. **PLUMMER** to approve designating the early polling places and voting times for the District election. After discussion, the Motion was approved by a vote of 3 to 0, with Mr. Brost and Mr. Berleth abstaining.

The Board then addressed approving to contract with Hart Intercivics for election support and ballot preparation. Thereupon, after review, Motion was made by Mr. **GRUNDMEYER**, seconded by Ms. **PLUMMER** to approve contracting with Hart Intercivics for election support and ballot preparation for the District election. After discussion, the Motion was approved by a vote of 3 to 0, with Mr. Brost and Mr. Berleth abstaining.

The Board then addressed making a joint election agreement with all the fire districts located wholly or partly within the boundaries of the District.

Thereupon, after review, Motion was made by Mr. **GRUNDMEYER**, seconded by Ms. **PLUMMER** to approve making a joint election agreement with all the fire districts located wholly or partly within the boundaries of the District for the District election. After discussion, the Motion was approved by a vote of 3 to 0, with Mr. Brost and Mr. Berleth abstaining.

There being no further business brought before the Board nor any further public comment, upon Motion made the meeting adjourned at 11:55 a.m.

Secretary of the Board