

MINUTES OF MEETING OF THE  
BOARD OF COMMISSIONERS

November 20, 2018

THE STATE OF TEXAS §  
COUNTY OF HARRIS §  
HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 11 §

The Board of Commissioners (the "Board") of Harris County Emergency Services District No. 11 (the "District") met in regular session, open to the public, at 7111 Five Forks Drive, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Tuesday, November 20, 2018, at 9:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Tommy Ripley	President
Karen Plummer	Vice President
Fred Grundmeyer	Secretary
Robert Pinard	Treasurer/Asst. Secretary
Kevin Brost	Asst. Treasurer

All members of the Board were present, except Commissioners Grundmeyer and Pinard, thus constituting a quorum. Also attending the meeting were: Ms. Kayla Ray of Myrtle Cruz, Inc. ("Bookkeeper"), bookkeeper for the District; Mr. Kerry Johnson of NRG Marketing Group ("NRG"), the District's website service provider and public relations consultant; and Ms. Regina D. Adams and Ms. Monica Garza, attorneys, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), attorneys for the District. In addition, the following representatives of Cypress Creek Emergency Medical Services ("CCEMS") were in attendance at the meeting: Messrs. Ruben Gonzales and Dave Billings, members of the CCEMS Board of Directors; Mr. Brad England, CCEMS Executive Director; and Mr. Norm Uhl, CCEMS Public Information Officer. A sign-in sheet is attached hereto.

WHEREUPON, the meeting was called to order by the President 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.

After a 30-second moment of silence for prayer and reflection, the Board conducted the Pledge of Allegiance to the United States' Flag.

APPROVAL OF THE MINUTES

The Board considered approval of the minutes of the regular meeting of October 17, 2018. Upon motion by Commissioner Plummer, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the regular meeting of October 17, 2018, as prepared.

STATUS OF FORENSIC AUDIT REPORT FOR FISCAL YEAR ENDED ("FYE")  
DECEMBER 31, 2017 (DISTRICT FUNDING VS. CCEMS EXPENDITURES), INCLUDING  
PRESENTATION OF AUDIT REPORT FROM HSSK

Commissioner Ripley reminded the Commissioners that they had previously authorized HSSK, LLC ("HSSK") to conduct a financial forensic audit for the District's benefit. Commissioner Brost reported that he and Commissioner Pinard planned to meet with Mr. Greg Schuelke of HSSK on November 29<sup>th</sup> to further discuss the scope and budget of the financial forensic audit.

APPROVE WORKER'S COMPENSATION INSURANCE RENEWAL (EXPIRES  
NOVEMBER 25, 2018)

Ms. Adams next presented to and reviewed with the Board the District's Workers' Compensation insurance renewal quote from Texas Mutual Insurance Company ("TMI"), a copy of which is attached hereto. Ms. Adams stated that the current Workers' Compensation policy will expire on November 25, 2018. Upon motion by Commissioner Brost, seconded by Commissioner Plummer, after full discussion and the question being put to the Board, the Board voted unanimously to approve renewal of the District's Workers' Compensation insurance with TMI for the term of November 26, 2018 through November 25, 2019 for a total premium amount of \$339 (for employee's "Out-of-Network" usage of the Work Well Network).

STATUS OF PROPOSED ADMINISTRATIVE AND OPERATIONAL POLICIES AND  
PROCEDURES OF THE BOARD, INCLUDING REGULAR MEETING DATE AND TIME AND  
COMMISSIONER CONFERENCE ATTENDANCE AND EXPENSE REIMBURSEMENT AND  
TAKE ANY NECESSARY ACTIONS ON SAME

It was the consensus of the Board to hold the next Board meeting on Wednesday, December 19<sup>th</sup> at 6:30 p.m.

Regarding Commissioner conference attendance and reimbursement of costs related to same, the Board agreed to further consider such matter when all Commissioners are in attendance.

STATUS OF TRANSITION TO NEW INTERSECTION PREEMPTION CONTROLLER  
DEVICES (MASTER SALE OF GOODS AND SERVICES AGREEMENT (THE "PREEMPTION  
DEVICE AGREEMENT")), INCLUDING INTERLOCAL AGREEMENT WITH HARRIS  
COUNTY (THE "COUNTY") ("ILA"), AND TAKE ANY NECESSARY ACTION ON SAME

Commissioner Brost then reminded the Board that they had previously approved the Preemption Device Agreement by and between the District, ESD Nos. 7, 13, 16, 28 and 29 (the "ESDs") and Global Traffic Technologies, LLC.

Commissioner Brost next reported that RBAP had prepared and provided certain clarifications and revisions to the draft ILA to the ESDs and the County, as previously discussed. Ms. Adams added that most of RBAP's requested revisions were made to the ILA, but her office has not yet received a final version for the Board's execution. Commissioner Brost noted that the draft ILA and proposed revisions are currently being reviewed by the County and will be presented to the County Commissioner's Court for approval on December 4<sup>th</sup>. Commissioner Brost added that there will be a "kick-off" meeting on December 7<sup>th</sup> regarding the implementation of the new Preemption Controller Devices.

Upon motion by Commissioner Plummer, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to approve and authorize execution of the ILA, subject to receipt of the final version from the County.

REVIEW AND TAKE ANY NECESSARY ACTIONS ON MONTHLY OPERATIONS AND FINANCIAL REPORT FROM CCEMS, INCLUDING CONSIDERATION OF MONTHLY OPERATIONS FUNDING REQUESTS AND CAPITAL FUNDING REQUESTS

Commissioner Ripley then recognized Mr. England, who presented to and reviewed with the Board the Executive Director's Report, the monthly CCEMS Operations and Financial Reports, including the operations statistics for the month of October 2018, and the 2018 CCEMS budget comparison, copies of which are attached hereto. Mr. England reported that during the month of October there were 2,380 transports, no Life Flight transports, and that 22% of the calls made during the month were "no transports." Mr. England went on to report that during the month of October, CCEMS received 17 mutual aid assists and provided 14 mutual aid assists outside of CCEMS's boundaries.

Mr. England reported that CCEMS is coordinating with HSSK to provide requested documentation in connection with the financial forensic audit.

Mr. England then reported that CCEMS continues to coordinate with the U.S. Army regarding the Clinical Fellowship Program (the "Fellowship"), which will resume in the near future.

Mr. England also reported that McGraph Consulting Group, Inc. is in the process of updating CCEMS's Operational Assessment Report.

Mr. England then presented to and reviewed with the Board the finalized CCEMS budget for FYE December 31, 2019, a copy of which is attached hereto. Mr. England reported that both the District's and CCEMS' budget committees have met and reviewed the budget. An extensive discussion ensued regarding whether to approve the CCEMS budget during the meeting or after the HSSK financial forensic audit report is released and when all Commissioners are present. Commissioner Plummer made a motion to approve the CCEMS budget for FYE December 31, 2019. Such motion failed for lack of a second. Mr. England then addressed several questions from Commissioner Brost.

Upon motion by Commissioner Plummer, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to approve the CCEMS Operations and Financial Report and authorize the CCEMS Operations payment in the amount of \$1,213,560.00 for the month of November.

REVIEW AND TAKE ANY NECESSARY ACTIONS ON FINANCIAL MATTERS, INCLUDING FINANCIAL REPORT FROM DISTRICT TREASURER AND BOOKKEEPER

Ms. Ray then presented to and reviewed with the Board the Bookkeeper's Report, including the revenues and expenses of the District, the budget comparison, the investment report and the checks being presented for payment at the meeting, copies of which are attached hereto.

Ms. Ray reported that during the prior month, the District received \$4,672.34 in 2017 property tax revenue, \$323.29 in penalties and \$684.21 in investment interest. Ms. Ray further reported that all such revenue had been deposited into the District's Operating Account.

An extensive discussion ensued regarding the District's current budgeted expenses and revenues. Commissioner Brost recommended that the District adopt an amended budget for FYE December 31, 2018 at the next Board meeting.

Commissioner Ripley then reported that Mr. Mark Counts with Counts|Thomson is in the process of preparing a report regarding his findings in connection with the legal fees invoiced by RBAP to the District in 2017. Commissioner Ripley reported on his understanding of Mr. Counts' preliminary findings. An extensive discussion ensued and Ms. Adams inquired if she would have an opportunity to discuss the draft report with Mr. Counts. Commissioner Ripley stated that Mr. Counts is finalizing the report and heard Commissioner Pinard intends to meet with Mr. Counts to review the draft report prior to the next Board meeting.

Upon motion by Commissioner Plummer, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to approve the Bookkeeper's Report, authorize payment of the checks reflected therein and approve the October 2018 investment report.

#### AMEND DISTRICT BUDGET FOR FYE DECEMBER 31, 2019, IF NECESSARY

The Board then reviewed the District's previously adopted budget for FYE December 31, 2019, a copy of which is attached hereto. An extensive discussion ensued regarding the District's previously estimated revenues and expenses for FYE December 31, 2019. It was the consensus of the Board to table this matter until it accepts the CCEMS FYE December 31, 2019 budget.

#### TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Adams then reviewed with the Board the Tax Assessor/Collector Report for the month of October 2018, a copy of which is attached hereto.

#### DISTRICT COMMUNICATIONS REPORT

#### STATUS OF PUBLIC RELATIONS ("PR") ACTIVITIES FROM NRG AND TAKE NECESSARY ACTION ON SAME

Mr. Johnson then reported that the "Meet the Board" videos were filmed prior to the October Board meeting and NRG is in the process of finalizing such videos for posting on District's website along with the "Frequently Asked Questions" ("FAQ") page in an effort for the Commissioners to better engage with and disseminate District-related information to District constituents.

#### REVIEW, DISCUSS AND TAKE ACTION ON MISCELLANEOUS MEDIA MATTERS, INCLUDING UPDATE BY NRG ON STATUS OF DISTRICT'S WEBSITE

Mr. Johnson then reported on the status of the re-design of the District's website, <http://www.esd11.com>.

## COMMISSIONER'S MONTHLY FACILITIES INSPECTION/TOUR REPORT

Commissioner Ripley reported that no facility inspections were conducted after the October Board meeting and no facility inspections/tours would be conducted after the November Board meeting.

## STATUS OF DISTRICT CONSTRUCTION, REPAIR, IMPROVEMENT, OR RENOVATION PROJECTS, AND TAKE ANY NECESSARY ACTIONS ON SAME

There was no report on any District construction, repair or renovation projects at this time.

Mr. England reminded the Board that the sign at Station No. 511 was damaged in a single vehicle accident the prior month. Mr. England reported that an insurance claim has been filed with the vehicle owner's insurance and the sign is in the process of being repaired.

## REVIEW BOARD GOALS FOR 2019 AND TAKE ANY NECESSARY ACTIONS ON SAME

There was no report on the Board's goals at this time.

## ATTORNEY'S REPORT

### REVIEW OF RECENT PUBLICATION INFORMATION ACT ("PIA") REQUESTS AND STATUS OF RESPONSES TO SAME

Ms. Adams next reported that there had been no PIA requests received since the October Board meeting.

In connection with a previous PIA request received from Mr. Zach Karrenbrock of *Spring Happenings* on May 17, 2018 for digital copies of Commissioner Plummer's emails from January 1, 2018 through May 17, 2018, Ms. Adams reported that her office previously received questions from the Texas Attorney General (the "AG") in connection with Mr. Karrenbrock's cost complaint associated therewith. Ms. Adams noted that her office responded to the AG's questions on October 4, 2018, but has not received any further communication from the AG.

### STATUS OF PREPARATION OF DISTRICT PIA POLICY

Ms. Adams next reminded the Board that she had previously reviewed with the Board a draft outline of a proposed District PIA policy and is awaiting feedback from Commissioner Pinard.

### PUBLIC COMMENTS AND MISCELLANEOUS MATTERS

There were no comments from the public at this time.

### CONFIRM NEXT REGULAR MEETING DATE AND MEETING ADJOURNMENT

Ms. Adams then reminded the Board that the next regular meeting is scheduled for Wednesday, December 19, 2018, at 6:30 p.m.

There being no further business to come before the Board, the meeting was adjourned at approximately 9:45 a.m.

PASSED, APPROVED AND ADOPTED this 19<sup>th</sup> day of December, 2018.



A handwritten signature in black ink, reading 'Ted Grauerley', written over a horizontal line.

Secretary, Board of Commissioners