

MINUTES OF MEETING OF THE
BOARD OF COMMISSIONERS

September 17, 2020

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 the Bridgestone Municipal Utility District Operations and Water Education Center, 19720 Kuykendahl Road, Spring, Texas 77379, a meeting place inside the boundaries of the District, on Thursday, September 17, 2020, at 9:00 a.m.; whereupon, the roll was called of the members of the Board, to-wit:

Karen Plummer	President
Steve Williams	Vice President
Fred Grundmeyer	Secretary
Robert Pinard	Treasurer/Asst. Secretary
Kevin Brost	Asst. Treasurer

All members of the Board were present, thus constituting a quorum. Also attending the meeting were: Mr. John Howell of The GMS Group, L.L.C., financial advisor for the District (via teleconference); Mr. Glenn Hastings of VFIS, insurance broker for the District; Ms. Chris Linn of Myrtle Cruz, Inc. ("Bookkeeper"), bookkeeper for the District; Ms. Regina D. Adams, attorney, and Ms. Carla Christensen, paralegal, of Radcliffe Bobbitt Adams Polley PLLC ("RBAP"), attorneys for the District; Mr. Brian Trachtenberg and Ms. Anna Phillips of Greathouse Holloway McFadden Trachtenberg ("Greathouse"), special counsel to the District; Ms. Danielle Supkis Cheek, CPA of Pannell Kerr Forster of Texas, P.C. ("PKF") (via teleconference); Messrs. Zach Karrenbrock and Hunter Gore of 62 Digital, LLC ("62 Digital"), the District's website service provider and communications coordinator; Messrs. Matt Zavadsky and Doug Hooten of Metropolitan Area EMS Authority d/b/a MedStar Consulting ("MedStar") (via teleconference); Mr. Steve Athey of Health Care Visions (via teleconference); Messrs. Terry Lynch, Jeff Lynch and Andy Lynch of J T Lynch Company, LLC ("JT Lynch"); Mr. Wren Nealy, Cypress Creek Emergency Medical Services ("CCEMS") Chief Executive Officer; Mr. George Vie of Feldman & Feldman, P.C., attorney for CCEMS; Ms. Mirand Sivcek, CCEMS' public relations consultant; Mr. Steven Beesley, CCEMS Interim Public Information Officer; and numerous members of the public and CCEMS employees. A copy of the sign-in sheets are attached hereto.

There were numerous other members of the public in attendance via conference call but were unable to be identified other than by telephone number.

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.

This meeting was video recorded by Mr. Beesley for use by CCEMS and by 62 Digital for use by the District. The meeting was also streamed live by 62 Digital on the District's Facebook page.

The Board held a 30-second moment of silence for prayer and reflection.

PUBLIC COMMENTS

There were no public comments at this time.

DISCUSS PROPOSED 2020 TAX RATE, HEAR FINANCIAL ADVISOR'S RECOMMENDATION, AUTHORIZE PUBLICATION OF NOTICE OF PROPOSED TAX RATE FOR 2020 AND SET PUBLIC HEARING ON 2020 TAX RATE

Ms. Adams distributed for Board review and discussion Mr. Howell's tax rate analysis and recommendation for same, a copy of which is attached hereto.

Mr. Howell entered the meeting via teleconference at this time.

Mr. Howell then reviewed the tax rate analysis related to setting the 2020 tax rate. Mr. Howell reported that the average taxable value of a home in the District increased from \$216,135 in 2019 to \$225,024 in 2020. Mr. Howell then reported that the District's 2019 certified taxable value was \$50.66 billion and the District's 2020 certified taxable value is currently \$48.16 billion with approximately \$5.44 billion in value that is still uncertified by the Harris County Appraisal District. Mr. Howell added that the District's tax base grew by approximately \$2.94 billion or 5.8%. Mr. Howell went on to state that a \$0.033334 total tax rate would result in the average homeowner paying approximately the same amount in District taxes as in 2019 and would generate approximately \$17,680,000 in tax revenues, which is approximately \$130,000 less than the District's Fiscal Year Ending ("FYE") December 31, 2021 budgeted expenditures.

Mr. Howell then explained that \$0.036050 per \$100 of assessed valuation is the maximum tax rate that can be set without subjecting the District to an automatic tax election. Mr. Howell recommended that the Board publish a proposed 2020 tax rate of \$0.036050 and consider levying a tax rate between \$0.033334 and \$0.036050.

An extensive discussion ensued regarding the options presented by Mr. Howell and the potential impacts of Senate Bill 2 in connection with the District setting its 2020 tax rate. The Board thanked Mr. Howell for his recommendation.

Ms. Adams reported that the Harris County Tax Assessor/Collector (the "TA/C") requires that the District provide the proposed 2020 tax rate as soon as possible for purposes of publication of the Notice of Proposed 2020 Tax Rate. Ms. Adams stated that the highest tax rate that can be set for 2020, as calculated by the TA/C, without being required to hold an election is \$0.036050. A discussion ensued.

Mr. Howell exited the meeting at this time.

UPDATE FROM MEDSTAR, INCLUDING STATUS OF OBTAINING TEXAS DEPARTMENT OF STATE HEALTH SERVICES ("DSHS") EMERGENCY MEDICAL SERVICES ("EMS") PROVIDER LICENSE, INCLUDING APPOINTMENT OF ADMINISTRATOR OF RECORD AND STATUS OF RECRUITMENT OF DISTRICT EXECUTIVE DIRECTOR, BUSINESS MANAGER, MEDICAL DIRECTOR AND ANY OTHER EMPLOYEES OR CONTRACTORS DEEMED ADMINISTRATIVELY NECESSARY

Mr. Zavadsky reported that MedStar is in the process of preparing the application and proceeding with the related process in order to obtain the District's DSHS EMS license.

Mr. Zavadsky next reported that MedStar had previously prepared (and the District approved) job descriptions for a District Executive Director, Director of Operations, Business Manager/Director of Finance and Director of Clinical Services. Mr. Zavadsky also reminded the Board that they had previously authorized MedStar to pursue an Executive Recruiter for the District. Mr. Zavadsky then introduced Mr. Athey, the health care Executive Recruiter that MedStar has contracted with on behalf of the District.

APPROVAL OF THE MINUTES

The Board considered approval of the minutes of the regular meeting of August 20, 2020 and the special meeting of August 27, 2020. Upon motion by Commissioner Brost, seconded by Commissioner Williams, after full discussion and the question being put to the Board, the Board voted unanimously to approve the minutes of the regular meeting of August 20, 2020 and the special meeting of August 27, 2020, as presented, and the certified agendas for same.

REVIEW AND TAKE ANY NECESSARY ACTIONS ON MONTHLY OPERATIONS AND FINANCIAL REPORT FROM CCEMS, REQUESTS FOR ADDITIONAL FUNDING, CCEMS BILLING/COLLECTION PROCESSES AND PROCEDURES, DOCUMENTS AND INFORMATION REQUESTED BY THE DISTRICT FROM CCEMS AND STATUS OF INVESTIGATION OF CCEMS MAINTENANCE FACILITY AND EMPLOYEES RELATED THERETO

The President first recognized Commissioner Pinard, who introduced his son and wife. Commissioner Pinard reported that he and his family recently toured the Woodlands Fire/EMS Station, where the firefighters and paramedics provided a wonderful interactive experience for his son. Commissioner Pinard then stated that Mr. Nealy's recent correspondence to CCEMS employees demonized the experience by accusing him of threatening CCEMS employees. Commissioner Pinard demanded an apology from Mr. Nealy for such statement. Commissioner Pinard stated that he has toured many of the EMS stations over the prior couple of months and spoke with CCEMS field staff in an effort to better understand how the District can help the employees with any necessary improvements to infrastructure and equipment.

The President next recognized Mr. Nealy, who presented to and reviewed with the Board the monthly CCEMS Operations and Financial Reports, including the operations statistics for August 2020, copies of which are attached hereto. Mr. Nealy reported that during August there were 3,499 transports, 15 Life Flight transports and that 954 of the calls made during the month

were "no transports." Mr. Nealy went on to report that during August, CCEMS received five (5) mutual aid assists and provided 23 mutual aid assists outside of CCEMS' boundaries.

Mr. Nealy next presented to and reviewed with the Board the System Status Level Report and the Response Times Report, copies of which are attached to the CCEMS Report. Mr. Nealy went on to review with the Board the average response times for: 1) dispatch; 2) chute; 3) travel; 4) total response; 5) arrival on scene; 6) transports; and 7) hospital stays. Mr. Nealy then reviewed with the Board more detailed response times for each unit/paramedic. Mr. Nealy went on to state that response times continue to improve due to: 1) addition of three (3) 24-hour ambulances; 2) maintenance on peak ambulances; 3) strategic location of ambulances; 4) transition from a "post plan" to a "system status management plan," and 5) allowing employee access to FirstWatch portal to monitor response times. A discussion ensued.

Commissioner Pinard then inquired whether CCEMS has any type of bonus system for its employees. Mr. Nealy responded that CCEMS does not currently have any type of bonus system for employees, but is willing to meet with the Board to further discuss the implementation of such system.

Mr. Nealy then reported that CCEMS continues to coordinate with the U.S. Army regarding the ongoing Clinical Fellowship Program for 2020.

Mr. Nealy then reported on the status of the Community Wellness and Paramedic Program, which allows a physician's assistant to respond directly to less urgent patients who do not require an ambulance. Mr. Nealy went on to report that patients are currently being contacted by telephone for a follow-up in light of the COVID-19 pandemic. Mr. Nealy added that CCEMS is participating in a pilot program with St. Luke's Vintage Park Hospital in an effort to deter hospital re-admissions.

Mr. Nealy next reviewed with the Board the CCEMS Financial Report for August 2020. A discussion ensued.

Mr. Nealy then presented to and reviewed with the Board various funding requests from CCEMS.

Mr. Nealy referenced correspondence from Mr. Vie to Ms. Adams dated September 16th, also requesting payment by the District to CCEMS for previously withheld funds, a copy of which is attached hereto.

Mr. Nealy went on to review with the Board the status of acquisition of new ambulances and equipment. Mr. Nealy stated that the request for proposals (the "RFP") for the purchase of eight (8) ambulances, two (2) supervisor vehicles and equipment for existing ambulances closed on August 24th and three (3) companies submitted a proposal in connection with the purchase of the vehicles: 1) Frazer; 2) Wheeled Coach; and 3) McCoy Miller. Mr. Nealy added that it will cost approximately \$81,445.71 per ambulance to purchase the necessary capital equipment (i.e. Stryker Power-Pro stretcher, Lucas 3 device, Laryngoscope, Zoll monitor, Masimo RAD057 carbon monoxide detector) for installation on the ambulances. A discussion ensued.

In response to a question from Commissioner Brost, Mr. Nealy stated that CCEMS has not adjusted the employees' uniform allowance recently, but plans to make such adjustments in 2021.

Mr. Nealy next reported on CCEMS' operations in connection with the COVID-19 pandemic. Mr. Nealy stated that CCEMS responded to approximately 302 suspected COVID-19 cases in August with 254 of such cases being transported. Mr. Nealy stated that, since March 13th, 121 CCEMS staff members have been monitored for COVID-19 symptoms and 20 CCEMS staff members are/were under self-quarantine. Mr. Nealy went on to state that to-date, 16 CCEMS field staff members have tested positive for COVID-19.

Mr. Nealy then reported that he continues to coordinate with Commissioner Brost regarding installation of District decals/stickers on District vehicles. Mr. Nealy reviewed with the Board a photograph of the proposed District logo to be added to all ambulances, a copy of which is included in the CCEMS Operations Report attached hereto. Commissioner Brost stated that he will coordinate with Mr. Nealy and Mr. Karrenbrock regarding the proposed logo to be used on ambulances.

Mr. Nealy next reported on the status of the ambulance title corrections on two (2) ambulance titles that contained erroneous liens. Mr. Nealy reported that the Texas Department of Motor Vehicles recently advised CCEMS that they could not process the lien removal request and such title correction requests need to be processed through the local tax office. Mr. Nealy stated that, after the meeting, his office plans to request the title correction from the Harris County Tax Office.

Mr. Nealy went on to present the Personnel Manpower Report, including the EMS personnel funded by the District. Mr. Nealy stated that CCEMS currently has 36 dispatchers (par is 40), 77 unit operators (par is 80) and 84 paramedics (par is 80). Mr. Nealy reiterated that CCEMS currently has 18-24/7 ambulances and three (3) 12-hour peak ambulances in service. Mr. Nealy stated that if/when eight (8) additional ambulances are placed in service the pars for: 1) dispatchers will increase to 44; 2) unit operators will increase to 112; and 3) paramedics will increase to 116.

Commissioner Brost then reviewed recent correspondence from Mr. Nealy to CCEMS employees, a copy of which is attached hereto. Commissioner Brost next inquired how the Board has lied to Mr. Nealy and CCEMS, as alleged in Mr. Nealy's recent correspondence. Mr. Nealy responded that, among other items, the Board has lied about CCEMS response times and the purchase of auto-loader stretchers. An exchange ensued between Commissioner Brost and Mr. Nealy regarding the purchase of the power-load stretchers. Commissioner Brost noted that the Board was led to believe by CCEMS' former Executive Director that, in 2014, the District was purchasing auto-loaders for the ambulances instead of the power-loaders that were actually purchased by CCEMS with District funds. In response to questions from Commissioner Pinard, Mr. Nealy stated that he would check on the status of CCEMS' unpaid employee insurance claims with Ms. Allison Sulentic of Sulentic Law Firm, benefits counsel for CCEMS. Mr. Nealy added that CCEMS' current self-insurance plan is managed by Cigna. Commissioner Brost then noted that CCEMS paid its former Executive Director approximately \$500,000 when he resigned, which is close to the amount of the funding request from CCEMS for COVID-19 stipends for CCEMS employees.

An extensive discussion then ensued regarding CCEMS' funding requests. Ms. Adams noted that the stipend request for the Communications Center ("Comm Center") employees was for 48% (or 19) of all Comm Center employees despite the District paying approximately 90% (or 36) of such department's salaries and health benefits according the August 2020 manpower report. Ms. Adams noted that a CCEMS spreadsheet, dated June 1, 2020, regarding health insurance costs indicates that the District is funding health insurance costs for 150 of CCEMS' EMS employees and 34 of the CCEMS' Comm Center employees. Ms. Adams added that such spreadsheet indicates that the District is also paying for all health insurance costs for the spouses and families of such CCEMS employees, which had never been discussed with or approved by the Board. In response to Ms. Adams' statements, Mr. Nealy conceded that page 13 of his report contained an incorrect statement: "Number of EMS personnel at each position funded by the Emergency Services District ("ESD")." Mr. Nealy acknowledged the discrepancy in the amount of CCEMS employees whose salaries/health insurance benefits are funded by the District versus those that are funded by CCEMS. Mr. Nealy stated that he will research the above discrepancies and report back to the Board regarding the actual amount of CCEMS employees' salaries/health insurance benefits that are funded by the District.

Mr. Nealy then briefly updated the Board on the status of the ongoing Maintenance Facility Investigation.

In response to a question from Ms. Adams regarding the status of the corrected CCEMS audits for FYE December 31, 2018 and 2019, Mr. Vie stated that he had provided those to Ms. Check via the secure portal.

REVIEW PROPOSAL AND APPROVE PROPERTY INSURANCE RENEWAL WITH VFIS (EXPIRES 10/13/2020), INCLUDING AUTOMOBILE COVERAGE FOR PURCHASED AMBULANCE(S)

Mr. Hastings then stated that the District's insurance coverage is up for renewal for a new policy term of October 13, 2020 through October 13, 2021. Mr. Hastings next presented to and reviewed with the Board the VFIS Property Insurance Renewal Proposal/Summary of Coverages, a copy of which is attached hereto. Mr. Hastings noted that District's property coverage has been updated to add the District's six (6) election poll pads and the District's recently purchased ambulance. Mr. Hastings also noted that Harris County Emergency Services District No. 17 ("ESD 17") has been added as an additional insured party on the property coverage in connection with the recent Lease Agreement between the District and ESD 17 for the lease of space at Little York Fire Department Station Nos. 83 and 84.

Mr. Hastings noted that the total premium amount for the upcoming term has increased by \$2,041, from \$17,023 to \$19,064, due to the additional property coverage and an increase in property values.

Upon motion by Commissioner Williams, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to authorize renewal of the District's property insurance through VFIS for the term of October 13, 2020 through October 13, 2021 for a total premium of \$19,064 (includes a \$5,000 property deductible).

DISCUSS AND TAKE NECESSARY ACTION REGARDING WORKERS' COMPENSATION INSURANCE RENEWAL (EXPIRES NOVEMBER 25, 2020)

Mr. Hastings 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. Mr. Hastings stated that the current Workers' Compensation policy will expire on November 25, 2020.

Upon motion by Commissioner Brost, seconded by Commissioner Grundmeyer, 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, 2020 through November 25, 2021 for a total premium amount of \$330.

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

Ms. Linn 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. Linn reported that during the prior month, the District received \$284,658.94 in FEMA reimbursement funding from CCEMS in connection with Hurricane Harvey and \$609.37 in investment interest. Ms. Linn further reported that all such revenue had been deposited into the District's Operating Account.

Upon motion by Commissioner Williams, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to: 1) approve the Bookkeeper's Report, as discussed; and 2) authorize payment of the bills as submitted, with the exception of the CCEMS operations payment for September, which would be further reviewed later in the Board meeting.

REVIEW DRAFT BUDGET FOR FYE DECEMBER 31, 2021 (THE "2021 BUDGET") AND ADOPT THE 2021 BUDGET

Ms. Adams then reminded the Board that the District is required to adopt its annual budget prior to setting the 2020 tax rate. The Bookkeeper and Commissioner Williams, as representative of the Budget Committee, then presented to the Board the 2021 Budget for FYE December 31, 2021, a copy of which is attached to the Bookkeeper's Report. A discussion ensued regarding necessary revisions to the budget. Ms. Adams noted that, in the future, the Board will need to consider replacing the District's election voting equipment. It was the consensus of the Board to consider adoption of the 2021 Budget at the October 15th meeting (prior to adopting the 2020 tax rate).

STATUS OF TRANSITION TO NEW INTERSECTION PREEMPTION CONTROLLER DEVICES (THE "PREEMPTION DEVICES"), INCLUDING AUTHORIZE ADDITIONAL PAYMENTS RELATED TO SAME AND APPROVE AMENDMENT TO SCHEDULE A-2 OF THE MASTER SALE OF GOODS AND SERVICES AGREEMENT (THE "PREEMPTION AGREEMENT") WITH GLOBAL TRAFFIC TECHNOLOGIES, LLC ("GTT")

Commissioner Brost then reminded the Board that the District had previously entered into the Preemption Agreement by and between the District, ESD Nos. 7, 13, 16, 28 and 29 and GTT and the Interlocal Agreement with Harris County (the "County"). Ms. Adams then presented to and reviewed with the Board the proposed Amended Schedule A-2 to the Preemption Agreement with GTT. Ms. Adams stated that such amendment does two (2) things: 1) adds the Intelligreen unit as a component of the agreement; and 2) memorializes the start date for the system on January 1, 2020. Ms. Adams noted that the "Intelligreen unit" option was not covered in the original agreement and only identifies how such option would be added to the system and at what cost.

Upon motion by Commissioner Brost, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted unanimously to approve and authorize execution of the Amendment to Schedule A-2 of the Preemption Agreement with GTT, an executed copy of which is attached hereto.

Commissioner Brost then reviewed with the Board the status of the installation of the new preemption devices at the County and Texas Department of Transportation intersections. Commissioner Brost reported that the County is almost ready to proceed with Phase 2 of the installation of preemption devices of which the District's pro-rata share of the cost is \$80,000 per year.

STATUS OF PREPARATION OF SPECIAL DISTRICT EXAMINATION BY PKF, INCLUDING: A) RECONCILIATION OF DISTRICT FUNDING VS. CCEMS EXPENDITURES; AND B) PHYSICAL INVENTORY OF DISTRICT AND CCEMS ASSETS

Ms. Adams reminded the Board that they previously authorized PKF to conduct an investigation and prepare a report to include: 1) a reconciliation of the District funding vs. CCEMS expenditures since 2017; and 2) a physical inventory of CCEMS and District assets.

The President then recognized Ms. Cheek, who reported on the status of PKF's request to review CCEMS' financial records/documents. Ms. Cheek reported that CCEMS has been uploading additional requested financial records/documents via the secure portal and she has, as of just prior to the Board meeting, received all of the previously requested financial records/documents. Ms. Cheek noted that it will take six (6) to eight (8) weeks for PKF to complete its review and preparation of the financial reconciliation report in connection with the District's funding versus CCEMS expenditures.

TAX ASSESSOR/COLLECTOR'S REPORT

Ms. Adams then reviewed with the Board the Tax Assessor/Collector's Report for August, a copy of which is attached hereto.

DISCUSS PROPOSED 2020 TAX RATE, HEAR FINANCIAL ADVISOR'S RECOMMENDATION, AUTHORIZE PUBLICATION OF NOTICE OF PROPOSED TAX RATE FOR 2020 AND SET PUBLIC HEARING ON 2020 TAX RATE (-CONTINUED-)

Upon motion by Commissioner Brost, seconded by Commissioner Pinard, after full discussion and the question being put to the Board, the Board voted unanimously to: 1) consider adoption of a total 2020 tax rate between \$0.033334 and \$0.036050 per \$100 assessed valuation at the October 15th Board meeting; and 2) authorize the publication of the Notice of Proposed 2020 Tax Rate in the amount of \$0.036050 in the Houston Chronicle, as required by the Texas Tax Code, and schedule the public tax rate hearing for the October 15th at 9:00 a.m.

DISTRICT COMMUNICATIONS REPORT:

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

Mr. Karrenbrock then presented to and reviewed with the Board 62 Digital's monthly website and PR report, a copy of which is attached hereto.

DISCUSS CREATION OF STRATEGIC CAPITAL PLAN AND REVIEW GENERAL AREAS WITHIN THE DISTRICT FOR POTENTIAL ADDITIONAL STATION LOCATIONS AND ACQUISITION OF ADDITIONAL AMBULANCES, INCLUDING:

STATUS OF REAL ESTATE ACQUISITIONS AND NEGOTIATIONS FOR SAME

Ms. Adams reported that JT Lynch is continuing with negotiations for the purchase of real estate for the District and has submitted the District's offer for the purchase of real estate, as previously authorized by the Board.

STATUS OF OBTAINING FINANCING OPTIONS FOR VEHICLE AND REAL ESTATE ACQUISITIONS

Ms. Adams reminded the Board that they previously authorized proceeding with procurement of financing options for the District's acquisition of real estate and vehicles. Ms. Adams stated that she is coordinating with Mr. Howell regarding such financing options.

REVIEW DISTRICT CONSULTANT CONTRACTS AND TAKE NECESSARY ACTIONS ON SAME

There was no discussion on this matter at this time.

ATTORNEY'S REPORT

REVIEW MATTERS RELATED TO SERVICE AGREEMENT WITH CCEMS NOT PREVIOUSLY DISCUSSED AND TAKE ANY NECESSARY ACTIONS ON SAME

The Board asked Ms. Adams to further review legal matters pertaining to the Service Agreement in Executive Session.

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

Ms. Adams next reported on the status of the four (4) PIA requests that had been received since the August 20th Board meeting.

Ms. Adams reported that her office had responded to two (2) of the four (4) PIA requests as there was no responsive information to such requests. Ms. Adams then reported that her office provided the responsive information in connection with one (1) of the PIA requests and provided the partially responsive information in connection with the other request. Ms. Adams stated that, in connection with one (1) of the PIA requests, her office (on behalf of the District) has also provided Notice to all interested third parties in the event that any third party wishes to file arguments with the Texas Attorney General ("AG") objecting to the release of certain proprietary information. Ms. Adams went on to state that the her office also provided the AG with the Notice to all interested third parties and requested a ruling in connection with the potential third party proprietary information.

All meeting attendees, with the exception of all members of the Board present, Mr. Nealy, Ms. Adams, Ms. Christensen, Mr. Trachtenberg and Ms. Phillips exited the meeting at 10:56 a.m.

CONVENE IN EXECUTIVE SESSION

Pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended, specifically Sections 551.071, 551.072 and 551.074 regarding matters of attorney-client privilege, pending or contemplated litigation and personnel matters, Commissioner Plummer convened the Board in Executive Session at 11:05 a.m., to consult with the District's attorney regarding legal matters pertaining to the CCEMS maintenance facility investigation, the Service Agreement with CCEMS, real estate negotiations and personnel-related matters. The persons present in the Executive Session at various times were Commissioners Plummer, Williams, Pinard, Grundmeyer and Brost, Mr. Nealy, Ms. Adams, Ms. Christensen, Mr. Trachtenberg, Ms. Phillips, Ms. Cheek, Messrs. Lynch and Messrs. Zavadsky, Hooten and Athey.

Mr. Nealy exited Executive Session at 11:10 a.m.

Mr. T. Lynch entered the Executive Session at 11:19 a.m. and exited Executive Session at 11:24 a.m.

Ms. Cheek entered the Executive Session via teleconference at 11:25 a.m. and exited Executive Session at 11:36 a.m.

Messrs. Zavadsky, Hooten and Athey entered the Executive Session via teleconference at 11:50 a.m. and exited Executive Session at 11:55 a.m.

RECONVENE IN OPEN SESSION

All meeting attendees still present re-entered the meeting at this time.

Commissioner Plummer then reconvened the meeting in open session at approximately 1:01 p.m. at which time the following action was taken:

Upon motion by Commissioner Williams, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to authorize RBAP/Greathouse to prepare and transmit correspondence to CCEMS inviting the CCEMS Board of Directors to the District's next special Board meeting (scheduled for October 1st at 9:00 a.m.) to discuss expediting the EMS transition.

Upon motion by Commissioner Williams, seconded by Commissioner Grundmeyer, after full discussion and the question being put to the Board, the Board voted three (3) votes in favor, one (1) abstention, with Commissioner Plummer abstaining, and one (1) vote in opposition, with Commissioner Brost opposing, to authorize payment under protest to CCEMS in the amount of 70% (\$927,500) of the monthly payment requested by CCEMS for September. Commissioner Williams, as a reminder, then reviewed the motions made at the June 18, 2020, July 16, 2020 and August 20, 2020 regular Board meetings, "...the Board authorized withholding 30% of CCEMS' monthly operation invoices until the District has completed a full inspection/audit, with CCEMS' full cooperation, within the scope as determined by the Board to determine if and how much money CCEMS should be required to reimburse the District for overpayments by the District to CCEMS since 2017."

Upon motion by Commissioner Williams, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to begin withholding the remainder (70% (\$927,500)) of the monthly CCEMS operations invoices beginning with the October invoice if all outstanding CCEMS employee self-insurance claims made and submitted prior to June 30, 2020, are not paid in full.

Upon motion by Commissioner Williams, seconded by Commissioner Brost, after full discussion and the question being put to the Board, the Board voted unanimously to begin withholding the remainder (70% (\$927,500)) of the monthly CCEMS operations invoices beginning with the October invoice if PKF reports to the District that CCEMS has been less than cooperative in responding to of Ms. Cheek's inquiries regarding the forensic examination and will continue to withhold such payment(s) until PKF reports full cooperation from CCEMS.

There being no further business to come before the Board, the meeting was adjourned at 1:06 p.m.

PASSED, APPROVED AND ADOPTED this 15th day of October, 2020.




Secretary, Board of Commissioners