

MONTGOMERY COUNTY
EMERGENCY SERVICES DISTRICT #8
BOARD MEETING
November 5, 2012

Members Present:

James Kelly, President
George Biernesser, Vice-President
Rodney Otto, Treasurer
Andy Walters, Asst. Treasurer

Members Absent:

John Rodriguez, Secretary

Guests Present:

Chief Robert Hudson, Assistant Chief Michael Johnson,
Deputy Chief Clinton Cooke, BC Mike Butler, Kaye
Townley of Municipal Accounts, Jeff Gerber of PGAL,
Howard Katz, David Rowe and Mike Cook of Durotech

Call to Order:

The Board meeting was called to order by President James Kelly at 6:36 p.m. at 335 Volunteer Lane.

Citizen Comments (for matters not on the agenda) – this provides an opportunity for citizens to comment on non-agenda items in advance of the regular business of the Board. Comments shall be limited to five minutes per person. Comments by Commissioners in response to such citizen comments shall be limited to:

- A. Statements of specific factual information in response to an inquiry;
- B. Statements of existing District policy;
- C. Direction to place an item on a future District Agenda.

None

To consider and approve minutes from prior meeting(s):

George Biernesser made a motion to accept the minutes for the October 1, 2012 meeting. Rodney Otto seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To receive Treasurer's report.

Kaye Townley presented the Treasurer's report to the Board.

To review and take action on any Resolution(s) to designate and authorize Municipal Accounts to execute wire transfers, open and close Certificates of Deposit by telephone/fax/email.

None

To review and take action on District bills

Rodney Otto made motion to accept and authorize payment of the District bills. George Biernesser seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To consider and take action on opening a credit account with Select Transport Resources, LLC.

Andy Walters made a motion to open a credit account with Select Transport Resources, LLC. Rodney Otto seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To consider and act on a TCDRS Rate Resolution.

Deputy Chief Cooke addressed the Board. As part of the 2012-2013 budget year plans, the Department researched increasing the match amount by the District. The match will be back dated to inception of the program. Andy Walters made a motion to accept the resolution to increase the ESD's contribution to the retirement to 14% for past and future deposits. George Biernesser seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To review and take action on Amendment to Interlocal Agreement for Fire Code Inspection Services between the City of Oak Ridge North and the District.

Andy Walters is abstaining from this discussion and vote as he is the Police Chief and Fire Marshal of the City of Oak Ridge North.

George Biernesser made a motion to accept the amendment. Rodney Otto seconded the motion. The motion passed with a vote of three (3) FOR, zero (0) AGAINST, one (1) Abstain.

To review and take action on renewing the Interlocal Agreement for Fire Code Inspection Services between the City of Oak Ridge North and the District.

No action needed to be taken as the amendment addressed this item.

To review and act on renewing the MCHD Station 1 lease agreement.

Andy Walters made a motion to renew the lease agreement with MCHD. George Biernesser seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To review and act on executing the Radio Tower Lease Agreement with the City of Conroe and MCHD for the Robinson Road antenna tower.

Andy Walters made motion to postpone this item. George Biernesser seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To consider and act on radio communications plans for the District.

Chief Hudson opened the discussion regarding meeting the Departments radio needs within the District.

Chief Johnson addressed the Board. Station 4 options are a 100 foot tower (no revenue) that would be at the Station 4 location, or a 198 foot tower with revenue at the Station 4 site. The bigger tower will attract revenue. A Station 4 tower will be right in the heart of the cell coverage area where there is little coverage. The Department needs would be met with the 100 foot tower that we already have.

George Biernesser believes the 100 foot tower would be less intrusive. Chief Johnson informed the Board members that the 198 foot tower would not have to be lighted. Andy Walters does not believe that we need to engage in rental of tower space; and that government should be nonprofit. He believes that we should not engage in vertical real estate for profit.

Andy Walters made the motion that we erect the 100 foot tower that we own at Station 4. George Biernesser seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

Chief Johnson addressed the Board members regarding a tower at Station 5. Chief Johnson stated that the Department could approach the home owners association of Benders because the home owners are not happy because they do not have cell coverage. A tower could be placed at the water plant in Benders. It would be a 400 to 485 foot tower. Another option is that we could erect a tower that would be in the middle of a rock quarry. This would be a partnership between emergency responders (MCHD and the ESD). Hallet Materials is the owner of the rock quarry. We need a tower in this area for radio coverage and mobile data on our apparatus. We would not be the ones erecting the tower, but we will have structure on it. If we purchased and erected a 485 foot tower ourselves at the rock quarry it would cost \$1 million and would also generate an estimated \$40K a month once the space was utilized. Both will be guyed towers. James Kelly and Andy Walters both want to research us owning and erecting a tower ourselves that will belong to us. Rodney Otto wants to know how tall a Station 5 tower will need to be to meet our needs. Chief Johnson stated that we only need a 198 foot tower to meet the Department's needs but we will likely not get approval from the HOA because it wouldn't also address their issue of lack of cell coverage. Rodney Otto is more comfortable with the water plant idea. The Board wants both options explored further.

Andy Walters made motion to explore possibility on both locations to erect a tower. George Biernesser seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To review and act on the Guaranteed Maximum Price from PGAL and Durotech.

Jeff Gerber addressed the Board members. There was a lot of interest shown in the Station 4 construction project and PGAL received many bids. The bid with bond was \$2,858,993.00. The revised GMP with the changes would be \$2,767,346 minus \$4600.00 if #3 was not taken. The project was bid with prevailing wages.

There was discussion regarding the water service at Station 4 served by Aqua Texas. Aqua Texas is not accepting liability for fire sprinkler systems. There is enough pressure on the hydrant lines to supply the sprinkler. It is believed that if they do not utilize a generator and that the issue would arise if power was interrupted. PGAL contacted Rayford Road MUD to find out if it was possible for them to provide adequate water service for the site. Rayford Road MUD could provide service with little issue regarding availability of service during a possible power interruption. Rayford Road MUD indicated that they believed this would be possible. The District would have to run infrastructure to tap into their system. The Department will check to see if Aqua Texas is generated or not. It was determined that Aqua Texas does own a generator, but it is not operational yet.

The following was decided regarding the GMP:

- To deduct \$4645 (#3) from GMP and the \$40K (V-16)
- To add Alternate #1 - Bi-Fold doors (\$143,577) and research what the cost would be for non-hurricane proof doors.

Andy Walters made motion to accept the GMP of \$2,866,278. George Biernesser seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To consider and act on approving closing on the construction loan for Station 11-4 with Leasing 2.

The project number is \$3,323,580.00 - this is the construction loan without the architect fees, and the fence on our own. The number will be rounded off to \$3,325,000.00 - this will be the total amount for the loan.

Rodney Otto made motion to make the construction loan for \$3,325,000.00. George Biernesser seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

George Biernesser made motion to issue the notice to proceed to Durotech subject to approval of the replat by the City of Houston and Montgomery County. Andy Walters seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To review and act on a two year maintenance contract for the aerobic sewer system at Station 11-4.

This item will be postponed and the Board will meet later for a special meeting.

Discussion about Station 11-5 property.

LGI previously sent a letter to the District stating when they plat the property in Bender's that they would donate a portion of the land to the District for a Fire Station if we donate part of our access easement to them on Birnham Woods. The Montgomery County engineer made a motion in the City of Houston to not allow the project to proceed. The project is now on hold and LGI has stated that there is nothing else that they can do. Howard Katz recommends bringing in an engineer to inform us of our options and what the costs would be to plat the 1.8 acre property for Station 5. The property is still owned by LGI, all we have is access to the easement to build a station. Howard Katz is going to contact Weiser to see what options we have.

To consider and act on purchase of iPads for use by Commissioners.

The purchase of the iPads was approved when the budget was approved. Each Commissioner will receive their own iPad for ESD use that they will have at their convenience.

To consider and act on purchase of vehicle for the Emergency Management Deputy Chief.

Chief Hudson addressed the Board members regarding as part of the approved 2012-2013 budget the purchase of the vehicle for the Deputy Chief of Emergency Management. The cost of the vehicle from Holiday Chevrolet is \$30,120.75. This cost only covers the vehicle, not the equipment.

Andy Walters made a motion to purchase the vehicle from Defender Holiday Chevrolet. Rodney Otto seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

To receive report from the District's Fire Chief.

Chief Hudson presented to the Board his monthly Chief's report. We are switching our cell and mobile data coverage to Verizon. Service coverage issues and better pricing are the reasons for the change. The process of choosing a Deputy Chief of Emergency Management is moving forward.

Andy Walters requests to see a cost analysis for the Department to run medical calls.

To consider agenda items for future meetings.

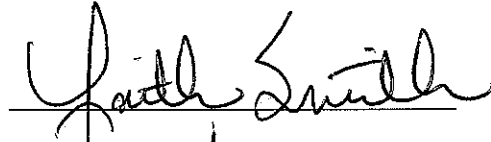
- To review and act on executing the Radio Tower Lease Agreement with the City of Conroe and MCHD for the Robinson Road antenna tower.
- To review and act on a two year maintenance contract for the aerobic sewer system at Station 11-4.
- Discussion of inputting a well for STA 2.

Adjournment:

George Biernesser made a motion to adjourn. Rodney Otto seconded the motion. The motion passed with a vote of four (4) FOR and zero (0) AGAINST.

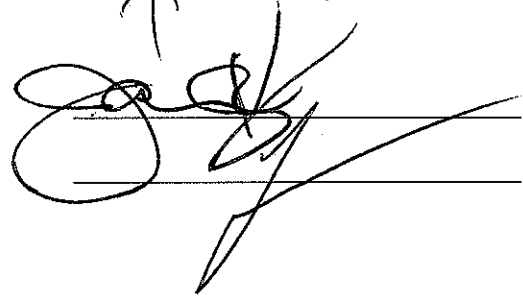
The meeting adjourned at 9:47 p.m.

Respectfully Presented By: Faith Smith

A handwritten signature in cursive script that reads "Faith Smith". The signature is written over a horizontal line.

Approved By:

President James Kelly

A handwritten signature in cursive script, appearing to be "James Kelly". The signature is written over a horizontal line.

Secretary John Rodriguez
