

HARRIS COUNTY EMERGENCY SERVICES DISTRICT # 13

11900 Cypress North Houston
Cypress, Texas 77429-5948
281 894-0151

MEETING MINUTES

Monday, November 27, 2017 7:30 P.M.

Commissioners present: Ben Henderson
Vince Tobin
Scott Johnson
Homer Stevens
JoAnne Arosell

Others: Richard Lieder
Jason Blackman
Ira Coveler, Coveler & Peeler P.C.
Sara Hooper
Angela Hazlegrove

Ben Henderson called the meeting to order at 7:30 p.m.

Information items:

A. Fire Department Report.

Station 23 was reoccupied Tuesday November 14. The contractor is working through final punch list items. The project should close out in December.

CCVFD hosted and attended the NW Harris County quadrant after action review at Station 24 October 25th. We are awaiting the final consolidated report from HCFMO.

Station 21 renovation is scheduled to move to phase 2 over the weekend of December 9th-10th. Current substantial completion date for the project is January 31, 2018.

We have received 11 application submissions for the open Training Chief's position. After a panel reviewed the applications 3 applicants have been selected for an interview. Interviews are scheduled for December 8th. The interview panel will consist of Richard Lieder, Angela Hazlegrove, Scott Johnson, Jason Blackman, William McDugle, and Joey Dockins.

B. Staff Report

We received phone calls from at least 10 people since the last meeting regarding the reduction in the exemptions this year. Ira suggested we develop talking points for inquiries.

HCESD13 website should be live after FDI receives the final payment.

Christmas Holidays were accidentally listed as December 25th and 26th during our last meeting. The approved holidays from the January 2017 meeting were actually Friday December 22nd and Monday December 25th.

Sara Hooper is planning to take more time off to use up her available PTO.

C. Treasurer Report.

The percentage of collections for 2016 is approximately 98.2%. \$611,000 will be transferred tomorrow to cover expenses including the Axis Builder's invoice for Station 21 renovations \$138,869 and Station 23 renovation/restoration \$41,738; the reimbursement to the Department for \$115,926.27; \$3,382.89 in attorney fees; Website development \$2,670; and the Harris County Quarterly Assessment \$12,458. Year-end carryover at this point minus the loan proceeds of \$1,060,000 is \$1,043,516.53.

D. Public Comment.

Richard Schwing attended the meeting to receive an explanation regarding the reduction in the tax exemptions.

E. Any additional business that may come before the Board.

None.

Action items:

- I. To discuss and take action on the ratification of a continuing Contract with a private law firm for the collection of delinquent District ad valorem property taxes, and providing for the payment of up to 20% of the delinquent taxes, penalties, and interest which are collected by the attorney under said contract.
Homer Stevens moved, Vince Tobin seconded, a motion to continue the Contract with a private law firm for collection. The motion passed 5-0.
- II. To discuss and take action on the imposition of additional penalty on delinquent taxes for 2017 pursuant to Section 33.07 of the Property Tax Code and adoption of a Resolution regarding same.
Homer Stevens moved, Vince Tobin seconded, a motion to adopt the Resolution as presented. The motion passed 5-0.
- III. To discuss and take action on the imposition of additional penalty on delinquent taxes for 2017 to defray costs of collection by the District's delinquent tax attorney, pursuant to Section 33.08 of the Property Tax Code and adoption of a Resolution regarding same.
Homer Stevens moved, Vince Tobin seconded, a motion to adopt the Resolution as presented. The motion passed 5-0.
- IV. To discuss and take action on the imposition of early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to Section 33.11 of the Property Tax Code and adoption of a Resolution regarding same.
Homer Steven moved, Vince Tobin seconded, a motion to adopt the Resolution as presented. The motion passed 5-0.
- V. To review and revise the proposed Cypress Creek VFD 2018 budget.
Vince Tobin moved, Homer Stevens seconded, a motion to accept the Cypress Creek VFD 2018 budget as presented. The motion passed 5-0.
- VI. To review and revise the District 2018 budget.
Vince Tobin moved, JoAnne Arosell seconded, a motion to accept the Revised District 2018 budget as presented. The motion passed 5-0.
- VII. To review and approve purchase of bunker gear.
Homer Stevens moved, JoAnne Arosell seconded, a motion to approve the purchase of bunker gear from NAFECO in the amount of \$11,470.00. The motion passed 5-0.

- VIII. To review ESD full-time and part-time suppression personnel salaries/rates as presented.
Vince Tobin moved, Homer Stevens seconded, a motion to approve the 2018 ESD full-time and part-time suppression personnel salaries/rates as presented. The motion passed 5-0.
- IX. To review and approve creation of Division Chief Logistics position as budgeted and hiring of Brett Jacobs to fill this position as a full-time ESD employee with a start date of January 1, 2018.
Vince Tobin moved, JoAnne Arosell seconded, a motion to approve the creation of Division Chief Logistics position and hire Brett Jacobs to fill the position starting January 1, 2018. The motion passed 5-0.
- X. To review and discuss the hiring and actions required to proceed to fill the open training position.
Vince Tobin moved, Homer Stevens seconded, a motion to empower the interview panel to complete the hiring process. The motion passed 5-0.
- XI. To receive a report from Joiner Architects related to architectural and engineering services provided to the District and to review, discuss and take action on Station 21 renovation matters and Station 23 renovation and restoration matters, payment applications and change orders.
Homer Stevens moved, Vince Tobin seconded, a motion to approve the payment for Joiner in the amount of \$5,840 for Station 23 renovation and restoration. The motion passed 5-0.
- XII. Review, discuss and take action with respect to any pay applications requested by Axis Builders as approved by Joiner Architects.
Homer Stevens moved, JoAnne Arosell seconded, a motion to approve payment for application #6 for Station 21 in the amount of \$138,869 and application #2 for Station 23 in the amount of \$41,738. The motion passed 5-0.
- XIII. To review, discuss and take action for Hurricane Harvey mitigation.
Postpone.
- XIV. To review, discuss and take action regarding any needed repairs or improvements related to the operation of the District fire stations or equipment.
Postpone.
- XV. To review and take action on the report received from Brad Dill of BD Realty Advisors regarding the Huffer Road property and take action as needed pursuant to Tex. Health & Safety Code, Chapter 775 and Tex. Local Government Code, chapter 272.
Postpone.
- XVI. To consider payment to Cypress Creek VFD:
a. Monthly reimbursement.
Vince Tobin moved, Scott Johnson seconded, a motion to approve payment to Cypress Creek VFD for reimbursement in the amount of \$115,926.27. The motion passed 5-0.,
- XVII. To consider approval for payment to Coveler & Peeler, P.C. for professional services as invoiced.
Vince Tobin moved, JoAnne Arosell seconded, a motion to pay legal fees of \$3,382.89. The motion passed 5-0.

XVIII. To review and approve expense reimbursements and Trainings including SAFE-D webcasts, continuing college education credits and online training classes for Commissioners and Employees.

JoAnne Arosell moved, Vince Tobin seconded, a motion to approve the reimbursement of \$259.78 to Angela Hazlegrove for the purchase of Jason's Deli for the November 6th Safe-D webcast. The motion passed 5-0.

XIX. To pay District bills and consider approval of the List of Checks Issued which includes disbursements as approved separately; election expenses; ACH withdrawals and transfers for payroll processing; TCDRS retirement plan; and operating expenses as well as any other checks that are presented at the meeting.

Vince Tobin moved, JoAnne Arosell seconded, a motion to accept \$611,260.80 in expenses for November 2017. The motion passed 5-0.

XX. To accept HCESD #13 Financial Statements of October 31, 2017, as presented.

Vince Tobin moved, Homer Stevens seconded, a motion to accept the 10/31/17 Statement. The motion passed 5-0.

XXI. To consider approval of the minutes from the meetings October 23, 2017.

Homer Stevens moved, Vince Tobin seconded, a motion to accept the minutes from the October 23, 2017. The motion passed 5-0.

XXII. To receive a report from District Counsel regarding over 65 exemptions.

Discussed publishing the over 65 exemptions on the new HCESD13 website.

XXIII. To review, update, and approve personnel matters and policies which may include, rates, benefits, hours, paid time off, sick pay, and holiday pay.

Postpone.

XXIV. To adjourn to Executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by Texas Government Code, Consultation with Attorney, Sec. 551.071; to deliberate about Real Property, Sec. 551.072; to deliberate regarding prospective Gifts and Donation, Sec. 551.073; to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee as permitted by the Texas Government Code, Open Meetings Act, Sec. 551.074; Deliberation about Security Devices, Sec 551.076.

Postpone.

XXV. To take action considered as a result of executive session.


Not applicable-no executive session was held.

Adjourn

Homer Stevens moved, JoAnne Arosell seconded, a motion to adjourn. The motion passed 5-0. The meeting adjourned at 9:21 p.m.

Respectfully submitted,


Scott A. Johnson
Secretary/Treasurer


Ben Henderson
President

**HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 RESOLUTION
AUTHORIZING THE IMPOSITION OF A 20% PENALTY FOR COLLECTION COSTS
ON DELINQUENT TAXES FOR TAX YEAR 2017 AND SUBSEQUENT YEARS**

RECITALS

§6.30 of the Property Tax Code, as amended, authorizes a taxing unit to provide for compensating an attorney up to 20% of the delinquent tax, penalty, and interest collected by the attorney.

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§§33.07, 33.08, and 33.11 of the Property Tax Code, as amended, authorize a taxing entity to impose additional penalties secured by a tax lien to defray the cost of collection, not to exceed the amount of the compensation specified in the contract with an attorney pursuant to §6.30 of the Property Tax Code.

The Harris County Emergency Services District No. 13 has contracted with LINEBARGER GOGGAN BLAIR & SAMPSON, LLP (“LINEBARGER”) to collect its delinquent taxes pursuant to §6.30 of the Property Tax Code, as amended.

The contract provides that LINEBARGER’s compensation shall be comprised of §33.07 penalties, §33.08 penalties, §33.11 penalties and §33.48 attorney fees awarded to and collected by LINEBARGER, pursuant to each statute of the Property Tax Code.

The Harris County Emergency Services District No. 13 has agreed in the contract to impose §33.07, §33.08, and §33.11 penalties of 20% to offset the cost of delinquent tax collection efforts. Notwithstanding any other provision of this resolution, it is not intended to and it should not be construed so as to impose an additional penalty under §33.07 of the Property Tax Code on any delinquent tangible personal property taxes that §33.11 of the Property Tax Code forbids its application.

ORDER

IT IS ORDERED, ADJUDGED AND DECREED BY THE HARRIS COUNTY EMERGENCY SERVICES DISTRICT NO. 13 THAT:

Section 1. The matters and facts related in the preamble of this order are hereby found and determined to be true and correct.

Section 2. In connection with 2017 taxes that become delinquent before June 1, 2018, and subsequent years’ taxes, the Harris County Emergency Services District No. 13 hereby affirmatively imposes an additional 20% penalty pursuant to Property Tax Code §33.07.

Section 3. In connection with 2017 taxes that become delinquent on or after June 1, 2018, and subsequent years' taxes, the Harris County Emergency Services District No. 13 hereby affirmatively imposes an additional 20% penalty pursuant to Property Tax Code §33.08.

Section 4. In connection with 2017 taxes imposed on tangible personal property that become delinquent on or after February 1, 2018, and subsequent years' taxes, Harris County Emergency Services District No. 13 hereby affirmatively imposes an additional 20% penalty pursuant to Property Tax Code §33.11.

Section 5. The Harris County Tax Assessor-Collector is authorized to mail notice of the delinquency and of the penalty to each property owner in accordance with Property Tax Code §33.07, §33.08, and §33.11.

PASSED, APPROVED, AND ADOPTED this 13th day of November, 2017.

**HARRIS COUNTY EMERGENCY
SERVICES DISTRICT NO. 13**

By: 
Ben Henderson, President

ATTEST/SEAL:

By: 
Scott Johnson, Treasurer

