

## SPECIAL MEETING MINUTES

### WALLER-HARRIS EMERGENCY SERVICES DISTRICT NO.200

Notice is hereby given that the Board of Commissioners of the **WALLER-HARRIS EMERGENCY SERVICES DISTRICT NO. 200** held a special meeting and public meeting on **September 17, 2019 at 6:15 p.m.** at the District office located at **40644 Business Highway 290, Waller, Texas 77484.**

In attendance were: Commissioners: Tommy Davis, Gary Ferguson, Rick Dalton, Tommy Albert and Hollis Ulbricht; Gundersons Bookkeeping, the District Bookkeeper; Adam Tabak, District Counsel; and Mr. Barry Weinman, ESD Director.

1. **Call Meeting to order.** The meeting was called to order at 6:15 p.m. by *Mr. Tommy Davis*.
2. **Public Comment.** *No Action*
3. **To review, discuss and take action on the approval, modification and cancellation of emergency services contracts with service providers.** Adam Tabak stated that he got a call from Justin Pruitt, City Attorney, that the department does have access to the station and the trucks. Adam Tabak stated that he heard that there is some corporate issues going on with a new name and 501©3. *Mr. Tommy Davis* asked if there was anyone that wanted to address the matter. Mark Rodriguez, Asst. Chief of BVFD, stated that a new EIN and name was applied for because the current 501©3 wasn't done properly and some unethical things done in the paperwork and also with the board. Mark also stated that the name Brookshire Volunteer Fire Department has come to the point where it needs to be finished. Mark is asking for a variance leniency while he puts the 501©3 together in the name of Brookshire Fire Rescue and the ultimate goal is to become an ESD#200 fire department. Adam Tabak asked if there was anyone from the old contingent to speak on their own behalf. Pete Martins, board member of BVFFA, spoke up and stated that they have a 501©3 and a lease agreement in place from the city to lease the equipment and the building. Adam Tabak asked if they are ready to sign a contract and start operations. Pete stated yes. *Mr. Tommy Davis* asked if the 2 contingents are at odds. Mark stated that maybe not at odds, but the original by-laws...Adam Tabak stopped Mark because they are not getting involved in the political part. Adam asked Pete if they have everything in hand and ready to go (keys to building & apparatus) and Pete stated yes but they haven't been to the building because they do not have a contract with WHESD#200 yet. Adam asked Pete if they have the staff to run the department and Pete stated that would not be a problem. Mark stated that he believes that it is going to be a problem and there are currently 34 members and 27 of them are not pleased with how BVFFA is trying to run the department. Adam stated that none of the board or himself are interested on the internal problems. Adam also stated that all the board is worried about right now is the request from BVFFA to move forward with a contract from WHESD#200. Adam asked Pete how soon can the BVFFA be up and running and Pete stated October 1<sup>st</sup>. Adam also wanted to let all parties know that later down the road the board always has the power to pull the contract with proper notice. Adam stated that right now all of the disagreements going on, the board doesn't care and they understand that there are concerns,

but they need to go through the proper channels to try and get them resolved and whatever happens the board will go from there. *Mr. Tommy Albert* asked what happens to the other 16 days until BVFFA takes over. Pete Martins stated it will continue to run as it has been.

4. **To review, discuss and take action on the budget allocation and funding of service providers.** Adam Tabak asked if BVFFA has a budget to present to the board. Pete Martins stated yes and it is \$62k annually, which breaks down to \$5,166.67 a month. BVFFA will need the monthly provider payment and money to cover the yearly premiums for workers comp and general liability insurance now to pay for these items. The 2 insurances combined total is \$4,386. *Mr. Tommy Albert* stated that on the budget, that is just what BVFFA is asking for, but it will be cut back because of how things are different next year. *Mr. Tommy Davis* asked if the city was going to cover the building and trucks on insurance and Pete stated yes. The District will have to cover the insurance on their personal booster truck that is at the Brookshire station currently. *Mr. Tommy Albert* stated that next year they need to apply for a grant to pay these premiums and submit the leftover to the District. Adam Tabak told Pete that he needed to get the Certificates of Liability with WHESD#200 as the additional insured from the City of Brookshire ASAP and submit to the District. *Mr. Gary Ferguson* made a motion to pay BVFFA a payment of \$5,166.67 to get them started. *Mr. Hollis Ulbricht* second the motion, which passed 5 to 0.
5. **To meet in Closed Session pursuant to Government Code §551.071 to consult with legal counsel regarding pending or contemplated litigation, settlement offers or on matters which require confidentiality under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and Tax Code §323.3022 to discuss sales tax matters.** *No Action*
6. **Adjourn.** *Mr. Hollis Ulbricht* made a motion to adjourn. *Mr. Rick Dalton* second the motion, which passed 5 to 0.

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Tommy Albert, Secretary/Treasurer