

**MINUTES OF THE
MONTGOMERY COUNTY EMERGENCY COMMUNICATION DISTRICT
BOARD OF MANAGERS**

REGULAR MEETING

September 21, 2022

CALL TO ORDER
CALL OF ROLL

PRESENT: Ryan Gable, Secretary/Treasurer
 James Simon, Member
 Doug Adams, Member
 Mike McClosky, Ex-officio Member
 Larry Foerster, Legal Counsel
 Chip VanSteenberg, Executive Director

After a roll call by the Board Secretary/Treasurer establishing a quorum was present, the meeting was called to order at 12:00 p.m. by Secretary/Treasurer Ryan Gable.

The meeting agenda, which was posted in accordance with the Texas Government Code, Chapter 551, was presented.

Agenda folders containing data relating to agenda items had been furnished to Board Members prior to the meeting of the Board.

Agenda items were considered by the Board. The action taken concerning such items is shown on the official Board Action Sheet attached hereto and made a part of these Minutes.

After all business properly brought before the Board had been considered, the Board Meeting adjourned.

*These minutes were approved at regularly scheduled board meeting on November 16, 2022.
If needed, an official, signed copy may be obtained at the MCECD office.*

OFFICIAL MINUTES OF THE MCECD BOARD OF MANAGERS

Public Comments

No one requested to address the Board.

Reappointments of Constable Ryan Gable by the Montgomery County Commissioners Court, and Mr. Mike McClosky by the Primary Service Provider, and the appointment of Ms. Kathie Reyer by the cities of Montgomery County

Mr. Chip VanSteenberg, Executive Director, noted the terms for Mr. Richard Tramm, Constable Ryan Gable, and Mr. Mike McClosky are set to expire on September 30, 2022. The Mayors selected Kathie Reyer, the City Administrator for the City of Shenandoah, as their appointee. The Commissioner's Court reappointed Constable Gable, and Mr. McClosky was also reappointed by the Primary Service Provider.

Constable Ryan noted the action item and requested a motion.

Mr. James Simon made the motion to acknowledge the reappointments of Constable Gable and Mr. McClosky, and the appointment of Ms. Reyer. Deputy Chief Doug Adams seconded the motion. The motion carried with all in favor.

Election of Officers

Mr. VanSteenberg noted the Vice President position is vacant. Following a brief discussion, the Board determined to elect officers when all members are present.

Matter deferred; no action taken.

Adoption of Commission on State Emergency Communications (CSEC) Rule 251.2

Mr. VanSteenberg explained the Commission on State Emergency Communications (CSEC) is responsible for implementing the state's 9-1-1 service program for all areas not within the boundaries of emergency communication districts. The districts work cooperatively with CSEC for seamless integration of service. From time to time, CSEC adopts rules that are necessary and useful for all entities. One such example is Rule 251.2.

This rule requires 9-1-1 entities to notify neighboring 9-1-1 agencies when making changes that could potentially affect service. The impetus for this rule was a disruption in the ability to transfer calls from one jurisdiction to another during a transition to Next Generation 9-1-1. If adopted, this rule will be communicated to all our service providers and vendors so that we can jointly work to notify our neighboring jurisdictions when making changes that could affect them.

Constable Ryan noted the action item and requested a motion.

Deputy Chief Adams made the motion to adopt CSEC Rule 251.2. Mr. Simon seconded the motion. The motion carried with all in favor.

Fiscal Year 2023 Proposed Budget

Mr. VanSteenberg stated the period for consideration of the proposed budget ended on August 29th. The county

voted to approve, and seven of the 14 cities notified the district of their approval. Other cities may have acted on the budget but not yet notified the district. No city has given notice that it did not approve the budget. The following cities provided notice of approval:

City of Conroe
City of Montgomery
City of Magnolia
City of Shenandoah

City of Woodbranch
City of Willis
City of Oak Ridge North

Constable Ryan noted the action item and requested a motion.

Mr. James Simon made the motion to approve the budget for Fiscal Year 2023. Deputy Chief Doug Adams seconded the motion. The motion carried with all in favor.

Compensation Policy for Fiscal Year 2023

Mr. VanSteenberg stated the compensation policy includes two appendices which are reviewed and adjusted annually to keep compensation in line with changes in the labor market. Mr. VanSteenberg reviewed the appendices and recommended the board reauthorize the scale for merit-based pay increases as listed in Appendix 2: Less than 3 – 0%, 3.0 to 3.4 - 2.5%, 3.5 to 3.9 – 3% and 4.0 or higher – 3.5%. And recommended a one-time cost of living adjustment for all employees of 6.5% effective October 1, 2022.

Constable Ryan noted the action item and requested a motion.

Deputy Chief Adams made the motion to approve the merit-based pay increases as presented, and to approve the cost-of-living increase of 6.5%. Mr. Simon seconded the motion. The motion carried with all in favor.

Texas County and District Retirement System (TCDRS) Plan Year 2023

Mr. VanSteenberg noted the board must specify two provisions for MCECD's retirement plan through TCDRS. The first decision is to determine the rate of increase, if any, to the benefit payments for retirees, a COLA increase. In addition to setting the rate for the COLA, the board must also decide whether to pay at a rate higher than the required actuarial rate. This option is provided for employers who want to decrease their unfunded accrued liability. The recommendation is to adopt at 70% CPI-based COLA, and adopt a total contribution rate of 21.85%, the minimum required rate, an increase from 19.78%.

Constable Ryan noted the action item and requested a motion.

Mr. Simon made the motion to adopt the 70% CPI-based COLA and the total contribution rate of 21.85%. Deputy Chief Adams seconded the motion. The motion carried with all in favor.

Purchase of a Generator for Back-up Emergency Power

Mr. VanSteenberg explained the budget includes \$275,000 to replace the generator which provides back-up power for the district's facility. The existing generator is out-of-service while waiting for a back-ordered part. The generator is aging, and continued maintenance is becoming a concern.

Quotes have been obtained from four vendors; the prices were obtained using cooperative purchasing organizations. The prices are:

Loftin Equipment Co.	\$189,825
Stewart & Stevenson	\$218,930
Cummins	\$197,455
Mustang CAT	\$189,977

There are variations in the specifications for each of these including power output, sound rating, wind rating, warranty, etc. The recommendation is to purchase the Cummins generator.

Constable Ryan noted the action item and requested a motion.

Mr. Simon made the motion to allow the Executive Director to purchase a generator within the budget of \$275,000, and within the discussed parameters. Deputy Chief Adams seconded the motion. The motion carried with all in favor.

Renewal Agreement with Rave Mobile Safety for Rave Alert and Smart911 for the term October 1, 2022 to September 30, 2023

Mr. VanSteenberg stated the district contracted with Rave Mobile Safety in October 2015 for two of their products: Smart911 and Rave Alert. The cost to renew for FY2023 is the same as the cost for the current year - \$121,750.

Constable Ryan noted the action item and requested a motion.

Deputy Chief Adams made the motion to approve the renewal agreement with Rave Mobile Safety. Mr. Simon seconded the motion. The motion carried with all in favor.

Partnering with School Districts and Private Schools for Improved 9-1-1 Alerting and Notifications

Mr. VanSteenberg discussed an ancillary service provided by Rave Mobile Safety, Panic Button. Panic Button provides site specific instant communication with 9-1-1 call-takers, on-site personnel and first responders. The site could be a school campus, a government facility, or a manufacturing plant. Trained personnel can activate Panic Button during an emergency which helps provide an immediate and integrated response.

As a result of recent school shootings and other school related emergencies, the local PSAP managers recommend encouraging school districts to purchase Panic Button by using a portion of the PSAP Improvement Program funding.

The per-site cost of Panic Button is \$1,338.37 for the first year and \$1,279.00 for years 2 and 3. There are 127 public school sites in the county, so the total cost is \$169,972.99 for year 1, with a one-time set-up fee of \$1,939.45.

Mr. VanSteenberg described the participation terms for the six public school districts:

1. School district agrees to provide authorized users training on Panic Button at least once per year
2. School district agrees to test Panic Button at least once per year in a cooperative effort with the District and PSAPs
3. The school district pays 25% of the cost in year 1, 35% of the cost in year 2, and 50% of the cost in year 3

Based on the rate of participation, the district will pay up to \$127,497.74 in FY 2023. The two remaining years will cost \$105,581.45 and \$81,216.50. The funds for this program would be applied to the PSAP Improvement Program.

Constable Ryan noted the action item and requested a motion.

Deputy Chief Adams made the motion to authorize the district to partner with the six public school

districts for Panic Button. Mr. Simon seconded the motion. The motion carried with all in favor.

Authorizing the Executive Director to issue a request for proposal for NG9-1-1 services

Mr. VanSteenberg reported the district worked with Mission Critical Partners over the summer to review and assess the potential pool of vendors for Next Generation 9-1-1 (NG9-1-1) services. We interviewed four vendors and reviewed the documentation they provided.

The next step is to procure services. The recommendation is for procurement through a Request for Proposal process since we will be using federal grant funds for partially pay for NG911.

Constable Ryan noted the action item and requested a motion.

Deputy Chief Adams made the motion to authorize the Executive Director to issue a Request for Proposal for Next Generation 9-1-1 services. Mr. Simon seconded motion. The motion carried with all in favor.

Amended Sexual Harassment Policy Acknowledgement

Mr. VanSteenberg stated last year the Texas Legislature made changes in the Texas Labor Code, Sections 21.141 and 21.142, which:

- Expands the definition of sexual harassment
- Extends the time to report a sexual harassment incident from 180 days to 300 days, and
- Places upon the supervisor and/or manager of the employer the responsibility to take immediate and appropriate corrective action when warranted by the evidence. Failure to do so by the supervisor is deemed an “unlawful employment practice” and exposes the supervisor to personal liability, along with the employer.

Mr. Larry Foerster, the district’s legal counsel, has drafted a Sexual Harassment Policy Acknowledgement in view of these recent changes. He recommends the Board of Managers approve the Acknowledgement. Further, he recommends the Executive Director direct each MCECD employee to sign the Acknowledgment and place in the employee’s personnel file.

Constable Ryan noted the action item and requested a motion.

Mr. Simon made the motion to approve the policy acknowledgement and for the Executive Director to direct each MCECD employee to sign the acknowledgment and place in the employee’s personnel file. Deputy Chief Adams seconded the motion. The motion carried with all in favor.

Ballot for the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool (TML IRP)

Mr. VanSteenberg explained the district is a member of the risk pool for the purpose of providing property, auto and liability coverage. As a member, MCECD can vote for a regional representative to sit on the board.

Constable Ryan noted the action item and requested a motion.

Mr. Simon made the motion to vote for Kimberly Meismer - Place 6, Dennis Coffman – Place 8 and Opal Mauldin-Jones – Place 9. Deputy Chief Adams seconded the motion. The motion carried with all in favor.

Executive Director's Report on Items of Community Interest for which no action will be taken

Mr. VanSteenberg discussed the following items:

- Security Clearing with the bank, the issue has been resolved
- Call Reports (handouts), four months of call reports with one year-to-date summary

Discussion only, no action taken.

Closed Executive Session

The Board of Managers met in closed Executive Session as authorized per the Texas Open Meetings Act, to consider real property matters pursuant to Texas Government Code, Section 551.072

- A. Amendment One to the Interlocal between MCECD and the Montgomery County Hospital District

The meeting adjourned to closed executive session at 1:07 p.m.

The open meeting was reconvened at 1:20 p.m.

Take action, if needed, on real property matters

- A. Take action, if needed, on Amendment One to the Interlocal between MCECD and the Montgomery County Hospital District for the Public Safety Radio Tower

Mr. Simon made the motion to approve Amendment One to the Interlocal Agreement between MCECD and the Montgomery County Hospital District. Deputy Chief Adams seconded the motion. The motion carried with all in favor.

Consent Agenda

A motion was made by Mr. Simon, seconded by Deputy Chief Adams, to approve the Consent Agenda in its entirety, items 16 through 20. The motion carried with all in favor.

The meeting adjourned at 1:21 p.m.