

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

**REGULAR MEETING**

**March 9, 2016**

LOCATION: 9-1-1 Board Room  
150 Hilbig Road, Conroe, Texas

**BOARD ATTENDING**

PRESENT: Paul Virgadamo, President  
Robert Hudson, Treasurer  
Ryan Gable, Secretary  
James Simon, Member  
John Young, Ex-Officio Member

ABSENT: Vicky Rudy, Vice President

IN ATTENDANCE: Larry Foerster, Legal Counsel  
Chip VanSteenberg, Executive Director  
Jeanne Frey, Operations Manager  
Roberto Gutierrez, Systems Manager  
Robert Brewer, Systems Tech  
Terri Gill, Executive Assistant  
Andrea Wilson, Public Education Coordinator  
Lt. David Park, Montgomery County Sheriff's Office  
Diana Porche, AT&T

Mr. Paul Virgadamo, President, called the meeting to order at 12:00 p.m., and noted Ms. Vicky Rudy was unable to attend.

**Public Comments**

No one requested to address the Board.

**Setting a Date for the Triennial Public Review Hearing**

Mr. Virgadamo noted item one of the agenda, consider and take action setting a date for the triennial public review hearing required under section 772.319 of the Texas Health and Safety Code.

Mr. Chip VanSteenberg, Executive Director, explained that Section 772.319 of the Texas Health and Safety Code requires the board of an emergency communication district vote every three years on the continuation of the district after getting input from citizens at a public review hearing. Staff recommends the hearing take place on April 19<sup>th</sup> at noon.

Mr. Virgadamo clarified the hearing would be at 150 Hilbig Road. Mr. VanSteenberg agreed. Mr. Virgadamo asked Mr. Larry Foerster for his thoughts on holding the meeting at 150 Hilbig due to difficulty accessing the facility. Mr. Foerster suggested the meeting be held at another location, for example, Conroe City Hall.

Constable Ryan Gable made the motion to hold the public review hearing on April 19<sup>th</sup> at noon at the Conroe Tower, council chamber, subject to availability. Mr. James Simon seconded the motion. The motion carried with all in favor.

## **Annual Audit Fiscal Year 2015**

Mr. Virgadamo noted item two of the agenda, consider and take action, if necessary, on annual audit fiscal year 2015 conducted by BrooksCardiel PLLC, noting this item would be deferred.

Mr. VanSteenberg noted his disappointment that the audit was not ready. Generally, we want to present the audit at the January meeting. As soon as the audit is available it will be sent to the board for review.

The annual audit for fiscal year 2015 was deferred to the May 2016 meeting.

## **Resolution Authorizing Procedures for PSAP Improvement Participation Program for FY 2016**

Mr. Virgadamo noted item three of the agenda, consider and take action on a resolution authorizing procedures for PSAP improvement participations program for FY 2016.

Mr. Chip VanSteenberg stated the budget for the current year includes funding to continue the PSAP improvement participation program for a second year. The resolution will take care of the program for the current fiscal year. The resolution will allow the PSAP to submit a request for \$85,000 toward a project improving the PSAP operations. Last year two agencies did not use their full allotment of \$75,000 and we have rolled those balances forward. The Montgomery County Sheriff's Office has rolled over \$35,000 and the Conroe Police Department has rolled over \$33,097.80.

Mr. James Simon made the motion to approve a resolution authorizing procedures for the PSAP improvement participation program. Constable Ryan Gable seconded the motion. The motion carried with all in favor.

Mr. Virgadamo asked about the roll-over funds. Mr. VanSteenberg explained that fiscal year 2015 was the first year of the program, and since the program requires agency participation, there was not enough time for all of the agencies to plan and budget. Mr. Virgadamo stated the funds should be spent in the year they are budgeted.

## **Conroe Police Department's PSAP Improvement Project for the purchase of Exacom "Hindsight" Digital Logging Recorder System**

Mr. Virgadamo noted item four of the agenda, consider and take action on a request from the Conroe Police Department for their PSAP improvement project for the purchase of Exacom "Hindsight" digital logging recorder system.

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Mr. Foerster noted for the record: Mr. Virgadamo has recused himself from this discussion, due to his position as the City Administrator for the City of Conroe.

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Mr. VanSteenberg explained the Conroe Police Department has submitted two projects in one. First, the project includes a second recording system manufactured by Exacom which will be installed at the new Conroe police station. The existing recorder will be located off-site for purposes of redundancy. In addition to recording 9-1-1 and non-emergency telephone calls, the new recorder will allow the capture of radio communications.

The second part of the project is the purchase of dispatch consoles for the new police station. The PSAP will double capacity at the new site. The request allows for the purchase of 16 consoles which will provide space as a back-up location for other PSAPs.

The total cost of both improvements is estimated at \$329,723. The Conroe Police Department is requesting \$30,000 from the FY 2015 program and \$85,000 from the current year for a total of \$115,000.

Chief Robert Hudson made the motion to approve the Conroe Police Department's request. Mr. Simon seconded the motion. Constable Gable, Secretary, called for a vote. The motion carried with all in favor.

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Mr. Foerster noted for the record: The President has returned and presides in fact.

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### **Resolution adopting CSEC Rule 251.16, Direct Access to 9-1-1 Service (Kari's Law)**

Mr. Virgadamo noted item five of the agenda, consider and take action approving a resolution adopting CSEC Rule 251.16, direct access to 9-1-1 service, Kari's Law.

Mr. VanSteenberg explained the CSEC is the Commission on State Emergency Communications and handles the 9-1-1 plan for the state and areas that are not included in districts like our own. The districts work with CSEC on rules that need to be adopted for issues related to 9-1-1.

In this case, CSEC adopted Rule 251.16 which provides guidelines for putting the new law into practice. The guidelines include the process to file a waiver from the requirements if the owner of an MLTS (multi-line telephone system) submits a statement that compliance is "unduly and unreasonably cost prohibitive." The CSEC rule is applicable to all areas of the state that are provided for in the state's 9-1-1 program; it does not cover Montgomery County or any other are in an emergency communication district.

For purposes of efficiency and simplicity, the staff believes MCECD should adopt CSEC's rule implementing Kari's Law. The alliance of emergency communication district's had the opportunity to provide input during the rulemaking process and is satisfied with the result.

Mr. Simon made the motion to approve a resolution adopting CSEC Rule 251.16. Chief Hudson seconded the motion. The motion carried with all in favor.

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Mr. Virgadamo requested that prior to hearing the executive director's report, Mr. VanSteenberg address item 12 of the consent agenda, and provide a brief overview of the last quarterly report.

Mr. VanSteenberg apologized for sending so much financial information at one time. Part of that was because the board did not meet in January. Also, we were holding some statements while we worked with our auditor and accountant to determine a better way to report the value of securities we have invested in. We were reporting them on a book value basis, typically, we buy to hold. In other words we buy it and when the security matures we get our money back. We do not buy and sell before they mature to make a gain off of interest rate changes, which is a risky way to do business. We buy and hold it to the end, so we were reporting the value of the security at maturity. The auditor and our accountant recommended that we report market value, the value of the security at the time of the report, based on current market conditions. This has increased the value of our securities. We have provided updated, recalculated reports for June and July 2015, and reports for the remaining periods.

Mr. VanSteenberg, referring to the quarterly report for the period ending December 31, 2015, explained that the district has money in five locations. The first three are TexPool accounts, a statewide, intergovernmental investment pool, managed by Federated Investors, Inc. Next are the securities, the value of cd's and bonds the district has purchased for investment purposes, a list of these are on page two of the report. Finally, the cash operating account with Bank of America.

Mr. Virgadamo requested a motion for item twelve of the agenda, approval of quarterly financial statements for the periods ending June 30, September 30, and December 31, 2015.

Mr. Simon made the motion to approve the quarterly financial statements. Chief Hudson seconded the motion. The motion carried with all in favor.

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## **Executive Director's Report**

Mr. Virgadamo noted item six of the agenda, Executive Director's report on items of community interest for which no action will be taken.

Mr. Chip VanSteenberg stated there are several items of interest. The board approved the purchase of Smart911 and Rave Alerts, and transitioning away from Code Red. We have installed Smart911 in three of the PSAPs and plan to launch on May 1<sup>st</sup>. Leading up to the launch, we will hold several community meetings for the mayors, police chiefs, constables, and other community leaders. We will have a two-hour launch event on April 21<sup>st</sup> at the Montgomery County Hospital District, we will invite the press and provide lunch for the attendees.

Another item of note, we talked about Kari's Law on the state level with the CSEC rule, a similar bill was filed on the national level by Representative Gomert, of East Texas. Senators Cornyn and Cruz have agreed to co-sponsor the bill in the Senate. Representative Brady has co-sponsored the bill in the House.

While in Washington for 9-1-1 Goes to Washington, an announcement was made that Next Generation 9-1-1 has the goal of getting us all there in 2020. We have been talking about Next Generation 9-1-1 for a decade or so, and behind the scenes groups have been working to set the standards. What is really changing is at the very foundation of 9-1-1. How calls are routed, how they are handled. The phone system has been reliable for decades, but we are switching to IP-based system because the phone companies are changing. AT&T will soon start marketing a Next Generation solution. Locally, Greater Harris County 9-1-1 has been working with Vesta and DataMaster to develop a solution as well.

We will be relocating a primary PSAP, the Conroe Police Department will be relocating to the new police station soon, with a target date of May 4<sup>th</sup>.

No action was taken.

## **Consent Agenda**

Mr. Virgadamo requested the board review the consent agenda prior to the closed executive session.

Mr. Virgadamo noted items nine, ten, and eleven of the consent agenda, noting the items may be taken separately or as a whole.

Constable Gable made the motion to approve the consent agenda as a whole. Mr. Simon seconded the motion. The motion carried.

## **Closed Executive Session**

Mr. Virgadamo noted item seven of the agenda, the board may meet in closed executive session as authorized per the Texas Open Meetings Act, to consider personnel matters pursuant to Texas Government Code, Section 551.074, (A) discuss matters involving personnel.

Mr. Virgadamo adjourned the open meeting to closed executive session at 12:26 p.m.

## **Reconvene Open Session**

Mr. Virgadamo reconvened the open meeting at 1:04 p.m.

Mr. Virgadamo requested a motion to adopt a midpoint salary for the executive director, based on the district's compensation policy.

Constable Gable made the motion to adopt a midpoint salary for the executive director, based on the district's compensation policy. Mr. Simon seconded the motion. The motion carried with all in favor.

Mr. Simon made the motion to adjourn. Chief Hudson seconded the motion. The motion carried with all in favor.

The meeting adjourned at 1:06 p.m.

*These minutes were approved at regularly scheduled board meeting on JUNE 2, 2016.  
If needed, an official, signed copy may be obtained at the MCECD office.*