

Minutes

VILLAGE FIRE DEPARTMENT

REGULAR MONTHLY BOARD MEETING

Wednesday, January 25, 2023, 6:00 P.M

CALL TO ORDER

Present & Voting Were:

City of Hilshire Village	Commissioner Robert (Bob) Buesinger, Chair
City of Hedwig Village	Commissioner Matt Woodruff, Vice Chair
City of Bunker Hill Village	Commissioner Keith Brown, Treasurer
City of Piney Point Village	Commissioner Zeb Nash, Secretary
City of Spring Valley Village	Commissioner Allen Carpenter, Member
City of Hunters Creek	Commissioner Rob Adams, Member

Present Were:

City of Bunker Hill Village	Alternate Clara Towsley
City of Spring Valley Village	Alternate Bo Bothe
City of Piney Point Village	Alternate Aliza Dutt
City of Hunters Creek	Alternate Pat McClellan
Village Fire Department	Fire Chief, David Foster Administrator, Marlo Longoria
Randle Law Firm	Attorney Grady Randle & Attorney Brandon Morris

City of Hilshire Village	John Cooper – (Audience)
City of Hedwig Village	Mayor Tom Jinks

1. COMMENTS FROM THE PUBLIC (Comments are limited to 3 minutes each)

All comments from the public – refer to the recording online (villagefire.org)

2. CONSENT AGENDA – All Consent Agenda items listed are considered to be routine by the Board of Commissioners and will be enacted by one motion. There will be no separate discussion of these items unless a Board Member requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. Approval of Minutes – Minutes- Remove the minutes (Commissioner Woodruff)

B. Approval of Bills Paid – November, December YTD (unaudited 2022)

C. 2022 Investment Policy, 3rd & 4th Quarter Investment Reports (*Must be signed)

Commissioner Woodruff asked that minutes be severed from the consent agenda.

Commissioner Buesinger asked for a motion to approve the consent agenda items as presented with the exception of the minutes. Commissioner Woodruff moved; seconded by Commissioner Carpenter

Motion Carried Unanimously

3. REPORTS

A. Steering committee report and possible action

- Facility Update
 - o Joiner Architects
 - o Roofs

The Steering Committee Chair presented the material and information on Joiner Architects and the reroof.

The expected start date for the reroof is Monday, January 30 weather permitting. The process should take about 4-6 weeks and no material will be left in the pathway of operations.

No action was taken.

**B. Treasurer's Financial Reports – November/ December YTD
(unaudited 2022) Ambulance revenue 2023
Facility Fund**

Commissioner Brown presented the financial information. He stated the 2022 budget came in slightly under budget with the unspent money from the bunker gear and other line items being over budget.

Ambulance Revenue for 2023-

Facility Fund- Chief Foster stated the facility fund still has just over a quarter of a million in the fund. The retainage has not been paid to Construction Masters (contractor)

No action was taken.

**C. Fire Chief's Report – Events of November and December 2022, Monthly Performance;
Record of Calls, Response Times, etc. End-of-year report**

Chief Foster presented the end-of-year report (Article 1)

<https://villagefire.org/wp-content/uploads/2023/01/VFD-2022-Annual-Report-01252023.pdf>

- One employee out with a torn meniscus needs surgery
- Presented the career path and promotion processes
- Firemedic Young is the Village Fire Department's first female acting officer in place of the current injured office
- Brock Hamilton promoted to operator
- Reserve Ambulance AC went out. The company was going to charge the department \$14,000, however, they agreed to fix it to just under \$5,000.
- In 2021 the fire commission approved the purchase of 2 ambulances to get a better deal. Frazer offered 2 chassis for the price of one
- E1 out for maintenance

Commissioner Brown reviewed the response times to Bunker Hill Village as they are getting near the national standard of greater than five minutes and suggested that the commissions

and fire Department (FD) address these calls times. He stated the best way to address this is a geographical map to identify the time of day, call type, geographical location, and contributing factors. As this could become a bigger problem in the future. He would like to determine why the response times are where they are in BHV.

Commissioner Carpenter asked for a motion to take the executive session out of sequence, he stated there are so many items to discuss prior to the executive session, and several members of the public would like to hear the results of the executive session. Seconded by Alternate Dutt.

Commissioner(s) Carpenter and Brown voted “Aye” Commissioner(s) Buesinger, Woodruff and Adams vote “no”

Motion Failed

4. **CONSIDERATION OF CONTRACTS/AGREEMENTS** – The Board will discuss and consider possible action on the following:

None

5. **CONSIDERATION OF RESOLUTIONS** – The Board will discuss and consider possible action on the following:

None

6. **DISCUSSION ITEMS/PRESENTATION OF SPECIAL REPORTS** – The Board will discuss and consider possible action on the following:

- A. Accounting Firm (Taber and Burnett)
a. Accounting Specifications

Marlo Longoria stated this is for informational purposes only and asked for possible direction from the commission.

Marlo Longoria stated Taber and Burnett will no longer provide account reporting & tax services for the Village Fire Department after 2023 and requested to possibly remove the tax reporting from the accounting services and possibly use an HRIS system for tax/payroll reporting.

Commission Woodruff requested the account specification to be presented at the next meeting in February or in the near future.

- B. HRIS (Human Resource Information system)

Marlo Longoria presented the possibility of using an HRIS in the future due to the accounting service currently being used will no longer be a service to the FD after 2023.

Commissioner Buesinger requested the FD research the possibility and reach out to the other cities for best practices. As we reexamine this we can see what is most cost-effective in the future.

Commissioner Woodruff stated it is a good opportunity to reexamine not just the accountant but the software and make sure whatever the best software we find an accountant that has familiarity with that software and can integrate what they do for us. I think that gives us the best value. He also requested we get monthly updates on how this search is moving forward.

No action was taken.

C. Audit- March 20

Commissioner Woodruff suggested the Village Fire Department have an audit committee.

No action was taken.

D. 2022- EMS revenue

Marlo Longoria stated the EMS revenue 2022 YE is \$94,898.63.

Commissioner Carpenter asked for a motion to send the remaining balance of 2022 ambulance revenue back to the participating cities at their participating percentages. Seconded by Alternate Dutt

Motion Carried Unanimously

7. **DISCUSSION OF AND POSSIBLE ACTION ON THE FOLLOWING** - The Board will discuss and consider possible action on the following:

A. Follow-up discussion- “wall time” after delivering patients to a hospital.

Chief Foster presented the information on “wall time.” Again, the department met with the liaison to Memorial City Hermann Hospital. The hospital’s nine-step plan of action to reduce the amount of time the medics are standing/waiting on the wall is still a work in progress. The hospital liaison stated two nurses have been hired and formed a committee to review the issue.

No action was taken.

B. Discussion and possible action on the annex roof repair or replacement.

Chief Foster stated the department reached out to Karl Shaack, the VFD roof consultant, to see if the previous bids are still valid.

The department is still waiting on a response.

C. EMS Revenue- 2023 and 2024

Commissioner Carpenter stated the amendments of the interlocal simply said, the fire department can start collecting revenue for reimbursements for ambulance services. So there was nothing that ever dictated that the money would come back. It's just historically what the board was doing.

Commissioner Woodruff. Stated that is helpful, you know, we could certainly have a motion and agree to do this going forward the problem is that gets put in the minutes and somebody, you know, we all get replaced over time and then people forget. Maybe a good place for that practice memorial would be in the bylaws. Yes, for future commissions see that well that's what we on quarterly send money.

No action was taken place, move to a future topic.

D. ISO (Insurance Services Office) Fire inspection

Chief Foster presented information on possible dates of ISO inspection on March 20, 2023.

No action was taken.

- E. Discussion and possible action on amending VFD bylaws to include language defining the process of the Board approving a budget amendment that is then sent to the participating cities for consent and approval.

Chief Foster stated that the staff is completely unclear the process for budgeting budget. This decision on budget amendments, is it a majority decision? I think you can talk to every lawyer that's sitting here. You might come up with a different recommendation. It's all does not say anywhere in the, to amend the budget. It's all well says this about budget or, or talks about moving money. And the staff of this department that manages the department's budget needs help from the fire commission which direction.

Commissioner Carpenter stated we should start with the advice that we got from our own council, which was the majority because it doesn't specify in the interlocal process to do that. It talks about the process of an inter-budgetary transfer and talks about things that aren't budgeted, which would be line items that don't exist in the current budget. But it doesn't say anything about how you approve in amended, amended budget. So, in the past, the legal advice we were getting as a board, which is it is 4 of the 6. In the discussion I had with our council in Spring Valley they agree it's 4 of the 6. We acted on accepting that it is 4 of the 6.

Commissioner Woodruff stated we think that that interpretation to the extent this inconsistent with the plain language and the inter-local agreement with respect to unbudgeted expenses and what have you is not correct. We think that clear language in the interlocal and an amendment to the interlocal that is part of the interlocal has to be given effect to follow.

Continued discussion occurred... item was tabled.

- F. 2023 Budget –

Rollover items; radios, bunker gear, roof

Commissioner Brown asked for a motion to amend the 2023 budget with rollover items listed; radio, bunker gear, roof, and possibly other budget items. Seconded commissioner Carpenter.

An amendment will be drafted by the council and presented to cities for approval.

Motion Carried Unanimously

- G. 2024 Budget Process and Procedure

- a. Procedures according to bylaws section 2 article 5- budget development or a workshop starts with a zero-line-item budget as was done for the 2023 budget

Commission Buesinger stated the bylaws reflect the procedure, therefore, the 2024 budget development will be by the fire chief and prepare a presentation for the commission through budget workshops.

- b. Bylaws section 2 article 4 Compensation Committee,

The Bylaws state the chair, vice chair, and fire chief make up the compensation committee.

- c. Process to finance significant disasters

Commissioner Woodruff stated the fire commission should budget for at least one significant event, and plan for unforeseen disasters.

No action- added to a future topic.

<https://villagefire.org/wp-content/uploads/2022/07/VFD-2014-Bylaws.pdf>

8. **EXECUTIVE SESSION** - The Board of Commissioners will retire into Executive Session as authorized by Chapter 551; Texas Government Code, to seek legal advice related to the following matters:

- A. Executive session pursuant to Section 551.071 authorizing a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters: pending or contemplated litigation; or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
- B. Executive session pursuant to Section 551.074 authorizing a governmental body to:
 - (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or
 - (2) to hear a complaint or charge against an officer or employee, Fire Chief

Resume session 9:35 p.m.

Open discussion

Commissioner Carpenter moved to table item 8B, seconded Alternate Dutt

Commissioner Carpenter and Alternate Dutt voted “Aye” and Commissioner(s) Buesinger, Woodruff, Brown and Adams voted “No”

Motion Fails

Commissioner Carpenter and Alternate Dutt left the fire commission meeting.
Quorum remains.

Commissioner Buesinger states the executive session pursuant to Section 551.074 authorizes a governmental body to: deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee, fire chief.

Commissioner Brown stated chief officer in any organization loses the support of 50% of his board and 50% of the shareholders. He cannot be an effective manager. I think it's in the best interest of the board of commission and all parties involved to remove the fire chief, David Foster.

Commissioner Adams will stand with his decision.

Commissioner Woodruff moved to, therefore, remove David Foster effective immediately from his position as the fire chief, seconded Commissioner Adams.

Motion Carried Unanimously

9. **ACTION – CLOSED SESSION** – The Board of Directors will consider and take any actions necessary on items discussed in Executive Session

No action was taken from item 8A.

10. **FUTURE TOPICS**

Budget Workshops

Committees

Bylaws amendments-

-EMS Revenue- 2023 and 2024

-Process of Amendment

11. **NEXT MEETING DATE**

February 22, 2023

12. **ADJOURNMENT**

Commissioner Buesinger asked for a motion to adjourn at 9:47 p.m. seconded by Commissioner Woodruff.

MOTION CARRIED UNANIMOUSLY

Respectfully submitted.

Commissioner Robert (Bob) Buesinger, Chair

Attest:

Commissioner Zeb Nash, Secretary

