

**MINUTES OF THE  
9-1-1 BOARD OF MANAGERS'  
SPECIAL MEETING**

**June 16, 2011**

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

ATTENDING: Jody Binnion, President  
Paul Virgadamo, Vice President  
Ann Carr, Treasurer  
Ruben Garza, Secretary  
James Simon, Member  
Larry Foerster, Legal Counsel  
Robert VanWassehnova, CPA  
Gordon Lopez, Executive Director  
Jeanne Frey, Administrative Manager  
Russell Steffee, Systems Operations Manager  
Regina Payne, GIS/Database Supervisor  
Terri Gill, Executive Assistant

ABSENT: John Young, Ex-Officio Member

GUESTS: Dennis McMahon, Montgomery County Risk Management  
Virginia Little, Montgomery County Risk Management  
Phyllis Martin, Montgomery County Auditor  
Shawn Trainor, Montgomery County Hospital District  
Lt. Joseph Sclider, Montgomery County Sheriff's Office

Chief Jody Binnion, President, called the meeting to order at 9:00 a.m.

**PUBLIC COMMENTS**

No one requested to address the Board of Managers.

**MONTGOMERY COUNTY RISK MANAGEMENT GROUP – WORKERS' COMPENSATION**

Chief Binnion noted item one of the agenda, presentation by the Montgomery County Risk Management Group, Workers' Compensation.

Mr. Gordon Lopez, Executive Director, explained the District's Auditor, Robert VanWassehnova had noticed a discrepancy in the Workers' Compensation rates during the last audit. This matter was brought to the attention of the Montgomery County Auditor's personnel. The District was billed ten percent for the call-taking staff in the communications center, during the course of the County's investigation, they did not charge any workers' compensation, for about one year. Once the charges resumed, the rate was .96%. We consulted with TML (Texas Municipal League Intergovernmental Risk Pool) their current rate for police officers is 4.13%. TML's current clerical rate is .44%. We would like to address how we can possibly get reimbursed for the 10% portion for the last several years.

Mr. Dennis McMahon, Risk Management Consultant for Montgomery County, distributed handouts to the

members of the Board, while Mr. Larry Foerster made his introduction. Mr. McMahon stated the District was right in its assessment, it should be 9.25%, this rate has been used in the county for years and had to do with reserve officers. We elect to self insure our workers' compensation, so we are not your traditional self-insurer; we are not in a pool. We take the risk on the first \$250,000, everything above that, we re-insure, and we re-insure at two levels. One, everything between the next \$250,000 and \$500,000 is re-insured and then \$500,000 to the statutory limit, both for workers' compensation and employers liability. After this came up, we went back and looked at everything, what we did, we went to the State Board of Insurance and pulled up a book rate for an 8810 (clerical worker), it's up on the State page, and we added our fixed costs to it, to make it simple. The classification code for law enforcement is 7720. One of the problems with the dispatcher classification that traditionally falls into 8810, unless there are prisoners around and then they fall into 7720. We do not have prisoners involved in this facility. We have come up with a rate of fifty-three cents per hundred based upon Montgomery County. What the Auditor's office did was take that \$0.53 and run it through all that the District has paid over the years. We came up with \$157,840.24. We want to confirm that our numbers for payroll are the same as the District's.

Ms. Jeanne Frey explained the District maintains a spreadsheet that lists the bi-weekly payroll, since the contract's inception.

Mr. Lopez clarified that going forward billing would be based on the \$.053 per hundred. Mr. McMahon replied affirmatively, and we are reviewing other contracts. Mr. McMahon stated they prefer to do a one-time payment, clear it up and move forward with the new rate.

Mr. Ruben Garza inquired whether trustees are allowed into the building. Mr. Lopez replied they were at one-time for a very short period. Ms. Frey explained the trustees were no longer used when the consolidation agreement was made.

Mr. Robert VanWassehnova inquired whether the overtime dollar figure at overtime rates or straight rates? Mr. McMahon replied, straight rates.

Mrs. Phyllis Martin, County Auditor, stated the reason we see overtime fall off is because we had access to physical records, at that point it's all just put into salaries. It wasn't that there wasn't an overtime paid in the last three years, we just totaled it into salaries at that point.

Mr. McMahon stated this actually straightens up a few things, not just here, but around the county, because the county has entered into multiple contracts with multiple types of classifications. We decided to go back through all of them and figure out what a rate would be by category and have some justification and back-up for it, and this should solve it. And about every two years we will look at that adjustment.

Mr. Lopez inquired whether the previous rates were a conservative rate to keep enough pad in case you have an event. Mr. McMahon replied no, when originally rated it, it came out to \$0.96. We have two routes to go, we either experience underwrite you, and I think you're too small to be experience underwritten, to isolate the 8810's, we used the state rate and added the fixed costs on top, for a rate per hundred.

Chief of Staff Carr inquired of Mr. Foerster whether the Board could make a motion to accept this. Mr. Foerster replied affirmatively.

Mr. Foerster noted that the rate would change if events occur.

Mr. Ruben Garza made the motion to approve a payment in the amount of \$157,840.24, and the current rate of \$0.53 per hundred. Mr. James Simon seconded the motion. The motion carried with Chief of Staff Ann Carr abstaining from the vote.

**CLOSED EXECUTIVE SESSION**

Chief Binnion adjourned the regular meeting to a closed executive session at 09:17 a.m.

**RECONVENE OPEN MEETING**

Chief Binnion reconvened the regular meeting at 10: 03 a.m.

Chief Binnion noted item three of the agenda, consider and take action, if necessary, on personnel matters, item a, approval of a new contract with Executive Director, Gordon Lopez.

Mr. Garza made the motion to defer the contract until the Montgomery County Hospital District matter is settled. Mr. Simon seconded the motion. The motion carried with all in favor.

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

The meeting adjourned at 10:04 a.m.

Attest:

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Ruben Garza  
Secretary

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Jody Binnion  
President



## Montgomery County Emergency Communication District

P.O. Box 1830 Conroe, Texas 77305-1830 (936) 523-5911 FAX (936) 539-9111

### NOTICE OF SPECIAL MEETING

June 16, 2011

Doc# 11-0819

POSTED

06/10/2011 9:07AM

Shelby Sodalak

MARK TURNBULL, COUNTY CLERK

MONTGOMERY COUNTY, TEXAS

Notice is hereby given to all interested members of the public, of a special meeting of the Board of Managers of the above styled District, at **9:00 a.m., Thursday, June 16, 2011, at the MCECD 9-1-1 Boardroom, 150 Hilbig Road, Conroe, Texas.** The purpose of the special meeting is as follows:

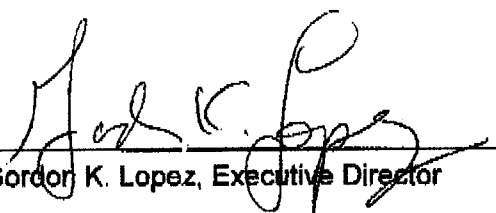
Open Meeting.

Public Comments. Please sign in and limit comments to three (3) minutes.

1. Presentation by Montgomery County Risk Management Group – Workers' Compensation.

#### **CLOSED EXECUTIVE SESSION**

2. The Board may meet in closed Executive Session as authorized per the Texas Open Meetings Act, pursuant to Texas Government Code: Chapter 551.074, personnel matters.
  - a. Discuss and take action to approve a new employment contract with Executive Director, Gordon Lopez.
3. Reconvene into open session to consider and take action, if necessary, on personnel matters.
  - a. Approval of new employment contract with Executive Director, Gordon Lopez.
4. Adjourn meeting.

  
Gordon K. Lopez, Executive Director

Parking is available in front of the Law Enforcement Center. Please go to the Information Booth in the Center's main lobby and inform the attendant you are here for the 9-1-1 Board Meeting. You will be met at the access gate near the flagpoles. You may also call (936) 523-5911 from the gate located on Hilbig Road. The gate will be opened via remote.

*The Montgomery County Emergency Communication District reserves the right to adjourn into 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, Section 551.071 (Consultation with Attorney); 551.072 (Deliberations about Real Property); 551.073 (Deliberations about Gifts and Donations); 551.074 (Personnel Matters); 551.076 (Deliberations about Security Devices); and 551.087 (Economic Development).*