

**CERTIFICATE OF ORDER SETTING RATE AND LEVYING TAX FOR 2019**

**STATE OF TEXAS**

**COUNTY OF MONTGOMERY**

**MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 4**

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We, the undersigned officers of the Board of Commissioners (the "Board") of **MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 4** (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on Wednesday, September 11, 2019, at 11:30 a.m., at Needham Fire Rescue Station #61, 9430 State Highway 242 East, Conroe, Texas 77385, and the roll was called of the members of the Board, to-wit:

Brian Arceneaux	President
Roxann McDaniel-Doise	Vice President
Mark Abbey	Secretary
Raymond Veit	Treasurer
Howard Livesay	Assistant Secretary/Treasurer

All members of the Board were present except the following: Commissioner McDaniel-Doise, thus constituting a quorum. Whereupon other business, the following was transacted at such Meeting: A written

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was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and after full discussion, such motion, carrying with it the adoption of such Order prevailed, carried, and became effective by the following vote:

**AYES:** 4                      **NOES:** 0

A true, full and correct copy of the aforesaid Order adopted at the Meeting described in the above foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board are duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Order would be introduced and considered for adoption at such meeting, and each of the officers and members consented, in advance, to the holding of such Meeting for such purpose; and such Meeting was open to the public and public notice of the time, place, and purpose of such Meeting was given, all as required by Chapter 551, Texas Government Code and Chapter 775, Texas Health and Safety Code, as amended.

**SIGNED** this 11<sup>th</sup> day of September, 2019.

  
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Mark Abbey  
Secretary, Board of Commissioners

  
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Brian Arceneaux  
President, Board of Commissioners

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**STATE OF TEXAS** §  
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WHEREAS, Montgomery County Emergency Services District No. 4 (the "District") is a governmental agency and body politic and corporate of the State of Texas created pursuant to Chapter 775, Texas Health and Safety Code to accomplish the purposes provided by Section 48-e, Article III, Texas Constitution (the "Article"); and

WHEREAS, the Article states that the District has all the rights, powers, privileges, District, functions and duties necessary convenient to accomplish the purposes of Chapter 775, Texas Health and Safety Code, as amended; and

WHEREAS, Montgomery County Emergency Services District No. 4 (the "District") has amassed certain debt pursuant to the Texas Health and Safety Code, §775.085 as amended; and

WHEREAS, Texas Health and Safety Code, §775.085(b), as amended, provides that the Board of Commissioners of the District (the "Board") may pledge tax revenues that are not otherwise pledged to pay the debt of the District; and

WHEREAS, Section 48-e, Article III, Texas Constitution allows for the levy of an ad valorem tax on property in the District not to exceed ten cents (\$0.10) per \$100 valuation for the support of the District, which has been approved by a vote of the qualified voters of the District; and

WHEREAS, Texas Tax Code, §26.06, as amended, provides that before the Board adopts an ad valorem tax rate for debt service, operation and maintenance purposes, or contract purposes, the Board shall give notice of each meeting of the Board at which the adoption of a tax rate will be considered; such notice of the public hearings on the District's tax rate shall be in substantially the form set forth in Texas Tax Code, §26.06(b), as amended, and shall be published at least twice in a newspaper having general circulation in the District at least seven (7) days before the date of the hearing or mailed to each owner of taxable property in the District at the address for notice shown on the most recently certified tax roll of the District, at least ten (10) days before the date of the hearing; and

WHEREAS, if the Board adopts a combined debt service, operation and maintenance, and contract tax rate that would impose more than 1.08 times the amount of tax imposed by the District in the preceding year on a residence homestead appraised at the average appraised value of a residence homestead in the District in that year, disregarding any homestead exemption available only to disabled persons or persons 65 years of age or older, the qualified voters of the District by petition may require that an election be held to determine whether or not to reduce the tax rate adopted for the current year to the rollback tax rate in accordance with the procedures provided by Texas Tax Code, Sections 26.07(b)-(g) and 26.081; and

WHEREAS, the Tax Assessor and Collector for the District has received the certified tax roll from the Montgomery Central Appraisal District assessing the 2019 valuation of District property and presented such information to the Board for its consideration in setting the 2019 tax rate, including the debt service and maintenance and operations components thereof; and

WHEREAS, the Board has received the calculation from the Financial Advisor of the District indicating the tax rate for the current year necessary to pay principal of and interest on debt and certain other obligations of the District; and

WHEREAS, the Board finds that the portion of the tax levy for debt service purposes in this Order are sufficient to provide for the District's debt service as required by Texas Health and Safety Code, §775.085, as amended, and the portion of the tax levy for operations and maintenance purposes of the District are permitted by the Texas Constitution.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 4, THAT:

Section 1. The Board hereby finds that prior to adopting the ad valorem tax rate for 2019, the District has provided proper notice of the public hearings to set the District's tax rate and otherwise satisfied the requirements of Texas Tax Code, §26.06, as amended.

Section 2. The Board hereby levies and causes to be assessed upon all property (real, personal or mixed) subject to taxation within the District a total ad valorem tax rate of \$0.0939 per \$100 of assessed value for the year 2019.

Section 3. The total ad valorem tax rate is partially comprised of \$0.057 per \$100 assessed valuation for operations and maintenance purposes.

Section 4. The total ad valorem tax rate is also partially comprised of \$0.0369 per \$100 assessed valuation for debt service purposes.

Section 5. The District's Tax Assessor and Collector shall take all steps necessary and authorized by law to collect taxes as owed pursuant to this Order. Said ad valorem taxes shall be levied, assessed and collected at the rate of \$0.0939 per \$100 of assessed valuation as provided for in Chapter 775, Texas Health and Safety Code, and all other applicable laws.

Section 6. Pursuant to law, all taxes shall be due and payable on or before the 31st day of January, 2020.


Section 7. The President or Vice President is authorized to do all things necessary for execution of this Order; and the President or Vice President is further authorized to execute, and the Secretary or any Assistant Secretary to attest, this Order on behalf of the Board of Commissioners.

(EXECUTION PAGE FOLLOWS)

WITNESS OUR HANDS AND THE SEAL OF THE DISTRICT this 11<sup>th</sup> day of September,  
2019.

  
Brian Arceneaux  
President, Board of Commissioners

ATTEST:

  
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Mark Abbey  
Secretary, Board of Commissioners