

**DATE:** March 20, 2014

THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 10 (the "District") met in a regular session, open to the public, at the Magnolia Volunteer Fire Department, Fire Administration, 18215 Buddy Riley Blvd, Magnolia Texas 77354 on Thursday, March 20, 2014 at 3:00 p.m. inside the boundaries of the District.

At 3:04 p.m., Robert Buschardt called to order the Regular Meeting of the Montgomery County Emergency Services District #10 (the "District") at Fire Station 181, in Magnolia, Texas (18215 Buddy Riley Blvd, Magnolia, TX 77354) and the roll was called of the duly appointed officer's to-wit:

<b>COMMISSIONER</b>	<b>BOARD POSITION</b>	
Robert Buschardt	President	Present
Wesley Werner	Vice President	Present
Andrew Brown	Secretary	Absent
Dwight Arnold	Treasurer/Investment Officer	Absent
Johnnie Bryant	Assistant President/Assistant Secretary	Present

3 of said Commissioners were present, thus constituting a quorum.

Also present were Howard Katz, the District's attorney, Fire Chief Gary Vincent, and Rhonda Reinholz of Magnolia Volunteer Fire Department ("MVFD" and the "Department"), Cathy Branco of Municipal Accounts & Consulting LP, and Randy Olson a resident of Magnolia, Texas.

The following business was transacted:

**AGENDA ITEM:**

**1. Roll Call, Pledge of Allegiance, Pledge of Texas and Invocation.**

Commissioner Robert Buschardt led the Board in the Pledge of Allegiance.

Commissioner Johnnie Bryant led the Pledge to Texas.

Invocation was given by Commissioner Wesley Werner.

**2. a. Review matters relevant to a District sales and use tax of one percent (1%); and**

The District's attorney gave a verbal update however no action was necessary.

**b. To Consider and take action on such other Orders, Resolutions and related matters as required or appropriate to call for District sales tax Election on May 10, 2014 on the Proposition of allowing the adoption of a District sales tax of one percent (1%).**

No action was necessary.

**2. a. Revisar los asuntos relevantes al impuesto sobre las ventas y uso del Distrito del uno por ciento (1%); y**

Fiscal del distrito dio una actualización verbal sin embargo ninguna acción era necesaria.

**b. Considerar y tomar acción en dichas Órdenes, Resoluciones y asuntos relacionados, en conformidad o en la forma adecuada para convocar la Elección del impuesto sobre las ventas del Distrito el 10 de mayo de 2014 para votar por la Proposición de un impuesto sobre las ventas del Distrito del uno por ciento (1%).**

Ninguna acción era necesaria.

**3. To administer oath of office to recently appointed commissioner(s).**

No action was necessary.

**4. To approve the Minutes of prior meeting(s).**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously approved the minutes of the District's Regular Board meeting of February 13, 2014 as presented and the minutes of the District's Special Board meeting of February 28, 2014 as presented.

**5. To receive public comment.**

Kevin Walters, a representative of Pennies for Protection PAC presented the progress of the Pennies for ESD10 Face Book page.

**6. To receive a Financial Report from the District Bookkeeper.**

Ms. Branco presented the Bookkeeper's Report including a listing of the disbursements presented, for the Board's approval and signature.

A copy of the Bookkeeper's Report for March 20, 2014, is attached hereto as **Exhibit A**.

**7. To take action to retain Municipal Accounts & Consulting, L.P. to serve as District Bookkeeper.**

No action was necessary.

**8. To receive a report on District investments and take action on investment of District funds.**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously authorized Municipal Accounts & Consulting, L.P. to . to reinvest Patriot Bank CD with a current maturity date of 04/04/2014 & Texas Capital CD with a current maturity date of 04/14/2014 to both mature in October 2014.

**9. To review and take action on District Depositories and authorize revised investments.**

No action was necessary

**10. To review and take action on engagement of Auditor to prepare District 2013 Audit.**

No action was necessary.

**11. To discuss and take action on amending the District's 2014 budget.**

No action was necessary.

**12. To pay District bills.**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously approved the payment of district bills as presented in the Bookkeeper's Financial Report with the addition of check number(s)

#1080 to Papa John's in the amount of \$40.00 for Meeting Expense 3/20/14;

#1081 to Coveler & Katz in the amount of \$3,788.79 for Legal Fees for February.

**13. To receive a report from Magnolia VFD regarding the good and welfare of the Fire Department.**

Fire Chief Gary Vincent presented the Fire Chief's MVFD and ESD March 2014 Board Report with special mention to the Board about the following topics:

- Contract for Mobile Data Terminals with the Montgomery County Hospital District. There are 4 vehicles that have the computer systems already onboard (1802, 1804, 1805, 1806), and this will allow the software program to be added that will link the vehicle to the dispatch system. The Department will fund this from the existing operating budget.
- Request for \$10,000.00 to replace aging SCBA low pressure Training Air Pack cylinders.
- Request for \$ 7,000.00 to upgrade/replace the obsolete station alerting systems at Stations 184 and 186.
- Request for \$120,000.00 in order to purchase Equipment for new Engine 183.
- Station 181 A/C and Heating units were evaluated by AJ Warren Service Company. They recommended \$19,010.17 in repairs. A second opinion would be best before moving forward with repairing the A/C and heating units.

Upon motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously approved the following 3 items:

To allow up to \$ 10,000.00 to replace aging SCBA low pressure Training Air Pack cylinders;

To allow up to \$ 7,000.00 to upgrade/replace the obsolete station alerting systems at Stations 184 and 186;

To allow up to \$119,932.00 to purchase the needed equipment for new Engine 183.

**Let the records reflect at 4:15 pm the meeting was suspended. The meeting reconvened at 4:53 pm.**

**14. To receive a financial report from the Department.**

Fire Chief Gary Vincent presented the Department's Rolling Budget and General Ledger for the month ended February 28, 2014.

**15. To Review and take action on the payment of operations funding pursuant to 2014 budget and service agreements with the Department.**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously approved the payment of Operation's Funding as presented in the Bookkeeper's Report which was check number #1075 in the amount of \$164,435.00 for payroll and check #1076 in the amount of 58,564.38 for Maintenance & Operations.

A copy of the Bookkeeper's Report March 20, 2014 is attached hereto as **Exhibit A**.

**16. To review and take action on the payment of capital funding pursuant to 2014 budget and service agreement with the Department.**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously approved payment of check number (s)

#1072 to Final Touch Painting in the amount of \$6,625.00 for Painting of Station 184 Inv 214196

#1073 to Final Touch Painting in the amount of \$4,000.00 for Construction & Painting of New Covered Deck at Station 184

#1079 to Texas Dept of Criminal Justice in the amount of \$5,300.00 for Station 181 Dorm Furniture

**17. To receive a report and take action as appropriate to revise District and or Department operating and capital budgets pursuant to Department quarterly re-allocations and/or other matters.**

No action was necessary.

**18. To review and take action on ISO project.**

No action was necessary.

**19. To review and take action on Bass Construction Design/Build contract for construction of three new fire stations.**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously authorized the District's attorney to sign the agreement with Bass Construction thereto presented, including the revisions he has made and to authorize Bass Construction to execute the agreement.

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously authorized Weisser Engineering to initiate permits with the State &/or County for all 3 stations for curb cuts.

**20. To review and take action on financing for construction of 3 new fire stations.**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously authorized the District's attorney to solicit funding in the District's best interest for the 3 new stations.

**21. To discuss and take action on authorizing District engineer to prepare engineering and platting for 3 new fire station sites.**

No action was necessary.

**22. To discuss and take action on HVAC repair proposal for Station 181.**

No action was necessary.

**23. To review and take action on matters regarding replacement of Cascade 181, Rehab and Mechanic trucks.**

No action was necessary.

**24. To review and take action on Station 183 generator repairs due to problems as a result of improper installation and seek indemnity from responsible party or parties.**

Upon discussion of the topic no action was taken.

**25. To discuss and take action on the purchase of Booster 183 and related equipment.**

No action was necessary.

**26. To review and take action on 184.**

No action was necessary.

**27. To review and take action on matters regarding Station 186, including housing for Ladder 186 truck.**

Upon discussion of the topic no action was taken.

**28. To discuss and take action on Lease Agreement renewal for Station 187.**

No action was necessary.

29. **To review and take action on Gulf Coast State Planning Region Mutual Aid Agreement.**  
No action was necessary.

30. **To review and take action on Mobile Data Computer Dispatch Services Agreement with Montgomery County Hospital District.**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously authorized Fire Chief Gary Vincent to sign the Mobile Data Computer Dispatch Services Agreement with Montgomery County Hospital District.

31. **To review and take action on T-Mobile Lease Agreement.**

Upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously approved to allow T-Mobile to sublease with Crown Castle as documented in the T-Mobile master pre-paid lease with the provision we receive payment for 12 months at once.

32. **To meet in Closed Session, pursuant to Section 551.071 Government Code, to discuss possible litigation concerning the Buddy Riley Road fire station with the attorney and possible litigation regarding protective orders for District personnel and facilities.**

The Board did not enter into Executive Session.

33. **To meet in Closed Session, pursuant to Section 551.074 Government Code, to discuss District personnel, including District Fire Chief.**

The Board did not enter into Executive Session.

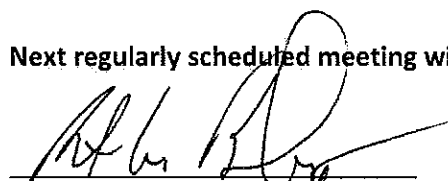
34. **To meet in Closed Session, pursuant to Section 551.076 Government Code, to discuss security devices or security audits.**

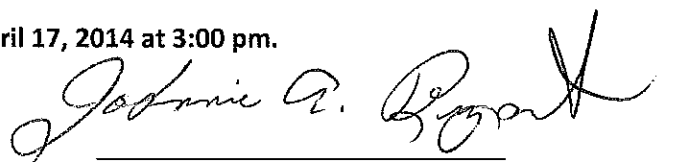
The Board did not enter into Executive Session.

#### ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Wesley Werner and seconded by Johnnie Bryant, the Board unanimously approved adjourning the meeting at 5:51pm.

Next regularly scheduled meeting will be on April 17, 2014 at 3:00 pm.

  
Robert Buschardt, President

  
Andrew Brown, Secretary Johnnie Bryant