



Montgomery County Emergency Services District No. 10

DATE: May 14, 2015

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, Station 181, 18215 Buddy Riley Blvd, Magnolia Texas 77354 on Thursday, May 14, 2015 at 3:00 p.m. inside the boundaries of the District.

At 3:08 p.m., Commissioner Buschardt called to order the Regular Meeting of the Montgomery County Emergency Services District #10 (the "District") and the roll was called of the duly appointed officer's to-wit:

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

4 of 5 Commissioners were present thus constituting a quorum.

Also present were Fire Chief Gary Vincent, Assistant Chief Kevin Walters, and Rhonda Reinholz of Magnolia Volunteer Fire Department ("MVFD" and the "Department"), Katherine Turner of Municipal Accounts & Consulting LP., F. Howard Katz, the District's Attorney, Ryan Fortner with Sales Revenue Inc, Michael Roberts with Hartnett Insurance, and Jon Watson, CPA with BrooksCardiel, PLLC.

The following business was transacted:

AGENDA ITEM:

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

Commissioner Buschardt led the Board in the Pledge of Allegiance.
Commissioner Bryant led the Pledge to Texas.
The Invocation was given by Commissioner Werner.

2. To receive public comment.

There was no public comment.

3. To approve the Minutes of prior meeting(s).

Upon a motion duly made by Commissioner Werner and seconded by Commissioner Arnold, the Board unanimously approved the minutes of the District's Regular Board meeting of April 09, 2015 as presented.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Buschardt, the motion passed to approve the minutes of the Special Board meeting of April 22, 2015 with Commissioners Werner and Arnold abstaining and Commissioner Brown absent.

4. To receive a Financial Report from the District Bookkeeper.

Katherine Turner 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 May 14, 2015 is attached hereto as **Exhibit A**.

5. To receive a Tax Report from the District Bookkeeper.

Katherine Turner presented the March 2015 Tax Report.

A copy of the March 2015 Tax Report is attached hereto as **Exhibit B**.

6. To receive a report on District investments and take action on investment of District Funds.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Werner, the Board unanimously authorized Municipal Accounts & Consulting, L.P. to reinvest 4 Operating CD's to all mature in November 2015; 1) Memorial City Bank with a maturity date of 6/21/2015, 2) Green Bank with a maturity date of 6/22/2015, 3) Post Oak Bank with a maturity date of 6/23/2015 and 4) Texas Capital Bank with a maturity date of 6/23/2015.

7. To receive and review the monthly sales tax report.

Ryan Fortner with Sales Revenue Inc. presented the May 2015 Sales and Use Tax Audit Report.

8. To pay District bills.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Werner, the Board unanimously approved the payment of district bills as presented in the Bookkeeper's Financial Report with the addition of check numbers: 1280 to BrooksCardiel, PLLC in the amount of \$9,500.00 for 2014 Financial Audit; and 1281 to Hickory Corral in the amount of \$68.00 for June Meeting Expense.

9. To review and take action on District 2014 Audit.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Werner, the Board unanimously approved the 2014 Audit Representation letter from BrooksCardiel, PLLC as presented whereafter subject to Katherine Turner's review and final approval.

10. To discuss and take action on granting exemptions for 2015.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Arnold, the Board unanimously adopted the Montgomery Central Appraisal District "Verification of Exemption" request for the year of 2015, as follows:

Homestead	\$	0.00
Over 65	\$	50,000.00
Disability	\$	50,000.00

A copy of the "MCAD Request for Verification of Exemption Information for use on the 2015 Notices of Appraised Value and 2015 Assessment Rolls", is attached hereto as **EXHIBIT C**.

11. To discuss and take action on the ratification of a continuing Contract with a private law firm for the collection of delinquent District ad valorem property taxes, and providing payment of 20% of the delinquent taxes, penalties, and interest which are collected by the attorney under said Contract.

Upon a motion duly made by Commissioner Werner and seconded by Commissioner Arnold, the Board unanimously approved the motion to retain the law firm of Linebarger, Goggan, Blair & Sampson, LLP.

12. To discuss and take action on the imposition of additional penalty on delinquent taxes for 2014 pursuant to Section 33.07 of the Property Tax Code and adoption of a Resolution regarding the same.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Werner, the Board unanimously approved the motion to adopt a resolution for the imposition of an additional 20% penalty on delinquent taxes for 2014 pursuant to Section 33.07 of the Property Tax Code.

13. To discuss and take action on the imposition of additional penalty on delinquent taxes for 2014 to defray costs of collection by the District's delinquent tax attorney, pursuant to Section 33.08 of the Property Tax Code and adoption of a Resolution regarding same.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Werner, the Board unanimously approved the motion to adopt a resolution for the imposition of an additional 20% penalty on delinquent taxes for 2014 pursuant to Section 33.08 of the Property Tax Code.

14. To discuss and take action on the imposition of early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to Section 33.11 of the Property Tax Code and adoption of a Resolution regarding same.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Werner, the Board unanimously adopted a resolution for the imposition of an additional 20% penalty on delinquent taxes for 2014 pursuant to Section 33.11 of the Property Tax Code.

15. To discuss and take action on amending the District's 2015 Budget.

No action was necessary.

16. 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 ESD May 2015 Board Report with special mention to the Board about the following topics:

* Request \$10,000.00 to purchase equipment for each of the three (3) new Tahoe's to be allocated from the 2015 Capital Outlay Budget.

* Request to purchase the FLAME-SIM Training Package at a cost of \$19,999.00 to be allocated from the 2015 Capital Outlay Budget.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Arnold, the Board unanimously approved up to \$30,000.00 from the 2015 Capital Outlay Budget to purchase equipment for the three (3) new Tahoe's.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Bryant, the Board unanimously approved up to \$20,000.00 from the 2015 Capital Outlay Budget to purchase the FLAME-SIM Training Simulator Package as presented.

17. To review and take action on proposed Mutual Aid Agreement for Fire Protection, Rescue and Emergency Services.

Upon discussion of this topic no action was necessary.

18. To review and take action on announced plan of City of Magnolia to form a municipal fire department.

Upon discussion of this topic no action was necessary.

Let the records reflect at 5:02 pm the meeting was suspended. The meeting reconvened at 5:44 pm.

19. To review and take action on proposed Department 2015 budget.

No action was necessary.

20. To receive a financial report from the Department.

Assistant Chief Kevin Walters presented the Department's 2015 2nd Quarter Rolling Budget and April 2015 GL.

21. To review and take action on the payment of operations funding pursuant to 2015 budget and service agreement with the Department.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Werner, the Board unanimously approved the payment of Operation's Funding as presented in the Bookkeeper's Report which was check number 1271 in the amount of \$250,275.55 for Payroll and check number 1272 in the amount of \$68,147.76 for Maintenance & Operations.

A copy of the Bookkeeper's Report May 14, 2015 is attached hereto as **Exhibit A**

22. To review and take action on the payment of capital funding pursuant to 2015 budget and service agreement with the Department.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Bryant, the Board unanimously approved payment of check number(s):

1267 to Axxcess Hose & Ladder Co. in the amount of \$10,992.54 for 2015 Annual NFPA Hose Testing;

1268 to Bass Construction in the amount of \$11,025.00 for 10% Final Drawings for 3 New Fire Stations Project;

1269 to Dooley Tackaberry in the amount of \$2,660.10 for Fire Hose for Ladder 186 and New Engines 182 & 183;

1270 to Fire Safety USA in the amount of \$107.50 for Mounting Brackets for New Engine 182 & 183;

1273 to Reliable Chevrolet in the amount of \$118,976.12 for three (3) 2015 Tahoe's and one (1) 2015 Chevrolet Silverado Crew Cab (Utility Truck);
1276 to Witmer Public Safety in the amount of \$42.99 for Gas Cans for New Engine 182 & 183;
1277 to GME Supply Co. in the amount of \$491.00 for Rescue equipment for Ladder 186.

23. 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.

24. To receive a report and take action on design-build project with Bass Construction for three (3) New Fire Station Projects and financing and approval of change orders regarding project.

Upon discussion of this topic no action was necessary.

25. To review and take action on contract and payment for water service, sanitary sewer and other utilities for three (3) New Fire Stations.

No action was necessary.

26. To review and take action on ISO project.

No action was necessary.

27. To review and take action on long term apparatus purchases and operational changes.

Upon discussion of this topic this item was Tabled.

28. To receive a legislative report from District Counsel, take action on support or opposition of pending legislation.

Upon discussion of this topic no action was necessary.

29. To review and take action on establishment of District pension (TCDRS) and employee benefit plan.

Michael Roberts presented a summary of Medical Insurance plan options.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Arnold, the Board unanimously authorized the District's attorney to gather information on a District Pension (TCDRS).

30. To meet in Closed Session, pursuant to Section 551.071 Government Code, to discuss possible litigation concerning the Buddy Riley Road fire station with District Counsel.

The Board did not enter into Closed Session.

31. To meet in Closed Session, pursuant to Section 551.074 Government Code, to discuss District personnel, including review of possible creation of full time operational staffing positions.

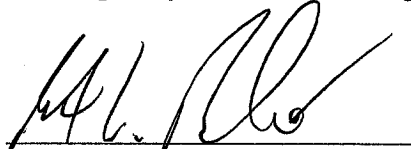
The Board entered into Closed Session at 6:10 pm and reconvened for regular business at 6:31 pm.

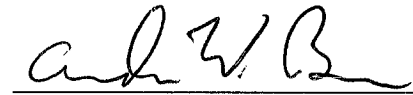
ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Arnold and seconded by Commissioner Bryant, the Board unanimously approved adjourning the meeting at 6:32 pm.

Special meeting scheduled on June 3, 2015 at 4 pm.

Next regularly scheduled meeting will be on June 11, 2015 at 3 pm.



Robert Buschardt, President

Andrew Brown, Secretary