



Montgomery County Emergency Services District No. 10

**DATE:** November 12, 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, November 12, 2015 at 2:00 p.m. inside the boundaries of the District.

At 2:05 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:

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

3 of said Commissioners were present thus constituting a quorum.

Also present were Fire Chief Gary Vincent, and Rhonda Reinholz of Magnolia Volunteer Fire Department ("MVFD" and the "Department"), Cathy Branco of Municipal Accounts & Consulting LP., John Peeler, the District's Attorney, and Ryan Fortner with Sales Revenue Inc.

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 Brown led the Pledge to Texas.

The Invocation was given by Commissioner Bryant.

**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 Bryant and seconded by Commissioner Brown, the Board unanimously approved the minutes of the District's Regular meeting of October 15, 2015 as presented.

**4. To receive a Financial Report from the District Bookkeeper and pay District bills.**

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 November 12, 2015 is attached hereto as **Exhibit A**.

Upon a motion duly made by Commissioner Brown and seconded by Commissioner 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)

1385 to American General Life Insurance Co. in the amount of \$525.00 for a one (1) year premium Life Insurance policy for Gary Vincent;

1386 to Hickory Corral in the amount of \$45.00 for November meeting expense.

The Board readdressed this item thereto Commissioner Brown amended the motion which was seconded by Commissioner Bryant and was unanimously approved by the Board to include additional check number 1389 to Wells Fargo Visa in the amount of \$15.00 for Gary Vincent credit card.

**5. To receive a Tax Report from the District Bookkeeper, including report on District investments and take action on investment of District Funds, including annual review of Investment Policy.**

There was no Tax Report.

Upon a motion duly made by Commissioner Brown and seconded by Commissioner Bryant, the Board unanimously approved the following:

Operating Fund CD's:

Transfer the Post Oak Bank and Texas Capital Bank CD's maturing 11/20/2015 to TEXPOOL.

Tax Fund CD:

No action necessary.

**6. To receive and review the monthly sales tax report.**

Ryan Fortner with Sales Revenue Inc. presented the October 2015 Sales Tax Report.

**7. 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 Brown and seconded by Commissioner Bryant, the Board unanimously approved the payment of Operation's Funding as presented in the Bookkeeper's Report which was check number 1380 in the amount of \$66,339.81 for Maintenance & Operations and check number 1379 in the amount of \$250,275.50 for Payroll.

A copy of the Bookkeeper's Report November 12, 2015 is attached hereto as **Exhibit A**

**8. 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 Brown and seconded by Commissioner Bryant, the Board unanimously approved payment of check number(s):  
1384 to The Murillo Company in the amount of \$3,917.00 for Materials Testing for Stations 188 & 189;  
1378 to Hutton Communications in the amount of \$169.58 for Equipment for 3 New Engines/1 New Tanker;

**9. 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.

**10. 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 November 2015 Board Reports with special mention to the Board about the following topics:

- 5 acre property at Dobbin Huffsmith & Hardin Store Road is for sale.
- Assistant Office Manager update. Offer has been made.
- We need \$12,000.00 for Information Technology System Upgrade to build the security system and bandwidth infrastructure required for our upcoming Radio Frequency Tracking, telephone, internet, and Station Security Cameras project. This is the beginning of our Fiber Network and represents a long term commitment to creating our own intranet fiber optic system, which is our long term future goal.
- 1952 American LaFrance Parade truck update.
- 2016 Fleet Tahoe's are in short supply. Reduced production and allocations expected.
- The 3 Expeditions were sold and paid for. Those transactions have been completed. We received the \$12,000.00+ for the 3 vehicles, less the fees.
- Station 183 hosted the Annual Spook House PR event. We were able to work with the MCFMO office to get within compliance and now have a plan moving forward for future years events.
- The Mechanic truck is in progress and Chief Paulk and Chief Walters Command vehicles are in service. Chief Grote's is under construction but almost completed.
- We have a new Department Training Officer, Lt. Jason Herrman.
- We will need permission to sell the old cascade truck in the near future.
- We are hosting the Orion District of the Boy Scouts here in the Training Room 11-13-15.
- Flag ceremony at Unity Park today!
- Christmas parade is December 12th. Please try to attend if possible. Any thoughts on MVFD Trailer for display at station and marketing fire department events?

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

Fire Chief Gary Vincent presented the Department's 2015 4th Quarter Rolling Budget.

**12. To review and take action on mutual aid agreement(s) for emergency services.**

Upon discussion of this topic no action was necessary.

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

No action was necessary.

**14. To review and take action on proposed Department 2016 budget.**

No action was necessary.

**15. To review and take action on Service Contract with Magnolia Volunteer Fire Department.**

No action was necessary.

**16. To review and take action on real estate matters, including but not limited to purchase, sale, utilities, encumbrances and/or easements.**

Upon a motion duly made by Commissioner Brown and seconded by Commissioner Bryant, the Board unanimously authorized a Special Warranty Deed granting a 25 foot strip from the District to Montgomery County for the road and utility improvements at Station 187.

**Let the records reflect at 3:58 pm the meeting was suspended. The meeting reconvened for regular business at 4:25 pm.**

**17. To review and take action on requested "Fire Emergency Water Supply Agreement" between District and Village at High Meadow Community Association.**

No action was necessary.

**18. To receive a report and take action on improvements, repairs and construction for District facilities, including utilities, construction payments, engagement of architectural or engineering services and selection of contractors.**

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Brown, the Board unanimously approved \$12,000.00 for Information Technology System Upgrade as described in the Fire Chief's ESD November 2015 Board Report.

**19. To review and take action on District debt, including refinancing existing debt and incurring debt for new acquisitions.**

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Brown, the Board unanimously approved the District's Attorney to request loan refinancing proposals for Station 181, and 3 engines to review in December to be able to have in place for the January meeting.

**20. To review and take action to approve the purchase of capital assets, including vehicles, fire fighting apparatus and equipment.**

Upon a motion duly made by Commissioner Brown and seconded by Commissioner Bryant, the Board unanimously authorized \$200,000.00 to purchase equipment for the three (3) new Engines and one (1) new Tanker

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

Upon discussion of this topic no action was necessary.

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

No action was necessary.

**23. To review and take action on the payment of insurance premiums.**

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Brown, the Board unanimously authorized to pay the monthly health, dental and vision insurance premiums one month in advance by signing the checks and leave with Rhonda to fill in the amount and then mail out.

**24. To review and take action on employment/personnel issues, including hiring, retention, compensation, benefits and scheduling for District employees, including administrative staff, Fire Chief, suppression staff and command staff.**

No action was necessary.

**25. To review and take action on the disposition of surplus or salvage property.**

No action was necessary.

**26. To meet in Executive Session, pursuant to Government Code Sections 551.072, 551.074 and 551.071 to discuss District real estate, personnel matters and to consult with legal counsel on litigation and other matters requiring confidentiality under the rules of the State Bar of Texas and Tax Code §323.3022 to review sales tax information.**

The Board entered into Executive Session at 4:54 pm and reconvened for regular business at 5:26 pm.

**27. To review and take action to engage litigation counsel.**

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Brown, the Board unanimously authorized the Board President to engage litigation counsel to pursue breach of contract with the builder of Station 181 for roof defects.

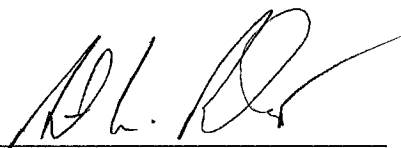
**28. To review and take action on breach of contract by builder for station construction.**

Action on this topic was taken up under agenda item number 27.


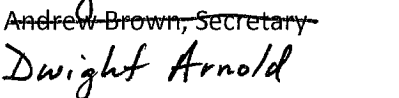
**ADJOURNMENT**

There being no further business to come before the Board, upon a motion duly made by Commissioner Brown and seconded by Commissioner Bryant, the Board unanimously approved adjourning the meeting at 5:30 pm.

**Next regularly scheduled meeting will be on December 10, 2015 at 2:00 pm.**



Robert Buschardt, President

~~Andrew Brown, Secretary~~

Dwight Arnold