



Montgomery County Emergency Services District No. 10

DATE: February 9, 2017

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, February 9, 2017 at 2:00 p.m. inside the boundaries of the District.

At 2:10 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
Scot Wall	Vice President	Absent
Johnnie Bryant	Secretary	Present
Dwight Arnold	Treasurer/Investment Officer	Present
Buck Carraway	Assistant Secretary/Treasurer	Present

4 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., and John Peeler, the District's Attorney, of Coveler & Katz arrived at 2:14 pm.

AGENDA ITEM:

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

Commissioner Buschardt led the Board in the Pledge of Allegiance.

Commissioner Arnold led the Pledge to Texas.

The Invocation was given by Commissioner Bryant.

3. To receive public comment.

There was no public comment.

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

Upon a motion duly made by Commissioner Carraway and seconded by Commissioner Arnold, the Board unanimously approved the minutes of the District's Regular meeting of January 12, 2017 as presented.

5. To receive a Financial Report from the District Bookkeeper and to pay District bills and to address financial matters including depositories and investments.

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 February 09, 2017 is attached hereto as **EXHIBIT A**.

Upon a motion duly made by Commissioner Arnold 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 numbers:

1675 to The Blue House in the amount of \$60.00 for February Meeting Expense.

No other action was necessary.

6. To receive a tax report from the District Bookkeeper.

Ms. Branco presented the December 2016 tax report.

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

There was no monthly sales tax report.

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

Upon a motion duly made by Commissioner Arnold 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 1665 in the amount of \$457,796.17 for Payroll and check number 1666 in the amount of \$85,362.08 for Maintenance & Operations.

A copy of the Bookkeeper's Report February 09, 2017 is attached hereto as **Exhibit A**

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

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

Check Number:

1669 to Building Consulting Services in the amount of \$325.00 for Field Reports #7 for Station 187;

1670 to Lowe's in the amount of \$292.83 for Soft Costs - Station Alerting Supplies for Station 188 and 189;

1671 to Magnolia Hardware in the amount of \$31.54 for Soft Costs - Appliance installation supplies for Station 188 and 189.

10. To receive a report and take action as appropriate to revise District and or Department Operating and capital budgets pursuant to Department quarterly reallocations and/or other matters.

Fire Chief Gary Vincent presented a check in the amount of \$95,092.80 representing the Department's 4th Quarter 2016 reallocation.

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Carraway, the Board unanimously approved the reallocation as presented.

11. To receive a report from Magnolia VFD regarding the good and welfare of the Fire Department and take action on requests for equipment and expenses for the Department.

Fire Chief Gary Vincent presented the Fire Chief's MVFD and ESD February 2017 Board Reports with special mention to the Board about the following topics:

- Presented a list of fire hose that is not serviceable that is ready for disposal;
- Presented a Comparative Data Analysis of Departments and the Communities they serve;
- The meeting with our Workers Compensation provider TML was very productive and TML was impressed that our volunteer hours are much greater compared to the rest of Texas.

Upon discussion of this topic a motion was duly made by Commissioner Bryant and seconded by Commissioner Carraway and was unanimously approved to dispose of the 2016 Failed Hose as presented with a possibility of selling it at a later date as salvage fire hose.

12. To receive a financial report from the Department.

Fire Chief Gary Vincent presented the January 2017 Rolling Budget.

13. To review and take action on any municipal action(s) affecting the District and provision of District services.

Upon discussion of this topic no action was necessary.

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

No action was necessary since action was taken on this topic under item #11.

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

No action was necessary.

16. To receive a report and take action on construction, 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 Arnold and seconded by Commissioner Carraway, the Board unanimously approved Pay Application #11 for Station 187 in the amount of \$128,426.70 as presented, with a combination of remaining loan funds and District funds and authorized Municipal Accounts to wire funds as instructed by the bank.

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

No action was necessary.

18. 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.

19. 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 for the 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 Bryant whereto discussion ensued, thereafter the motion was seconded by Commissioner Arnold, the Board unanimously approved the motion to retain the law firm of Linebarger, Goggan, Blair & Sampson, LLP.

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

Upon a motion duly made by Commissioner Bryant whereto discussion ensued, thereafter the motion was seconded by Commissioner Carraway, the Board unanimously adopted a resolution for the imposition of an additional 20% penalty on delinquent taxes for 2016 pursuant to Section 33.07 of the Property Tax Code.

21. To discuss and take action on the imposition of additional penalty on delinquent taxes 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 discussion of this topic a motion was duly made by Commissioner Bryant and seconded by Commissioner Carraway, the Board unanimously adopted a resolution for the imposition of an additional 20% penalty on delinquent taxes for 2016 pursuant to Section 33.08 of the Property Tax Code.

22. 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 discussion of this topic a motion was duly made by Commissioner Bryant and seconded by Commissioner Carraway, the Board unanimously adopted a resolution for the imposition of an additional 20% penalty on delinquent taxes for 2016 pursuant to Section 33.11 of the Property Tax Code.

23. To review and take action on records management procedures, including action to revise or amend the Records Management Program.

Upon discussion of this topic no action was necessary.

24. To meet in Closed 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.

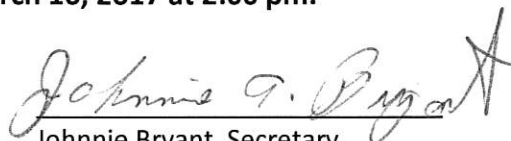
The Board did not enter into Closed Session.

ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Arnold and seconded by Commissioner Carraway, the Board unanimously approved adjourning the meeting at 4:16 pm.

Next regularly scheduled meeting will be on March 16, 2017 at 2:00 pm.


Robert Buschardt, President


Johnnie Bryant, Secretary