



Montgomery County Emergency Services District No. 10

DATE: April 12, 2018

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, April 12, 2018 at 2:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 2:07 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:

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

COMMISSIONER	BOARD POSITION	
Robert Buschardt	President	Present
Scot Wall	Vice President	Absent
Johnnie Bryant	Secretary	Present
Tate Robinson	Treasurer/Investment Officer	Present
Buck Carraway	Assistant Secretary/Treasurer	Absent

3 of 5 Commissioners were present thus constituting a quorum.

Also present were Magnolia Volunteer Fire Department ("MVFD" or "the Department") Fire Chief Gary Vincent, and District Office Manager Rhonda Reinholz, Cathy Branco of Municipal Accounts & Consulting LP., sales tax consultant Ryan Fortner of Sales Revenue Inc, Deputy Constable Silvio, and District legal counsel John Peeler of Coveler & Peeler.

Commissioner Buschardt led the Board in the Pledge of Allegiance.

Commissioner Robinson 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 Robinson and seconded by Commissioner Bryant, the Board approved the minutes of the District's Regular Meeting, March 8, 2018.

The Board agreed to take some items out of order as posted on the Agenda and moved to item #7 before addressing item #5.

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

The Board reviewed the January Sales Tax Report presented by Ryan Fortner from Sales Revenue Inc.

A copy of the April 2018 Sales and Use Tax Report is attached hereto as **EXHIBIT C**.

5. To receive a Financial Report from the District Bookkeeper and to pay District bills and to address financial matters including depositories, Investment Policy 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 April 12, 2018 is attached hereto as **EXHIBIT A**.

Upon a motion duly made by Commissioner Robinson 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:

1931 to Hickory Corral in the amount of \$58.34 for April Meeting Expense;

1932 to Johnnie Bryant in the amount of \$17.40 for reimbursement of expenses incurred from 2018 SAFE-D Conference;

1933 to Deputy Michael Silvio in the amount of \$160.00 for Security Services at the District's April Meeting.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved to reinvest the following CD's with maturity dates no greater than six (6) months:

- 1) Cadence Bank CD maturing 05/11/2018,
- 2) Third Coast Bank CD maturing 12/11/2017.

No further action was necessary.

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

Ms. Branco presented the March 2018 tax report.

A copy of the March 2018 Tax Report is attached hereto as **EXHIBIT B**.

8. To review and take action on granting tax exemptions.

Upon discussion of this topic no action was taken.

9. To act to ratify 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 and seconded by Commissioner Robinson, the Board unanimously approved the motion to retain the law firm of Linebarger, Goggan, Blair & Sampson, LLP for the collection of delinquent taxes.

10. To discuss and act on the imposition of additional penalty on delinquent taxes for 2017 pursuant to §33.07 of the Property Tax Code and adoption of a Resolution regarding same.

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously adopted a resolution for the imposition of a 20% penalty on delinquent taxes for 2017 pursuant to §33.07 of the Property Tax Code.

11. To discuss and act on the imposition of additional penalty on delinquent taxes for 2017 to defray costs of collection by the District's delinquent tax attorney, pursuant to §33.08 of the Property Tax Code and adoption of a Resolution regarding same.

Upon a motion was duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously adopted a resolution for the imposition of an additional 20% penalty on delinquent taxes for 2017 pursuant to §33.08 of the Property Tax Code.

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

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously adopted a resolution for the imposition of an early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to §33.11 of the Property Tax Code.

13. To review and discuss District reserve fund in light of expected revenues and expenditures, including the amount that should be available in reserve and how to reach that amount.

Upon discussion of this topic no action was necessary.

14. To review and act on the payment of operations funding pursuant to budget and service agreement with the Department.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved the May 2018 payment of Operation's Funding as presented in the Bookkeeper's Report which was check number 1925 in the amount of \$561,759.38 for Payroll and check number 1926 in the amount of \$95,215.66 for Maintenance & Operations.

A copy of the Bookkeeper's Report April 12, 2018 is attached hereto as **EXHIBIT A**.

15. To review and act on the payment of capital funding pursuant to budget and service agreement with the Department.

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

1920 to CDW Government in the amount of \$1,244.65 for Tablet equipment for MDT Project;

1924 to Hutton Communication in the amount of \$558.21 for GPS and WiFi antenna equipment for MDT Project.

16. To receive a report and act 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 the 2018 1st Quarter Reallocation check in the amount of \$14,567.64.

17. To receive a report from Magnolia Volunteer Fire Department ("MVFD") 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 ESD April 2018 Report, the Fire Chief's MVFD April 2018 Board Reports, and handouts with special mention to the Board about the following topics:

- Invitation to attend the 2nd annual Spring Employee Appreciation Bar-B-Que.
- The Department has concluded negotiations with ADP to improve Time and Attendance Payroll system.
- Annual Hose Testing has been completed.
- Working with Chief Griffith on a Traffic Light Preemption program that is spearheaded by MCHD across the county.
- The Department has been evaluating new data on response times and the value of Station 187 has already become apparent from the 2017 data analysis.
- The Department is having considerable difficulty with the Hurricane Harvey Reimbursement
- Presented illustration of 2017 MVFD Property Saved vs. Loss.

18. To receive a financial report from the MVFD.

Fire Chief Gary Vincent presented the February 2018 GL and the 2018 1st Quarter March Rolling Budget.

The meeting was recessed at 3:40 pm.

The meeting reconvened for regular business at 4:17 pm.

19. To review, discuss and act on renewal of communication tower leases and related easements at District fire stations.

Upon discussion of this topic the Board was in agreement for the District legal counsel to conduct further research. Chief Vincent said that he would also review with the Fire Department Board in order to determine the Department's position on renewing the tower location agreement, as he believes the property is owned by the Department. The Board directed counsel to perform research necessary to determine the ownership of the property upon which the tower and station 182 are located and report back to the board at a subsequent meeting.

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

Upon discussion of this topic no action was necessary.

21. To review, discuss and act for the sale or disposal of surplus and/or salvage property pursuant to Texas Health and Safety Code.

No action was necessary.

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

Discussion ensued on this topic under Item # 19.

23. To receive a report and act on improvements, repairs, maintenance and construction of District facilities, including utilities, construction payments, engagement of architectural or engineering services and selection of contractors.

Fire Chief Gary Vincent presented Chief Griffith's Fire Station Project Update report.

24. To review and act to approve the purchase of capital assets, including vehicles, fire fighting apparatus and equipment.

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously authorized up to \$8,000.00 to purchase two (2) Turbo Drafts and Piercing Nozzles as presented in the quote from Casco.

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

The Board voted unanimously to give all District employees a 2% raise for 2018, retroactive to January 1, 2018.

26. To review and act on District administrative procedures and policies, including matters related to laws passed during the 2017 legislative sessions and related to public access to District facilities.

Upon discussion of this topic no action was necessary.

27. To meet in Closed Session, pursuant to Government Code §551.071 to consult with legal counsel regarding pending or contemplated litigation, settlement offers or on matters which require confidentiality under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas and Tax Code §323.3022 to discuss sales tax matters.

The Board did not enter into Closed Session.

28. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters.

The Board did not enter into Closed Session.

29. To meet in Closed Session pursuant to Government Code §551.074 to discuss personnel matters.

The Board entered into Closed Session at 5:01 pm and reconvened for regular business at 5:13 pm.

30. ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved adjourning the meeting at 5:15 pm.

Next regularly scheduled meeting will be on May 10, 2018 at 2:00 pm.



Robert Buschardt, President



~~Johnnie Bryant, Secretary~~ Tate Robinson