



Montgomery County Emergency Services District No. 10

**DATE:** September 6, 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, September 6, 2018 at 2:00 p.m. inside the boundaries of the District.

**AGENDA ITEM:**

**1. Call Meeting to order**

At 2:12 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.**

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

4 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., and District legal counsel John Peeler of Coveler & Peeler, PC.

Commissioner Buschardt led the Board in the Pledge of Allegiance.

Commissioner Bryant led the Pledge to Texas.

The Invocation was given by Commissioner Wall.

**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 Wall, the Board unanimously approved the minutes of the following District's Meetings:

Regular Meeting held August 9, 2018  
Public Hearing held August 23, 2018  
Special Meeting held August 23, 2018  
Public Hearing held August 30, 2018

**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 September 6, 2018 is attached hereto as **EXHIBIT A**.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Robinson, the Board unanimously approved the payment of district bills as presented in the Bookkeeper's Financial Report with the addition of check numbers:

2001 VOID;  
2005 to Consolidated Traffic Controls in the amount of \$13,000.00 for Four (4) Traffic Signal Pre-Emption Vehicle Kits;  
2006 to Coveler and Peeler in the amount of \$5,187.71 for Legal Fees;  
2007 to Mike Silvio in the amount of \$320.00 for security services at the August 23, 2018 and August 30, 2018 Public Hearings;  
2008 to Hickory Corral in the amount of \$77.78 for September Meeting Expense.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Robinson, the Board unanimously approved the Investment Policy as presented by the District's legal counsel and to assign Mark Burton and Katherine Turner with Municipal Accounts as the Investment Officers.

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

- 1) Cadence Bank CD maturing 10/8/2018.

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

There was no tax report.

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

There was no Sales and Use Tax Report from Sales Revenue Inc.

**8. To adopt the District FY 2019 budget.**

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously approved to adopt the District 2019 Budget which was proposed on August 9, 2018.

A copy of the following reports are attached hereto as **EXHIBITS B and C**:

B. District 2019 Budget

C. Corrected Estimate of Value-Tax Calculation for 2018-Tax Rate for Montgomery ESD No. 10 with 0.1000 Tax Levy that was presented August 9, 2018

**The meeting was recessed at 2:45 pm.**

**The meeting reconvened for regular business at 2:49 pm.**

**9. To consider, adopt and set by Order the 2018 ad valorem tax rate for maintenance and operations**

In open meeting on the 6th day of September 2018, a motion was made by Commissioner Robinson to adopt a tax rate of \$0.1000/\$100 by stating the following:

"I move that the property rate be increased by the adoption of a tax rate of \$0.1000/\$100, which is effectively a 5.71 percent increase in the tax rate."

Discussion ensued noting the adopted tax rate is the same rate that was approved September 14, 2017 whereto the motion was seconded by Commissioner Buschardt.

The motion was approved by a vote of 3 to 1 with Commissioners Buschardt, Robinson, and Wall voting for the motion: Commissioner Bryant voting against the motion: Commissioner Carraway was absent.

**10. To consider, adopt and set by Order the 2018 ad valorem tax rate for debt service.**

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Wall, the Board unanimously approved to set the Debt Rate at \$0.0000/\$100.

A copy of the Order/Resolution Setting the 2018 total tax rate, including the Ad Valorem Tax Rate for Maintenance & Operations and the Tax Rate for Debt is attached hereto as **EXHIBIT D**.

After the Board took action to adopt the Tax Rate, Mr. Peeler reminded the Board of the statutory requirement to post notices on the District website noting the tax revenue increase. The Board generally discussed that the rate is mathematically the same as the prior year's rate and wants to provide additional information to that effect. Mr. Peeler advised that he did not believe that providing additional information would be inappropriate as long as the statutory language is included.

**11. 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.**

No action was necessary.

**12. 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 Wall 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 1998 in the amount of \$561,759.38 for October 2018 Payroll and check number 1999 in the amount of \$93,275.98 for October 2018 Maintenance & Operations.

A copy of the Bookkeeper's Report September 6, 2018 is attached hereto as **EXHIBIT A**.

**13. 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 Buschardt and seconded by Commissioner Wall, the Board unanimously approved the payment of check number(s):

2000 to Metro Fire Apparatus Specialists, Inc. in the amount of \$32,100.00 for 300 Helmet Flashlights;  
2005 to Consolidated Traffic Controls in the amount of \$13,000.00 for Four (4) Traffic Signal Pre-Emption Vehicle Kits.

**14. 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.**

No action was necessary.

**15. To receive a report from Magnolia Volunteer Fire Department ("MVFD") regarding the good and welfare of the Fire Department and act on requests for equipment and expenses for the Department.**

Fire Chief Gary Vincent presented the Fire Chief's ESD September 2018 Report and MVFD September 2018 Board Report, and handouts with special mention to the Board about the following topics:

- Presented Obsolete Gear List and request for destruction of Obsolete Gear.
- The offer to install a joint Emergency Generator with T-Mobile on the Station 182 Tower was not accepted by T-Mobile. The Board has previously approved the agreement without the joint generator. It is the Fire Board's preference to continue to enter into the agreement. The Fire Board has also already approved the agreement without the joint emergency generator.
- Thanked the Board for the purchase of the MR Cars and Booster 187.
- Met with Lone Star Group and the Ferrara representatives this month and continue to work to reduce the price on the Tankers. We are also discussing the project with another vendor and are awaiting his HGAC quote.
- Presented a proposal for the Board's consideration to sell one (1) or two (2) of the old E-One Engines to the Todd Mission Fire Department.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Robinson, the Board unanimously approved the disposal of the Obsolete Gear as presented.

**Commissioner Wall exited the meeting at 3:21 pm.**

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Robinson, the Board unanimously approved to sell two (2) E-One Engines as presented in the offer from Todd Mission Fire Department contingent upon the contract that will be drafted by the district's legal counsel.

**16. To receive a financial report from the MVFD.**

Fire Chief Gary Vincent presented the August 2018 3rd Quarter Rolling Budget.

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

Upon discussion of the City of Magnolia water rates no action was necessary.

**The meeting was recessed at 3:49 pm.**

**The meeting reconvened for regular business at 4:21 pm.**

Commissioner Wall returned to the meeting at 3:57 pm

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

This item was addressed under Item 15. Fire Chief Gary Vincent gave a verbal report where to no additional action was necessary.

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

No action was necessary.

**20. 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 gave a verbal report about replacing an A/C Unit at Station 181 where to no action was necessary.

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

This topic was discussed under Item 15.

**22. 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.**

Fire Chief Gary Vincent gave a verbal update on MVFD organizational matters where to no action was necessary.

**23. To review and act on District administrative procedures and policies, including matters related to public access to District facilities and meeting procedures.**

The District's legal counsel gave a verbal update where to no action was necessary.

**24. To review and act on interlocal agreement with Montgomery County Hospital District or other Emergency Services Districts on traffic preemption equipment and procedures.**

No action was necessary.

**25. 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.**

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

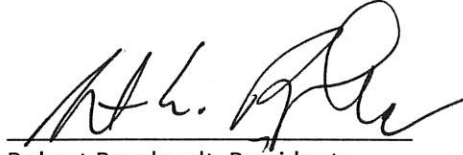
**27. To meet in Closed Session pursuant to Government Code §551.074 to discuss personnel matters.**

The Board entered into Executive Session under items 25, 26, and 27 at 4:52 pm and reconvened for regular business at 5:38 pm.

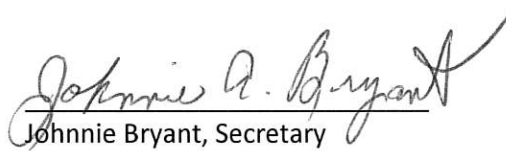
**28. ADJOURNMENT**

There being no further business to come before the Board, the Board unanimously approved adjourning the meeting at 5:39 pm.

**Next regularly scheduled meeting will be on October 18, 2018 at 2:00 pm.**



Robert Buschardt, President



Johnnie Bryant, Secretary