



Montgomery County Emergency Services District No. 10

**DATE:** November 8, 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, November 8, 2018 at 4:00 p.m. inside the boundaries of the District.

**AGENDA ITEM:**

**1. Call Meeting to order**

At 4:03 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	Absent
Buck Carraway	Assistant Secretary/Treasurer	Absent

3 Commissioners were present thus constituting a quorum.

Also present were Magnolia Volunteer Fire Department ("MVFD" or "the Department") Battalion Chief Alan Paulk, Assistant Chief Chuck Grant, and Office Manager Rhonda Reinholz, Cathy Branco of Municipal Accounts & Consulting LP., Deputy Silvio, Lizandro Campos of Sales Revenue Inc., Marshall Holmes with Cokinos Law Firm, Sylvia Olszowy, Commissioner Riley, Tommy Gage, and David Sewell representing District legal counsel John Peeler of Coveler & Peeler, PC. Let the minutes reflect that John Peeler arrived at 4:07 pm.

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.**

Commissioner Riley and Sylvia Olszowy introduced Mr. Tommy Gage as a potential candidate for appointment to the Board. Mr. Tommy Gage expressed his interest to serve on the Board.

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

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Wall, the Board unanimously approved the minutes of the District's Regular Meeting held October 18, 2018.

*The Board agreed to go out of order as posted on the Agenda and moved to items #22 and #7 before addressing item #5.*

**22. 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 entered into executive session at 4:20 and reconvened for regular business at 4:59.

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

Lizandro Campos presented the November 2018 Sales Tax Report from Sales Revenue Inc.

**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 November 8, 2018 is attached hereto as **EXHIBIT A**.

Ms. Branco presented the Quarterly Investment Report and also made mention that TexasClass earns interest on a daily basis and earns a higher interest rate. The Board was in agreement for Ms. Branco to bring a contract for the Board to review next month and possibly execute in January.

A copy of the Quarterly Investment Report Period Ending September 30, 2018 is attached hereto as **EXHIBIT B**.

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

2037 to Hickory Corral in the amount of \$59.20 for November Meeting Expense;

2038 to Coveler and Peeler in the amount of \$20,000.00 for legislative services retainer fee for the 2019 Texas Legislative Session;

2039 to HD Electric in the amount of \$8,968.95 for 9 Voltage Detector Kits;

2040 to American General Life Insurance Company in the amount of \$525.00 for Gary Vincent's 2019 Life Insurance Policy Renewal;

2041 to VFIS in the amount of \$400.00 for Tate Robinson's Public Official Bond Renewal

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

There was no tax report.

**8. 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 Buschardt 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 2031 in the amount of \$561,759.38 for December 2018 Payroll and check number 2032 in the amount of \$93,275.98 for December 2018 Maintenance & Operations.

A copy of the Bookkeeper's Report November 8, 2018 is attached hereto as **EXHIBIT A**.

**9. To review and act to approve the purchase, funding and payment for capital assets, including vehicles, fire-fighting apparatus and equipment.**

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

2026 to Bayou City Shirts in the amount of \$4,996.25 for Polo's and T-shirts;

2039 to HD Electric in the amount of \$8,968.95 for 9 Voltage Detector Kits.

**10. 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.

**11. 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.**

Ms. Reinholz presented the Fire Chief's MVFD November 2018 Board Report, and handouts with special mention to the Board about the following topics:

Ms. Reinholz also gave a verbal report from the Fire Chief as the Fire Chief's November 2018 ESD Report.

Battalion Chief Paulk presented a repair recommendation from the appraiser for Engine 184. The Board unanimously agreed with the repair recommendation as presented.

Assistant Chief Grant presented a Training Room Projector Project in the amount of \$2,500.00 to replace two (2) failed projectors and obsolete equipment.

Upon a motion duly made by Commissioner Wall and seconded by Commissioner Bryant, the Board unanimously approved the Training Room Projector Project as presented.

**The meeting was recessed at 6:05 pm.**

**The meeting reconvened for regular business at 6:35 pm.**

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

Ms. Reinholz presented the October 2018 3rd Quarter Rolling Budget, and October 2018 GL.

The Board unanimously agreed to have the Department track their water rates and expenses as well as the Department water rates in comparison to MUD District rates.

**13. To review and take action on revisions to District 2019 budget.**

Ms. Branco presented a Proposed Budget 2019 Revision #1 Adopted Budget for the Board's review. Discussion ensued that the Maintenance Tax Collection Revenue was incorrect in that it was based on Preliminary Tax Values instead of Certified Tax Values. The Board unanimously agreed to take no action on the budget at this time as a normal mid-year budget review would address any serious discrepancies that might exist concerning expected property tax revenue.

**14. 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.

**15. To review, discuss and act on the sale or disposal of surplus and/or salvage property.**

No action was necessary.

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

No action was necessary.

**17. 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.**

No action was necessary.

**18. 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.**

Upon discussion of this topic no action was necessary.

The Board readdressed this topic after item # 26 and upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Bryant, the Board unanimously approved a 3% wage increase for Julie Biscamp based upon her performance evaluations to be effective the pay period ending November 16, 2018 with another performance review to occur in six (6) months.

**19. To review and act on District administrative procedures and policies, including matters related to public access to District facilities and procedures for providing material to the Board for review and action at meetings.**

No action was necessary.

**20. 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.

**21. To review and take action to approve legislative services under legal services representation.**

No action was necessary.

*The Board agreed to go out of order as posted on the Agenda and moved to item #26 and readdress #18 before addressing item #23.*

**26. To review and take action regarding District Commissioner appointments for the 2019 – 2020 term, including making non-binding recommendation to Commissioners Court.**

Upon discussion of this topic the Board members present unanimously agreed for the District's legal counsel to send a non-binding recommendation to Commissioners Court requesting the reappointment of Commissioner's Bryant and Robinson. Commissioner Carraway has not communicated to the Board that he wishes to be reappointed.

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

No action was necessary.

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

No action was necessary.

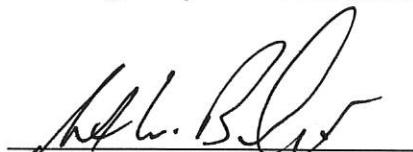
**25. To meet in Closed Session pursuant to Government Code §551.089 to deliberate regarding security assessments or deployments relating to information resources technology, network security information, or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.**

No action was necessary.

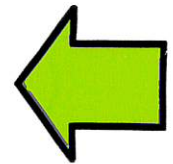
**27. ADJOURNMENT**

There being no further business to come before the Board, upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Bryant, the Board unanimously approved adjourning the meeting at 7:20 pm.

**Next regularly scheduled meeting will be on December 6, 2018 at 2:00 pm.**

  
Robert Buschardt, President

  
Johnnie Bryant, Secretary



**SIGN  
HERE**