



Montgomery County Emergency Services District No. 10

**DATE:** July 18, 2019

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, July 18, 2019 at 1:00 p.m. inside the boundaries of the District.

**AGENDA ITEM:**

**1. Call Meeting to order**

At 1:13 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	Present
Tommy Gage	Assistant Secretary/Treasurer	Present

All 5 Commissioners were present thus constituting a quorum.

Also present were Magnolia Volunteer Fire Department ("MVFD" or "the Department") Fire Chief Gary Vincent and Office Manager Rhonda Reinholz, Deputy Silvio, Cathy Branco of Municipal Accounts & Consulting LP, District legal counsel John Peeler of Coveler & Peeler, PC, and Marshall Holmes with Cokinon Law Firm.

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.**

Randy Harris was in attendance as a member of the community.

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

Upon a motion duly made by Commissioner Gage and seconded by Commissioner Robinson, the Board unanimously approved the Minutes of the District's Regular Meeting held June 20, 2019.

**5. To address financial matters including depositories, Investment Policy and investments and to receive Financial Reports from the District Bookkeeper.**

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 July 18, 2019 is attached hereto as **EXHIBIT A**.

Ms. Branco proposed to close the Tax Fund TEXPOOL and Checking accounts and move them to the General Operating Fund TEXPOOL and Checking accounts.

Upon a motion duly made by Commissioner Wall and seconded by Commissioner Gage, the Board unanimously approved to close the Tax Fund TEXPOOL and Checking accounts and move them to the General Operating Fund TEXPOOL and Checking accounts.

Upon a motion duly made by Commissioner Robinson 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 number:

2208 to Hickory Corral in the amount of \$91.00 for July meeting expense.

No other action was necessary.

The Board readdressed this item after item #6. Ms. Branco presented the proposed 2020 Budget where to discussion ensued and no action was necessary.

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

Ms. Branco presented the June 2019 Tax Report.

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

Ryan Fortner presented the July 2019 Sales Tax Report prepared by Sales Revenue Inc. Mr. Fortner also presented a map showing the WMPID District Boundary annexation. Discussion ensued and no action was necessary.

***The Board agreed to take items out of order as posted on the Agenda and moved to item #20 before addressing item #8.***

**20. 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 closed session at 1:57 pm and reconvened for regular business at 2:57 pm.

**The meeting was recessed at 2:59 pm.**

**The meeting reconvened for regular business at 3:38 pm.**

**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 Wall and seconded by Commissioner Robinson, the Board unanimously approved the payment of Operation's Funding as presented in the Bookkeeper's Report which was check number 2196 in the amount of \$720,243.01 for Payroll Transfer 08/2019 Payroll and check number 2196 in the amount of \$97,983.34 for Maintenance & Operations Transfer 08/2019.

A copy of the Bookkeeper's Report July 18, 2019 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 Bryant and seconded by Commissioner Robinson, the Board unanimously approved the payment of check number(s):

2198 to Motorola in the amount of \$139,255.71 for radios and equipment for 2 New Tankers, Booster 187, MR 187, MR 188, & MR 189;

2200 to Ultimate Lighting Solutions in the amount of \$7,021.02 for Booster 187 uplifting;

2202 to Magnolia Volunteer Fire Department in the amount of \$2,094.71 for reimbursement for Cargo Liners and Floor Mats for 9 MR Cars purchased from NAPA;

2203 to Consolidated Traffic Controls in the amount of \$6,080.00 for Vehicle Preemption Kits for 2 New Tankers;

2204 to James L Miller Mechanical in the amount of \$4,659.88 for Station 186 Ice Machine;

2205 to Motorola in the amount of \$36,341.75 for Radios and equipment for 3 Command Vehicles;

2206 to On Site Decals in the amount of \$4,185.00 for 3 Command Vehicles Graphics;

2207 to Witmer Public Safety Group in the amount of \$1,715.85 for Tools and Flashlights for Booster 187 and 3 Command Vehicles.

**10. To receive a report and act as appropriate to revise District and/or Department current year operating and/or capital budgets pursuant to Department quarterly re-allocations and/or other matters.**

Fire Chief Gary Vincent presented the 2nd Quarter 2019 Re-allocation check in the amount of \$27,836.65.

**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.**

Fire Chief Gary Vincent presented the Fire Chief's MVFD and ESD July 2019 Board Reports and handouts with special mention to the Board about the following topics:

- Announced Mrs. Eloise Roberson as the new full-time Director of Finance and Administration for the Department
- We have reviewed candidates for the Assistant Office Manager position and are interviewing the finalists.
- The 3 new Command Vehicles have been delivered. The Graphics have been installed and the next phase is in progress.
- The Magnolia Fire Department is now up and running on Instagram!
- In addition, MVFD is now on Twitter!!
- The Magnolia Fire Department has a new Facebook page!!!
- the FEMA 5k Administration Grant reimbursement has not yet been received. Rusty has followed up and it is in processing.
- -Engine 184 is back in service from the repair shop.
- Booster 187 is now complete and going in service any day.
- We have begun work on the 2020 Budget.

- We are requesting permission to auction off the 6 old white Medical Response Expeditions.
- Enging 189, formerly E-181 which was purchased in 2010, has had a major engine issue. The injector system has experienced a significant breakdown. E-189 was taken to Freightliner for repair and the repair was charged at \$8,118.46. We have authorized the repair, as we really have no choice, but this one repair could really restrict our repair efforts thru October 1<sup>st</sup>, the end of the Quarter. If funding allows, I would like to take the repair cost from the Capital budget or the Quarterly re-allocation from the second Quarter.
- The PO for the Privacy Fence at Station 184 has been issued.
- The new Raincoats for our members have been ordered.
- The Station 183 Bay Floor repair has been completed and it looks much better.
- The new ice machine at 186 has been installed.
- We would like to ask for Capital funds to purchase three (3) ice boxes with freezers for 181 shifts in the amount of \$2,966.33.
- We are looking at property in the middle of our territory around Station 187 for a Training Facility.
- We will be going out for quotes on Tankers 182 and 186 and Rescue 18 soon. The specs are almost completed. After we receive pricing, we will discuss the items in much more detail.
- We visited the Ferrara factory to inspect Tankers 188 and 189. They are coming along nicely and the factory has offered a unique approach for delivery to MVFD in early August. We will conduct the final inspections on July 31, August 1, and August 2.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Gage, the Board unanimously approved the sale of six (6) old MR Cars.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved to reimburse Magnolia Volunteer Fire Department \$8,118.46 for E-189 repair which will be funded by the 2<sup>nd</sup> Quarter Re-allocation check and will be paid from the General Operating Fund whereto check number 2209 was paid to Magnolia Volunteer Fire Department.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Gage, the Board unanimously approved to purchase 3 new refrigerators for Station 181 as presented.

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

Fire Chief Gary Vincent presented the June 2019 2nd Quarter Rolling Budget and June 30, 2019 GL.

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

No action was necessary.

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

This topic was addressed on Item #11.

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

Upon discussion of this topic no action was necessary.

The Board readdressed this item #23.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously authorized Fire Chief Gary Vincent to move forward and to expend the funds for the appraisal.

**16. 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 explained that the asphalt at Station 184 was not for the entire parking lot but only to fix repairs.

**17. 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.

**18. 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.**

Upon discussion of this topic no action was necessary.

**19. To engage special counsel to assist with real estate issues.**

Upon discussion of this topic no action was necessary.

The Board readdressed this item after meeting in closed session.

Upon a motion duly made by Commissioner Wall and seconded by Commissioner Robinson, the Board unanimously authorized the Board President to engage special counsel to assist with real estate matters.

**20. 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 Closed Session at 4:36 pm and reconvened for regular business at 4:58 pm.

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

The Board entered into Closed Session at 4:36 pm and reconvened for regular business at 4:58 pm.

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

The Board entered into Closed Session at 4:36 pm and reconvened for regular business at 4:58 pm.

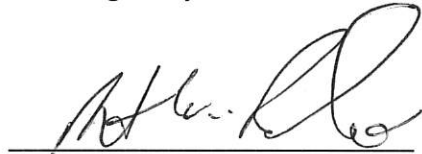
**23. To meet in Closed Session pursuant to Government Code §551.089 to deliberate regarding security assessments or deployments relating to information resources technology, network security information, or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure,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

The Board entered into Closed Session at 4:36 pm and reconvened for regular business at 4:58 pm.

**24. ADJOURNMENT**

There being no further business to come before the Board, upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved adjourning the meeting at 5:05 pm.

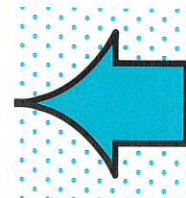
**Next regularly scheduled meeting will be on August 8, 2019 at 1:00 pm.**



Robert Buschardt, President



Johnnie Bryant, Secretary



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