



Montgomery County Emergency Services District No. 10

DATE: March 25, 2020

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, March 25, 2020 at 1:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 2:09 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	Absent
Tate Robinson	Treasurer	Present
Tommy Gage	Assistant Secretary/Treasurer	Present

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 Office Manager Rhonda Reinholz, and Deputy Silvio.

Commissioner Buschardt led the Board in the Pledge of Allegiance to the U.S. Flag.

Commissioner Robinson led the Pledge to the Texas Flag.

The Invocation was given by Commissioner Gage.

3. To receive public comment.

There was no public comment.

The Board agreed to take items out of order as posted on the Agenda and moved to item #5 before addressing item #4.

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

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved the Minutes of the District's Regular Meeting held February 13, 2020 as presented, the District's Special Meetings held March 3, 2020 and March 23, 2020 as presented.

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

Ms. Reinholz presented the March 25, 2020 Bookkeeper's Report including a listing of the disbursements presented, for the Board's approval and signature.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved to reinvest Regions CD maturing 4/11/20 with a maturity date no greater than six (6) months.

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

2367 to Jack Daniels Delivery Service in the amount of \$46.00 for delivery service;

2368 to The Meating Place in the amount of \$80.50 for March Meeting Expense;

2369 to Robert Buschardt in the amount of \$380.41 for Reimbursement of 2020 SAFE-D Expenses;

2370 to Tate Robinson in the amount of \$2.84 for Additional Reimbursement of 2020 SAFE-D Expenses.

No other action was necessary.

The Board agreed to take items out of order as posted on the Agenda and address item #8 before addressing item #7.

8. To receive the monthly ad valorem tax report.

The Board reviewed the February 2020 Ad Valorem Tax Report.

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

The Board discussed the March 2020 Sales Tax Report with Ryan Fortner via phone where to reviewed the March 2020 Sales Tax Report that was prepared by Sales Revenue Inc.

10. To review and act on the payment of operations funding pursuant to budget and service agreement with the Magnolia Volunteer Fire Department ("MVFD" or "Department").

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved the payment of Operation's Funding as presented in the March 25, 2020 Bookkeeper's Report which was check number 2365 in the amount of \$787,607.83 for Payroll Transfer 4/2020 Payroll and check number 2366 in the amount of \$117,602.00 for Maintenance & Operations Transfer 4/2020.

The Board agreed to take items out of order as posted on the Agenda and address item #26 before addressing item #11.

26. To review and act on Government Code §418.1101 – Plan For Continuity Of Functions, including adopting plans, policies or procedures.

The Board consulted with the District's legal counsel via phone.

Upon discussion of this topic a motion was duly made by Commissioner Buschardt and seconded by Commissioner Gage, whereto the Board unanimously approved additional funding of the May, June, and July MVFD Payroll and M & O checks pending the final approval by the Board President and signature by any two (2) Board members.

11. 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 Robinson and seconded by Commissioner Gage, the Board unanimously approved the payment of check number(s):

Capital Use of Prior Year Surplus Funds

2345 to Casco Industries in the amount of \$24,851.00 for Equipment for two (2) New Tankers approved in 9/12/19;

2350 to Lighthouse Uniform in the amount of \$8,373.00 for Dress Uniforms approved 10/17/19;

2352 to Magnolia Volunteer Fire Department in the amount of \$575.98 of bulk check amount \$4,755.98 for Chainsaws for two (2) New Tankers approved 9/12/19;

2358 to Plastix Plus in the amount of \$5,060.00 for Polywork for two (2) New Tankers approved 9/12/19;

2363 to Witmer Public Safety Group in the amount of \$2,104.57 for Equipment for two (2) New Tankers approved 9/12/19;

2020 Capital

2349 to Home Renovations of Texas in the amount of \$1,600.00 for Station 186 Metal Replacement approved 2/13/20;

2364 to Home Renovations of Texas in the amount of \$600.00 for Station 185 Roof Repair approved 2/13/20;

2352 to Magnolia Volunteer Fire Department in the amount of \$4,180.00 of bulk check amount \$4,755.98 for Remodel Station 185 Sleep Area.

The Board agreed to take items out of order as posted on the Agenda and readdress item #6 before addressing item #12.

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

The Board readdressed this topic with Ms. Morrison via phone after item #11.

The Board requested the payoff balances be added to the District Debt Service Payments which was implemented on previous reports.

The Board also discussed transferring funds from TEXPOOL to TEXAS CLASS with the District Bookkeeper whereto Ms. Morrison explained TEXPOOL fees vs. TEXAS CLASS fees. This topic was Tabled and no action was necessary.

12. 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.

Upon discussion of this topic no action was necessary.

The meeting was recessed at 3:41 pm.

The meeting reconvened for regular business at 4:12pm.

13. To receive a report from the Department 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 March 2020 Board Report, Fire Chief's ESD Verbal March 2020 Board, February 2020 1st Quarter Rolling Budget, January 2020 GL and February 2020 GL and handouts with special mention to the Board about the following topics:

1. Fire Chief Gary Vincent gave a verbal update on the Department's COVID-19 disaster operations

No further discussion or action on this topic was necessary.

14. To review, discuss and take action on amendments to the District's 2020 budget.

The Board addressed this topic with Ms. Morrison via phone.

Ms. Reinholz conveyed to the Board and Ms. Morrison that she detected discrepancies to the District's 2020 budget and 2020 Budgeted Capital on the March 25, 2020 Bookkeeper Report which will require discussions to optimistically rectify discrepancies on future reports.

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

Fire Chief Gary Vincent gave a verbal report pertaining to sales and use tax matters with the City of Magnolia.

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

No action was necessary.

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

No action was necessary.

18. To review and act on District/Department PPC/ISO ratings including engagement of consultant(s), review of recommendations and purchase of equipment.

No action was necessary.

19. 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.

20. 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.

No action was necessary.

21. 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 on this item.

22. 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 on this item.

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

The Board did not enter into Closed Session on this item.

24. 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 did not enter into Closed Session on this item.

25. To review and act on operational issues related to the COVID-19 emergency/disaster conditions in Montgomery County and the State of Texas.

Fire Chief Gary Vincent gave a verbal update on this topic.

FEMA has issued a Declaration Disaster Number to the Department

The Department has system in place to handle the COVID-19 emergency/disaster

The Board readdressed this topic after addressing item #4.

The Board consulted with the District's legal counsel via phone and discussion ensued on this topic.

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously authorized Gary Vincent in conjunction with two (2) Commissioners to authorize expenditures of up to \$100,000.00 related to the current state of disaster to last through the declared state of disaster throughout the County and State.

26. To review and act on Government Code §418.1101 – Plan For Continuity Of Functions, including adopting plans, policies or procedures.

The Board addressed this topic after item #10.

The Board agreed to take items out of order as posted on the Agenda and address item #4 before addressing item #27.

4. Review and take action on matters relating to calling an election to be held on May 2, 2020.

- a. To consider and take action on such other Orders, Resolutions and related matters as required or appropriate to call for the District election.*

The Board consulted with the District’s legal counsel via phone.

Upon discussion regarding polling locations and community outreach matters no action was necessary and the Board affirmed continuance of the May 2, 2020 election. The Board agreed that the use of the Community Center in Magnolia is an acceptable polling location rather than asking the Elections Administrator to conduct voting at the fire station.

The Board agreed to take items out of order as posted on the Agenda and readdress item #25 then address item #7 before addressing item #27.

7. To review and take action on granting exemptions for 2020.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously adopted the Montgomery Central Appraisal District "Verification of Exemption" request for the year of 2020, commensurate to 2019, as follows:

Homestead	\$	0.00
Over 65	\$	50,000.00
Disability	\$	50,000.00

A copy of the “Order Of The Board Of Emergency Services Commissioners Of Montgomery County Emergency Services District No. 10 Granting Exemptions For 2020” that was adopted and approved by a vote of 3 in favor and 0 against and is attached hereto as **EXHIBIT A** with Commissioners Buschardt, Gage, and Robinson present and Commissioners Bryant and Wall absent.

The Board agreed to take items out of order as posted on the Agenda and readdress item #4 before addressing item #27.

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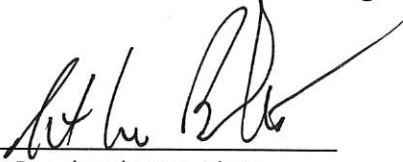
The Board consulted with the District’s legal counsel via phone and further discussion ensued on this topic.

The Board President formed and appointed Commissioners Gage and Robinson as the Community Outreach Committee hence the Board was in agreement for the committee to consult with the District’s legal counsel on Community Outreach matters. The Board was also in agreement to authorize Gary Vincent to discuss Community Outreach matters with the Chief of the Public Integrity Division of the Montgomery County District Attorney’s Office.

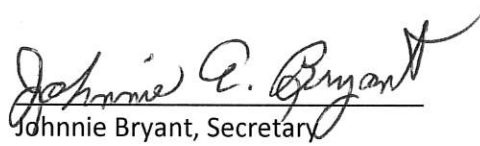
27. ADJOURNMENT

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 5:25 pm.

Next regularly scheduled meeting is to be determined.



Robert Buschardt, President



Johnnie Bryant, Secretary

