

**DATE:** October 16, 2014

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, October 16, 2014 at 3:00 p.m. inside the boundaries of the District.

At 3:00 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:

<b>COMMISSIONER</b>	<b>BOARD POSITION</b>	
Robert Buschardt	President	Present
Wesley Werner	Vice President	Present
Andrew Brown	Secretary	Present
Dwight Arnold	Treasurer/Investment Officer	Present
Johnnie Bryant	Assistant Secretary/Treasurer	Present

All of said Commissioners were present thus constituting a quorum.

Also present were F. Howard Katz, the District's attorney, Fire Chief Gary Vincent, Assistant Chief Rusty Griffith, and Rhonda Reinholz of Magnolia Volunteer Fire Department ("MVFD" and the "Department"), Cathy Branco of Municipal Accounts & Consulting LP., Ryan Fortner of Sales Revenue Inc., and Paul Mendes, Jonny Williams and Patrick Zaiontz representing the City of Magnolia.

The following business was transacted:

**AGENDA ITEM:**

**1. Roll Call, Pledge of Allegiance, Pledge of Texas and Invocation.**

Commissioner Buschardt led the Board in the Pledge of Allegiance.

Commissioner Bryant led the Pledge to Texas.

The Invocation was given by Commissioner Werner.

**2. To receive public comment.**

Paul Mendes, Jonny Williams & Patrick Zaiontz spoke on their concerns about the impact of the sales and use tax revenue on the City of Magnolia's annexation plans.

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

Upon a motion duly made by Commissioner Brown and seconded by Commissioner Arnold, the Board unanimously approved the minutes of the District's Special Board meeting of August 28, 2014 and Regular Board meeting of September 09, 2014 as presented.

**4. To receive a Financial Report 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 October 16, 2014, is attached hereto as **Exhibit A**.

**5. To receive a Tax Report from the District Bookkeeper.**

Ms. Branco presented the September 2014 Tax Report.

A copy of the September 2014 Tax Report is attached hereto as **Exhibit B**.

**6. To receive a report on District investments and take action on investment of District Funds.**

Upon a motion duly made by Commissioner Brown and seconded by Commissioner Werner, the Board unanimously authorized Municipal Accounts & Consulting, L.P. to reinvest 1) Texas Capital Bank with a current maturity date of 10/11/2014 to mature in May 2014, 2) Green Bank with a current maturity date of 11/17/2014 to mature in June 2014, 3) Icon Bank with a current maturity date of 11/18/2014 to mature in June 2014, 4) Independent Bank with a current maturity date of 10/19/2014 to mature in May 2014; transfer Post Oak Bank with a current maturity date of 10/19/2014 and Unity National Bank with a current maturity date of 10/21/2014 to Texpool.

**7. To receive the sales tax report from Ryan Fortner.**

The District signed an agreement with Sales Revenue Inc. that was approved September 09, 2014.

**8. To review and take action on District Depositories and authorize revised investments.**

No action was necessary.

**9. To pay District bills.**

Upon a motion duly made by Commissioner Arnold 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:

1175 Voided, 1176 to Northwest Communications, Inc in the amount of \$1,485.00 for new Engine 183 VHF Radio, 1177 to Witmer Public Safety in the amount of \$518.99 for 13 Leather Fronts, and 1178 to Hickory Corral in the amount of \$58.00 for Meeting Expense October 16, 2014.

**Let the records reflect at 4:19 pm the meeting was suspended. The meeting reconvened at 4:52 pm.**

**10. To discuss and take action on amending the District's 2014 budget and 2015 budget.**

No action was necessary.

**11. To receive a report from Magnolia VFD regarding the good and welfare of the Fire Department.**

Fire Chief Gary Vincent presented the Fire Chief's MVFD and ESD October 2014 Board Report with special mention to the Board about the following topics:

- Request the ESD to approve 5 Rhyno Glass cutters for purchase from the Capital Budget
- Request the ESD to approve additional Bunker Gear for purchase from the Capital Budget
- Request approval to sell old Booster 183

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

Fire Chief Gary Vincent presented the Department's September 2014 GL and the September 2014 Rolling Budget.

**13. To Review and take action on the payment of operations funding pursuant to 2014 budget and service agreements with the Department.**

Upon a motion duly made by Commissioner Brown and seconded by Commissioner Arnold, the Board unanimously approved the payment of Operation's Funding as presented in the Bookkeeper's Report which was check number 1163 in the amount of \$64,356.67 for payroll and check number 1162 in the amount of \$164,435.00 for Maintenance & Operations.

A copy of the Bookkeeper's Report October 16, 2014 is attached hereto as **Exhibit A**

**14. To Review and take action on the payment of capital funding pursuant to 2014 budget and service agreements with the Department.**

Upon a motion duly made by Commissioner Arnold and seconded by Commissioner Brown, the Board unanimously approved payment of check number(s): 1160 to Dooley Tackaberry, Inc. in the amount of \$13,216.80 for Bunker Gear, 5" Replacement Hose, E-183 equipment, 1161 to Houston Community Newspapers in the amount of \$581.10 for Notice of Tax Revenue Increase, 1164 to Metro Fire Apparatus Specialists, Inc. in the amount of \$20,248.00 for new Engine 182 & 183 nozzles, 1166 to Nevada Pacific Fire & Safety, Inc. in the amount of \$18,628.67 for new Booster 183 Skid Unit, 1167 to Northwest Communications, Inc. in the amount of \$2,574.25 for New Engine 182 VHF Radio, 1168 to Plastix Plus, LLC in the amount of \$865.90 for center console for new Booster 183, 1170 to Weldon Hodge Jr. in the amount of \$22,000.00 for Station 189 lot clearing, 1171 to Fire Safety USA, Inc. in the amount of \$2,404.00 for new Engine 182 & 183 equipment, 1172 to Dooley Tackaberry, Inc. in the amount of \$2,103.00 for 10 Reed Hoods, 1174 to Advance Rescue Systems in the amount of \$41,570.00 for 2 sets of Jaws for new Engine 182 & 183, 1176 to Northwest Communications, Inc. in the amount of \$1,485.00 for new Engine 183 VHF Radio, and 1177 to Witmer Public Safety in the amount of \$518.99 for 13 Leather Fronts.

**15. To receive a report and take action as appropriate to revise District and or quarterly re-allocations and/or other matters.**

Fire Chief Gary Vincent presented a check in the amount of \$26,113.65 representing the Department's 3rd Quarter 2014 reallocation.

Upon a motion duly made by Commissioner Werner and seconded by Commissioner Brown, the Board unanimously approved the acceptance of a check in the amount of \$26,113.65 representing the Department's 3rd Quarter 2014 Reallocation and approved up to \$15,000.00 towards the purchase of Rhyno Glass Cutters and Bunker Gear.

**16. To review and take action on approval of proposed 2015 three year Service Contract with Magnolia Volunteer Fire Department commencing January 1, 2015.**

Upon discussion of this topic no action was taken.

**17. To review and take action on ISO project.**

No action was necessary.

**18. To receive a report and take action on design-build project with Bass Construction for 3 new fire stations project.**

Upon verbal reports from Assistant Chief Rusty Griffith and the District's attorney discussion ensued and no action was taken.

**19. To discuss and take action on activities of District engineer regarding engineering and platting for 3 new fire station sites, as needed.**

No action was necessary.

**20. To review and take action on matters relating to Ladder 186 Housing.**

Upon a verbal report from Assistant Chief Rusty Griffith discussion ensued and no action was taken.

**21. To review and take action on Gulf Coast State Planning Region Mutual Aid Agreement.**

No action was necessary.

**22. To review and take action on development of District website.**

No action was necessary

**23. To meet in Closed Session, pursuant to Section 551.071 Government Code, to discuss possible litigation concerning the Buddy Riley Road fire station with District Counsel.**

The Board did not enter into executive session.

**24. To meet in Closed Session, pursuant to Section 551.074 Government Code, to discuss District personnel, including District Fire Chief.**

The Board entered into executive session at 6:20 pm and came out of executive session at 6:40 pm.

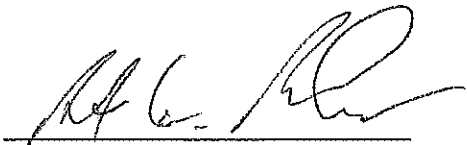
**26. To review and take action on items discussed in Closed Counsel.**

The District's attorney was asked to look into the questions concerning payroll and inform Ms. Branco as to how to proceed.

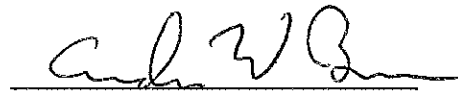
**ADJOURNMENT**

There being no further business to come before the Board, upon a motion duly made by Commissioner Werner and seconded by Commissioner Bryant, the Board unanimously approved adjourning the meeting at 6:41 pm.

**Next regularly scheduled meeting will be on November 13, 2014 at 3:00 pm.**



Robert Buschardt, President



Andrew Brown, Secretary