



Montgomery County Emergency Services District No. 10

DATE: February 13, 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, February 13, 2020 at 1:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 1:25 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	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, Ryan Fortner of Sales Revenue Inc, and District legal counsel John Peeler of Coveler & Peeler, PC.

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

Commissioner Bryant led the Pledge to the Texas Flag.

The Invocation was given by Commissioner Wall.

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 Bryant, the Board unanimously approved the Minutes of the District's Regular Meeting held January 9, 2020 as presented and the District's Special Meeting held February 3, 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. Branco presented the February 13, 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 the payment of district bills as presented in the Bookkeeper's Financial Report with the addition of check number(s):

2341 to Generator Supercenter in the amount of \$6,060.00 for the Emergency Generator Maintenance Contract;
2342 to Montgomery County Fire Chief Association in the amount of \$118,225.00 for Annual MCHD Infrastructure Fee, Dispatching Fee, Annual Dues, Special OPS/Hazmat;
2343 to Hickory Corral in the amount of \$83.93 for February Meeting Expense.

Ms. Branco announced her retirement and Carol Morrison will be her replacement.

No other action was necessary.

The Board readdressed this item whereupon discussion of this topic no action was necessary.

7. To receive the monthly ad valorem tax report.

Ms. Branco presented the January 2020 Ad Valorem Tax Report.

The Board agreed to take items out of order as posted on the Agenda and readdress item #6 before addressing item #8.

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

Ryan Fortner presented the February 2020 Sales Tax Report prepared by Sales Revenue Inc.

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

- a. Approve an Order calling for an election under Texas Health and Safety Code Sections 775.0751 and 775.0752 on the proposition to increase the local sales and use tax in the District;**
- b. Order Approving and Appointing an Agent for the Election;**
- c. Order Appointing an Early Voting Clerk and Deputy Early Voting Clerk;**
- d. Order Establishing and Designating Election Precincts and Polling Places;**
- e. Order Establishing and Designating Early Voting Polling Places;**
- f. Order Adopting Form of Notice of District Election;**
- g. Action to approve a contract with the Montgomery County Elections office for services relating to the conduct of the election;**
- h. To review and take action on such other Orders, Resolutions and related matters as required or appropriate to call for the District election;**
- i. To consider and take action on such other Orders, Resolutions and related matters as required or appropriate to call for the District election.**

4. Repasar y actuar en relacion asuntos relativos a la convocación de una elección a celebrarse el 2 de mayo de 2020.

- a. Aprobar una Orden que solicite una elección bajo las Secciones 775.0751 y 775.0752 del Código de Salud y Seguridad de Texas sobre la propuesta de aumentar el impuesto local sobre las ventas y uso en el Distrito;
- b. Orden para Aprobar y Designar un Agente para la Elección;
- c. Orden para Designar un Oficial de Votación Anticipada y un Oficial de Votación Anticipada Auxiliar;
- d. Orden para Establecer y Designar Precintos Electorales y Lugares de Votación;
- e. Orden para Establecer y Designar Lugares de Votación Anticipada;
- f. Orden para Adoptar la Forma del Aviso de Elección del Distrito;
- g. Acción para servicios relacionados con la oficina de elecciones del condado de Montgomery para servicios relacionados con la celebración de la elección.
- h. Para repasar y tomar medidas en relacion a la celebracion de una eleccion en conjunto con otras subdivisiones políticas.
- i. Considerar y actuar sobre tales otras Órdenes, Resoluciones y asuntos pertinentes que sean requeridas o apropiado para convocar la elección del Distrito.

Counsel presented a proposed Order calling an election to be held on May 2, 2020 on the proposition to increase the District sales and use tax from 1% to 2% in any area of the District not already at the 8.25% maximum rate. Counsel reported that the Order as written addresses items a, c, d and e under item 4. Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Bryant, the Board unanimously approved an Order calling for an election to be held on May 2, 2020 under Texas Health and Safety Code Sections 775.0751 and 775.0752 on the proposition to increase the local sales and use tax in the District from one percent (1%) to two percent (2%).

Upon discussion of this topic, the Board was in agreement for a Special Meeting to be held Tuesday, March 3, 2020 at 2 pm.

The meeting was recessed at 2:57 pm.

The meeting reconvened for regular business at 3:30 pm.

Discussion ensued whereto the Board finalized the aforementioned motion to include unanimously approving the following items:

- c. Order Appointing an Early Voting Clerk and Deputy Early Voting Clerk;
- d. Order Establishing and Designating Election Precincts and Polling Places;
- e. Order Establishing and Designating Early Voting Polling Places.

Discussion ensued whereto upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved to appoint Ms. Reinholz as the Agent for the Election and instructed the District's legal counsel to prepare the Notice of District Election.

Upon a motion duly made by Commissioner Wall and seconded by Commissioner Robinson, the Board also unanimously approved contracting with the Montgomery County Elections Office for services to conduct the

election and to hold the election jointly with any other political subdivisions also holding an election on May 2nd who also contracts with the county. Those items were addressed under items g and h, respectively.

9. 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 Wall and seconded by Commissioner Robinson, the Board unanimously approved the payment of Operation's Funding as presented in the February 13, 2020 Bookkeeper's Report which was check number 2336 in the amount of \$787,607.83 for Payroll Transfer 3/2020 Payroll and check number 2337 in the amount of \$117,602.00 for Maintenance & Operations Transfer 3/2020.

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

Fire Chief Gary Vincent presented proposals for Fire Station repairs and requested up to \$10,000.00.

Upon a motion by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved up to \$10,000.00 to make repairs to Stations 185 and 186 as presented.

Discussion ensued on this topic whereto upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved the payment of check number(s): 2333 to Southern Care Sweeping & Paving Co. in the amount of \$3,200.00 for repair of the Drain cover for Station 181 driveway approved January 9, 2020.

11. 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.

12. 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 February 2020 Board Report, Fire Chief's ESD February 2020 Board, January 2020 1st Quarter Rolling Budget, and handouts with special mention to the Board about the following topics:

1. Sale of 6 Expeditions has been completed for an amount of \$28,026.00.
2. Siddons-Martin Performance Bond and wire transfer to Siddons-Martin for the Rescue Truck must be completed before March 2, 2020.

This topic was readdressed after Item #13.

Fire Chief Gary Vincent presented the National Fire Services Office invoice for ISO consultation services. Discussion ensued whereto the District's legal counsel recommended the Board preliminary approve the expenses to engage National Fire Services Office for ISO Consultation Services upon securing a contract and submit a Form 1295 which will finalize the contract.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Buschardt, the Board unanimously approved the National Fire Services Office contingent upon completion of a final contract.

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

Ms. Branco conveyed First Financial Bank's offer to match the same rates as TEXPOOL. The Board was in agreement to keep the District's funds in First Financial Bank rather than transfer to TEXPOOL.

The Board readdressed this topic after Item # 12

Ms. Branco presented the District's 2020 Amended Budget. Discussion ensued whereupon a motion duly made by Commissioner Robinson and Commissioner Gage, the Board unanimously approved the District's 2020 Amended Budget with additional changes as discussed.

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

Upon discussion of this topic the Board was in agreement to form a committee comprised of Commissioner Wall, Commissioner Gage, and Fire Chief Gary Vincent to discuss sales and use tax matters with the City of Magnolia.

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

Fire Chief Gary Vincent presented a list of three (3) obsolete televisions and one (1) obsolete printer with a request to allow the Department to sell or discard.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Wall, the Board unanimously authorized the Department to sell or discard the obsolete items as presented.

16. 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.

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.

Upon discussion of this topic no action was necessary.

The Board agreed to take items out of order as posted on the Agenda and moved to items #19 - 22 before addressing item #18.

19. 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.

20. 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.

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

The Board entered into Closed Session at 5:17 pm and reconvened for regular business at 5:23 pm.

22. 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.

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.

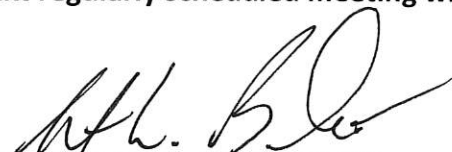
Fire Chief Gary Vincent gave a verbal report of Ms. Espinosa's six (6) month evaluation and recommended a merit raise.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Gage, the Board unanimously approved to increase Ms. Espinosa's wage to \$20.00 per Hour effective the pay period that includes February 13, 2020.

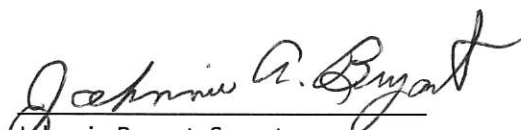
23. ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Robinson and seconded by Commissioner Wall, the Board unanimously approved adjourning the meeting at 5:30 pm.

Next regularly scheduled meeting will be on March 19, 2020 at 1:00 pm.



Robert Buschardt, President



Johnnie Bryant, Secretary

