



DATE: May 21, 2014

THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 10 (the "District") met in a special session, open to the public, at the Magnolia Volunteer Fire Department, Station 181, 18215 Buddy Riley Blvd, Magnolia Texas 77354 on Thursday, May 21, 2014 at 10:00 a.m. inside the boundaries of the District.

At 10:09 a.m., Robert Buschardt called to order the Special Meeting of the Montgomery County Emergency Services District #10 (the "District") and the roll was called of the duly appointed officer's to-wit:

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

4 of said Commissioners were present thus constituting a quorum.

Also present was Rhonda Reinholz of Magnolia Volunteer Fire Department ("MVFD" and the "Department").

The following business was transacted:

AGENDA ITEM:

- 1. To canvass the results of the District's election held on May 10, 2014, and enter such Orders and take such other action as may be necessary on the matter.**

Upon canvassing the final election results from Suzie Harvey, Montgomery County Elections Administrator Commissioner Werner moved that the Board, as canvassing authority, accept the results of the District's Election conducted by the Montgomery County Elections Department as presented, thereto canvassing returns and declaring the results of the May 10, 2014 Election on the PROPOSITION OF AUTHORIZING A SALES AND USE TAX OF ONE PERCENT (1%) IN MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 10 by adopting the proposed order declaring the voters have authorized a sales

and use tax of 1% in the District whereas 2018 votes were cast in favor of the Proposition, and 1967 were cast against the Proposition. The motion was seconded by Commissioner Brown and was approved by a vote of (4) to (0) with Commissioners Robert Buschardt, Wesley Werner, Andrew Brown and Johnnie Bryant voting for the motion. None of the Commissioners abstained nor were against. Commissioner Dwight Arnold was absent.

Copies of the Election Canvass Report & Canvassing Order are attached hereto as **Exhibit A**.

Commissioner Brown signed the "Certification of Secretary and Record of Proceeding" of the aforementioned order.

A copy of the "Certification of Secretary and Record of Proceeding" is attached hereto as **Exhibit B**.

1. Para registrar los resultados de las elecciones del distrito celebrada el 10 de mayo de 2014 y entrar en dichas órdenes y tomar otras medidas tales como sean necesarias en la materia.

Tras el escrutinio de los resultados de la elección final de Suzie Harvey, Montgomery County elecciones administrador Comisario Werner movido que la Junta, como autoridad, solicitando acepta los resultados de las elecciones del distrito llevada a cabo por el Departamento de elecciones del Condado de Montgomery como se presenta, al mismo escrutinio devoluciones y declarar los resultados de la 10 de mayo de 2014 elecciones sobre la propuesta de autorizar A las ventas y uso impuesto de uno por ciento (1%) EN MONTGOMERY COUNTY emergencia servicios distrito nº 10 adoptando el orden propuesto declarar los votantes han autorizado las ventas y utilizar impuesto del 1% en el distrito mientras que 2018 votos fueron emitidos a favor de la proposición, y 1967 fueron lanzados contra la propuesta. El movimiento fue secundado por el Comisario Brown y fue aprobado por un voto de (4) (0) con los comisionados Robert Buschardt, Wesley Werner, Andrew Brown y Johnnie Bryant la votación de la moción. Ninguno de los comisarios se abstuvieron ni estaban en contra. Comisario Dwight Arnold estaba ausente.

Copias de la orden de informe & miembros de escrutinio electoral se adjuntan a la presente como **prueba A**.

Comisario marrón firmada la "certificación de Secretario y registro de proceder" de la mencionada orden.

Se adjunta una copia de la "certificación de Secretario y registro de proceder" como **B. exhibir**

2. To set pay bills associated with the election.

This item was Tabled.

2. Para programar gastos asociados con la elección.

Este artículo fue presentado.

3. To take action on Orders to impose the District sales and use tax.

Commissioner Werner moved that the Board, as canvassing authority, that the District adopt an

order to impose a sales and use tax of one percent (1%) in Montgomery County Emergency Services District No. 10. The motion was seconded by Commissioner Bryant and was approved by a vote of (4) to (0) with Commissioners Robert Buschardt, Wesley Werner, Andrew Brown and Johnnie Bryant voting for the motion. None of the Commissioners abstained nor were against. Commissioner Dwight Arnold was absent.

A copy of the Imposition Order is attached hereto as **Exhibit C**.

3. A actuar bajo las órdenes de imponer las ventas de distrito y utilizar impuestos.

Comisario Werner que movió el tablero, como autoridad, que el distrito adopte una orden para imponer las ventas y uso de impuesto del uno por ciento (1%) en Montgomery County emergencia servicios distrito nº 10 de escrutinio. El movimiento fue secundado por el Comisario Bryant y fue aprobado por un voto de (4) (0) con los comisionados Robert Buschardt, Wesley Werner, Andrew Brown y Johnnie Bryant la votación de la moción. Ninguno de los comisarios se abstuvieron ni estaban en contra. Comisario Dwight Arnold estaba ausente.

Se adjunta una copia de la orden de imposición como **C. exhiben**

4. To receive public comment.

There was no public comment.

4. Para recibir comentarios del público.

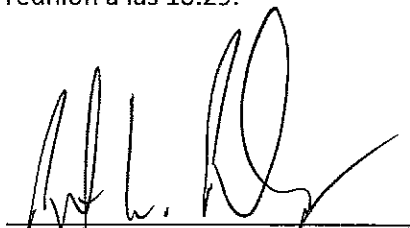
No había ningún comentario público.

ADJOURNMENT

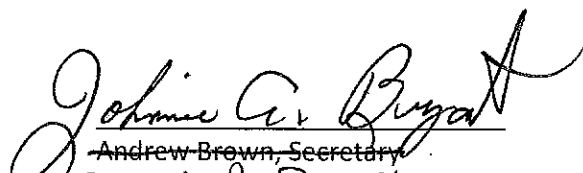
There being no further business to come before the Board, upon a motion duly made by Commissioner Bryant and seconded by Commissioner Werner, the Board unanimously approved adjourning the meeting at 10:29 am.

APLAZAMIENTO

Exista ningún negocio adicional antes de la Junta, sobre una moción debidamente hecha por Comisario Bryant y secundado por el Comisario Werner, la Junta aprobada por unanimidad suspender la reunión a las 10:29.



Robert Buschardt, President



Johnnie A. Bryant,
Assistant Treasurer / Assistant Secretary

**ORDER CANVASSING MAY 10, 2014 ELECTION RESULTS OF
SALES AND USE TAX ELECTION IN
MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 10**

THE STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

The Board of Emergency Services Commissioners of Montgomery County Emergency Services District No. 10, convened in a special meeting of the Board, on the 21st day of May, 2014 at the Magnolia Volunteer Fire Department, Station 181, 18215 Buddy Riley Blvd., Magnolia, Texas, 77354, with the following members of the Board of Emergency Services Commissioners present, to-wit: R. Buschardt, W. Werner, A. Brown, J. Bryant and the following member(s) absent, to-wit: D. Arnold and those present constituting a quorum of the Board for purposes of canvassing election results, the following was transacted:

**CANVASSING RETURNS AND DECLARING RESULTS OF THE MAY 10, 2014
ELECTION ON THE PROPOSITION OF AUTHORIZING A SALES TAX OF ONE
PERCENT (1%) IN MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT
NO. 10 AS PROVIDED UNDER HEALTH & SAFETY CODE, SECTION 775.0751.**

Commissioner Werner introduced an Order and made a Motion that the same be adopted. Commissioner Brown seconded the Motion for adoption of the order. The Motion, carrying with it the adoption of the Order, prevailed by the following vote:

AYES: 4
NAYS: Ø

Commissioner Buschardt thereupon announced that the Motion had duly and lawfully carried and that the Order had been duly and lawfully adopted.

The Order thus adopted reads as follows:

**ORDER CANVASSING RETURNS AND DECLARING RESULTS OF THE MAY 10,
2014 ELECTION ON THE PROPOSITION OF AUTHORIZING A SALES AND USE
TAX OF ONE PERCENT (1%) IN MONTGOMERY COUNTY EMERGENCY
SERVICES DISTRICT NO. 10 AS PROVIDED UNDER HEALTH & SAFETY CODE,
SECTION 775.0751.**

WHEREAS, Notice of this Meeting of the Board of Emergency Services Commissioners of Montgomery County Emergency Services District No. 10, has been given in the manner and for the time required by law; and

**Emergency Services District No. 10 General Election Canvass Report — Total Voters — Official
 Montgomery County, Texas — Joint Election — May 10, 2014**

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Total Number of Voters : 20,320 of 239,050 = 8.50%

Precincts Reporting 71 of 71 = 100.00%
 District Precincts Reporting 15 of 15 = 100.00%

MC ESD No. 10 One Percent Local Sales and Use Tax

Precinct	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	For	Against	Totals
03	22	10	32	517	6.19%	19	13	32
06	0	0	0	0	00.00%	0	0	0
13	141	114	255	2972	8.58%	111	143	254
18	225	95	320	3042	10.52%	168	144	312
28	107	94	201	2775	7.24%	100	98	198
29	557	179	736	4907	15.00%	367	355	722
30	403	177	580	4327	13.40%	296	268	564
34	29	15	44	359	11.31%	25	18	43
55	289	165	454	4305	10.55%	208	237	445
56	171	112	283	3456	8.19%	169	108	277
69	0	0	0	0	00.00%	0	0	0
74	88	100	188	2035	9.24%	83	101	184
76	159	171	330	2714	12.16%	131	189	320
81	17	4	21	300	7.00%	5	15	20
89	386	244	630	4548	13.85%	336	278	614
Totals	2554	1480	4074	35237		2018	1967	3985

ESD 10 - MAY 21, 2014
 EXHIBIT A

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

I, the undersigned, the duly appointed and/or acting Secretary of Board of Emergency Services Commissioners of Montgomery County Emergency Services District No. 10, do hereby certify that the attached and foregoing is a true and correct copy of an ORDER CANVASSING THE MAY 10, 2014 ELECTION RESULTS OF SALES AND USE TAX ELECTION IN MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 10, adopted by said Board of Emergency Services Commissioners at a meeting, open to the public, held on the 21st day of May, 2014, as same appears of record in the official minutes of said Board of Emergency Services Commissioners of Montgomery County Emergency Services District No. 10 on file with the Records Custodian of the District.

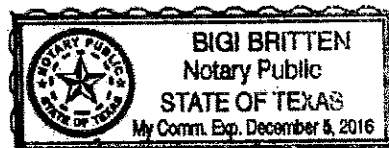
I further certify that written notice of the date, hour, place and subject of the meeting of the Board of Emergency Services Commissioners of Montgomery County Emergency Services District No. 10, at which the foregoing Order was adopted, was posted pursuant to law.

WITNESS MY HAND AND THE OFFICIAL SEAL, this the 21st day of May, 2014.

Andrew W. Brown

Printed Name: Andrew W. Brown

Title: Secretary ESD 10 Montgomery Co.
Montgomery County Emergency Services
District No. 10



Bigi Britten - May 21, 2014

**ORDER OF THE BOARD OF EMERGENCY SERVICES COMMISSIONERS
IMPOSING 1% LOCAL SALES AND USE TAX
IN MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 10**

IN OPEN MEETING on May 21, 2014 of the Board of Emergency Services Commissioners of Montgomery County Emergency Services District No. 10 (the "District"), with Commissioners R. Buschardt, W. Werner, A. Brown, J. Bryant, being in attendance and said number constituting a quorum of the Board, the following MOTION made by Commissioner Werner and seconded by Commissioner Bryant (to impose a local sales and use tax of 1% within the District, as exemplified below) was considered. After discussion and consideration, the Motion and Order was adopted and approved by a vote of 4 in favor and 0 against; and

WHEREAS, following an election held on May 10, 2014 whereby the voters within the District approved the establishment and adoption of a sales and use tax of up to a maximum of ONE PERCENT (1%);

WHEREAS, pursuant to Chapter 775 of the Health and Safety Code and pursuant to the Texas Tax Code, the District is authorized to adopt and impose a sales and use tax; and

WHEREAS, the District intends to impose a local sales and use tax within the District,

NOW, THEREFORE BE IT RESOLVED and ORDERED that a local sales and use tax of ONE PERCENT (1%) is hereby imposed pursuant to Chapter 323 of the Tax Code on all applicable sales and uses within the geographic boundaries of the District – excluding the territory of the City of Magnolia (including the Economic Development Corporation 4A and the Community Development Corporation 4B), such that the sales and use tax approved by the voters in the District's election shall not be applicable to the current territory of the City of Magnolia (including the Economic Development Corporation 4A and the Community Development Corporation 4B) and the TCID and the added territory - as provided under Health & Safety Code, Section 775.0751.

Dated: May 21, 2014

**MONTGOMERY COUNTY EMERGENCY
SERVICES DISTRICT NO. 10**

By: 

Printed Name: ROBERT W. BUSCHARDT

Title: PRESIDENT ESD #10 MONTGOMERY
COUNTY