



Montgomery County Emergency Services District No. 10

DATE: September 12, 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, September 12, 2019 at 2:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 2:10 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") Assistant Chief Rusty Griffith, Assistant Chief August Naumann, and Office Manager Rhonda Reinholz, Deputy Silvio, Cathy Branco of Municipal Accounts & Consulting LP, District legal counsel John Peeler of Coveler & Peeler, PC, and Ryan Fortner with Sales Revenue Inc.

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 Gage.

Commissioner Wall entered the meeting at 2:14 pm.

3. To receive public comment.

There was no public comment.

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

Upon a motion duly made by Commissioner Gage and seconded by Commissioner Robinson, Commissioner Bryant and Commissioner Buschardt voting for, and Commissioner Wall abstaining, the Board approved the minutes of the following District's Meetings:

Regular Meeting held August 8, 2019
Public Hearing held August 22, 2019
Public Hearing held August 29, 2019
Special Meeting held August 29, 2019.

The Board agreed to take items out of order as posted on the Agenda and moved to item #7 and #15 before addressing item #5.

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

Ryan Fortner presented the September 2019 Sales Tax Report prepared by Sales Revenue Inc.

15. 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.

Assistant Chief August Naumann presented a repair estimate from Houston Freightliner for Engine 188 in the amount of \$11,104.41.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Robinson, the Board unanimously approved up to \$11,104.41 for the repair of Engine 188.

Assistant Chief Naumann announced that he will initiate the sale of the Old MR Cars through Rene Bates tomorrow.

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 September 12, 2019 is attached hereto as **EXHIBIT A**.

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 numbers:

2248 VOID;
2249 to Ultimate Lighting Solutions in the amount of \$29,986.02 for up-fitting 3 new Command Vehicles;
2250 to Hickory Corral in the amount of \$88.46 for September meeting expense.

Ms. Branco presented the Quarterly Investment Report Period Ending June 30, 2019.

A copy of the Quarterly Investment Report Period Ending June 30, 2019 is attached hereto as **EXHIBIT B**.

No other action was necessary.

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

There was no tax report.

8. To review, discuss and take action on proposed District 2020 budget.

Once the proposed District 2020 budget was reviewed, Commissioner Robinson made a motion to adopt the proposed District 2020 budget and noting changes to line item 1640. Commissioner Gage seconded the motion and the Board unanimously approved the motion with Robert Buschardt, Johnnie Bryant, Tommy Gage, Tate Robinson, and Scot Wall voting for the motion.

A copy of the proposed District 2020 Budget is attached hereto as **EXHIBIT C**.

9. To review, discuss and take action to adopt the 2019* District maintenance and operations ad valorem tax rate.

In open meeting on the 12th day of September 2019, a motion was made by Commissioner Robinson to adopt a tax rate of \$0.1000/\$100 in Assessed Value by stating the following:

"I move that the property rate be increased by the adoption of a tax rate of \$0.1000/\$100, which is effectively a 7.99 percent increase in the tax rate."

Discussion ensued noting the adopted tax rate is the same rate that was approved September 6, 2018 where to the motion was seconded by Commissioner Wall.

The motion was approved by a unanimous vote with Commissioners Bryant, Buschardt, Gage, Robinson, and Wall voting for the motion: None voting against the motion: None were absent.

After the Board took action to adopt the Tax Rate, Mr. Peeler reminded the Board of the statutory requirement to post notices on the District website noting the tax revenue increase. The Board generally discussed that the rate is mathematically the same as the prior year's rate and wants to provide additional information to that effect. Mr. Peeler advised that he did not believe that providing additional information would be inappropriate as long as the statutory language is included.

10. To review, discuss and take action to adopt the 2019 District debt ad valorem tax rate.

Upon a motion duly made by Commissioner Wall and seconded by Commissioner Robinson, the Board unanimously approved to set the Debt Rate at \$0.0000/\$100 in Assessed Value.

The meeting was recessed at 3:27 pm.

The meeting reconvened for regular business at 3:59 pm.

11. 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 Gage, the Board unanimously approved the payment of Operation's Funding as presented in the Bookkeeper's Report which was check number 2232 in the amount of \$694,483.01 for Payroll Transfer 10/2019 Payroll and check number 2233 in the amount of \$97,983.34 for Maintenance & Operations Transfer 10/2019.

A copy of the Bookkeeper's Report September 12, 2019 is attached hereto as **EXHIBIT A**.

12. 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 Bryant, the Board unanimously approved the payment of check number(s):

- 2228 to Hall Truck Center in the amount of \$3,468.00 for Additional owed after Loan Proceeds for 2 New Tankers;
- 2231 to Lowe's Home Centers, Inc. in the amount of \$2,704.65 for 3 refrigerators for Station 181;
- 2234 to Metro Fire Apparatus Specialists, Inc. in the amount of \$21,342.00 for Fire Hose for 2 New Tankers;
- 2238 to Panther Concrete Restoration, Inc. in the amount of \$16,800.00 for Station 183 Apparatus Floor Restoration;
- 2240 to STS360 in the amount of \$1,184.40 for Station 185 Control Board for locks VFIS Claim # TXTR18110358 Station 185 Lightning Strike Repairs;
- 2243 to CDW Government in the amount of \$1,798.00 for Modems for 2 New Tankers;
- 2244 to CDW Government in the amount of \$796.97 for Equipment for 3 Command Vehicles;
- 2249 to Ultimate Lighting Solutions in the amount of \$29,986.02 for up-fitting 3 new Command Vehicles.

Discussion ensued on the purchase of equipment for the 2 New Tankers. Commissioner Robinson made a motion that was seconded by Commissioner Wall, and the Board unanimously approved to authorize the transfer of \$261,532.00 from reserve into Capital expenditures to cover \$261,532.00 to purchase equipment for the 2 New Tankers.

13. To review and take action on financing for capital purchase of fire-fighting apparatus.

No action was necessary.

14. 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.

No action was necessary.

15. 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.

Assistant Chief Rusty Griffith presented the Fire Chief's MVFD and ESD September 2019 Board Reports and handouts with special mention to the Board about the following topics:

- Wildfire Risk Assessment from J. Williams and Burn Ban is in effect.
- The final FEMA payment from Hurricane Harvey shows to be paid, and will confirm receipt with Eloise when she returns to the office.
- We have ordered furniture from TCI of which the Department will reimburse the District.
- We hope to know the outcome of our AFG grant for SCBA and Jaws within the next month or so.
- We closed the 9 MR Cars project under budget by approximately \$45,000.00

- We have hired Mrs. Yesenia (Yesie) Espinosa to be our new Assistant Office Manager. Yesie has been a member of the Department since 2014.
- Ferrara Fire Apparatus Company has delivered the two new Tankers to the local Ferrara dealership
- The MISD school board had a public relations issue this month. There was a residential fire, and it coincided with the school bus dropping off the kids. We had no delay due to the school busses, and had three fire trucks plus a chief on scene PRIOR to the school busses arriving to unload the kids. We met with the school superintendent and the homeowner on the issue.
- The Fire Chiefs new Command vehicle is completed and in service.
- Our Communications Director has made a major impact in our marketing efforts!! We are now being followed by thousands and have a much better standing within the community. Our firefighters are being seen and recognized for their outstanding efforts to support our Magnolia citizens.
- Under the leadership of our new Financial Director, we are representing the Fire Service in Washington DC to help support our local Congressman Kevin Brady and his effort to pass WEP legislation (The Equal Treatment of Public Servants Act of 2019). She has many of experience working on WEP legislation in Washington and is well known on the issue.
- The Privacy fence at 184 has been completed.
- Work on the 2020 budget continues.
- The new Raincoats for our members have been ordered.
- We will be over in the uniform line item this month. We are purchasing the needed Class A uniforms and Dress uniforms for our Office Staff and new team members. After 11 years. Rhonda is getting a uniform!
- We have some items to ask for out of the Capital Budget:
 - a) Payment for Tankers 188 and 189
 - b) We had major Air Pac repairs as they went thru the Annual Air Pack Flow Testing that is required by the Texas Commission on Fire Protection. They had to be repaired to be used on the fire trucks. The cost was approximately \$14,000.00 (see invoices)
 - c) We had three major Fire Truck repairs in the last two months, all on our oldest Fire Engines (2010 models). The ESD Board paid for one (E-189 8K) out of the Capital budget, I absorbed one out of my repair budget (E-187 11K), but the third one I cannot absorb (E-188 – Chief Naumann will present cost). I am requesting this be funded out of the Capital Budget as well.
- We successfully passed the Texas Commission on Fire Protections Site Visit and Inspection. Thanks to Chiefs Griffith and Chief Herrman for the outstanding work!
- We will be going out for quotes on Rescue 18 soon. The specs are 99% completed. After we receive pricing, we will discuss the items in much more detail.
- Our Annual Employee Appreciation Ceremony is Friday, October 18. Each of you are invited to attend!!

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Wall, the Board unanimously approved \$13,820.90 for Air Pac Annual Flow Testing and Repairs as presented.

16. To receive a financial report from the MVFD.

There were no financial reports.

17. To review and take action on Magnolia VFD Executive Fire Board applicants for appointment effective September 1, 2019.

Upon discussion of this topic no action was taken.

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

No action was necessary.

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

No action was necessary.

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

No action was necessary.

21. 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 a motion duly made by Commissioner Bryant and seconded by Commissioner Gage, the Board unanimously authorized MCHD to install a carbon monoxide detector that ties into their station alerting system for Medic 42 housed at Fire Station 183.

22. To review and take action on the approval and funding of Fire Station 187 electrical and plumbing modifications.

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Gage, the Board unanimously approved up to \$20,000.00 for Fire Station 187 Mechanical, Electrical, and Plumbing Modifications as presented.

23. 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.

24. 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.

No action was necessary.

25. To engage special counsel to assist with real estate issues.

No action was necessary.

26. 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.

27. 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.

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

The Board did not enter into Closed Session.

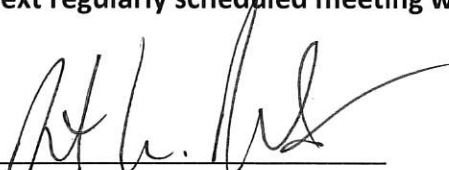
29. To meet in Closed Session pursuant to Government Code §551.089 to deliberate regarding security assessments or deployments relating to information resources technology, network security information, or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure,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

The Board did not enter into Closed Session.

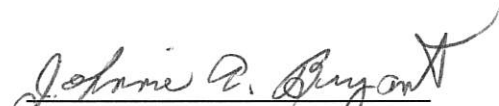
30. ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Wall and seconded by Commissioner Robinson, the Board unanimously approved adjourning the meeting at 5:18 pm.

Next regularly scheduled meeting will be on October 17, 2019 at 1:00 pm.



Robert Buschardt, President



Johnnie Bryant, Secretary

