



Montgomery County Emergency Services District No. 10

DATE: July 9, 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, July 9, 2020 at 2:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 2:26 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	Present
Tate Robinson	Treasurer	Present
Tommy Gage	Assistant Secretary/Treasurer	Present

4 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, Carol Morrison of Municipal Accounts & Consulting LP, Deputy Silvio, and Assistant Chief Rusty Griffith with the Department arrived at 5:00 pm.

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 Bryant.

Commissioner Gage arrived at 2:36 pm.

3. To receive public comment.

There was no public comment.

The Board agreed to take items out of order as posted on the Agenda to address 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 June 18, 2020 as presented.

The Board agreed to take items out of order as posted on the Agenda to address item #7 before addressing item #4.

7. To review and take action on District 2019 Audit.

Upon discussion of this topic no action was necessary.

The Board agreed to take items out of order as posted on the Agenda to address item #16 before addressing item #4.

16. To review and take action on 2021 budget and 2020 tax rate adoption, including Truth in Taxation procedures and designation of officials to calculate tax rates and provide tax rate information to the Board.

The Board consulted with the District's legal counsel via phone where to discussion ensued on this topic and legal counsel referred to the Montgomery County Tax Assessor 2020 Truth In Taxation Packet that counsel prepared and submitted to Tammy McRae's office as previously directed by the Board.

The Board readdressed this topic after item # 6.

Ms. Morrison presented the District's 2021 Budget for review in preparation of the August meeting.

Upon discussion of this topic no action was necessary.

4. Review and take action on matters relating to calling an election to be held on November 3, 2020:

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

4. Repasar y actuar en relacion asuntos relativos a la convocación de una elección a celebrarse el 3 noviembre de 2020.

- a. Considerar y actuar sobre tales otras Órdenes, Resoluciones y asuntos pertinentes que sean requeridas o apropiado para llevar a cabo la elección del Distrito.

The Board consulted with the District's legal counsel via phone where to discussion ensued concerning the November 3, 2020 election.

Counsel presented election documents related to the November 3, 2020 election 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 that the Board approved at the District's regular meeting held June 18, 2020:

- a) a corrected Order calling an election to be held on November 3, 2020
- b) Montgomery County Elections Service Agreement

c) Montgomery County Elections Joint Election Agreement

Discussion ensued on this topic where to the Board executed the election documents as presented.

The Board readdressed this topic after item #26.

The Board consulted with the District's legal counsel via phone where to discussion ensued concerning the Community Outreach Material for the November 3, 2020 election.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Buschardt, the Board was in unanimous agreement that the Board does not want to continue with the material in hand and to begin work with fact based only material for Community Outreach for the November 3, 2020 Sales Tax Election.

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 consulted with the District's legal counsel via phone where to discussion ensued concerning the June and July Bookkeeper's Reports. Counsel verbalized that to his understanding, the June 18, 2020 Bookkeeper's Report contained regular budgeted items and there was only a check numbering problem with the disbursements and as suggested, the checks have since been reprinted with the correct information therefore simply reflect in the minutes that those bills have been paid and approve the June 18, 2020 report separately from the July 9, 2020 report. The Board was in agreement with counsel and proceeded with this topic.

The meeting was recessed at 3:29 pm.

The meeting reconvened for regular business at 3:50 pm.

Ms. Morrison presented the June 18, 2020 Bookkeeper's Report including a corrected listing of the disbursements presented, for the Board's approval and signature, where to discussion ensued on this topic and two (2) separate motions were passed.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant the Board unanimously approved to omit the District's detailed payroll disbursements and only display the District's cumulative amount of payroll disbursements on the monthly Bookkeeper's Reports going forward.

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Gage the Board unanimously approved the payment of district bills as presented in the June 18, 2020 Financial Report.

Ms. Morrison presented the July 9, 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 Buschardt and seconded by Commissioner Robinson the Board unanimously approved the payment of district bills as presented in the Bookkeeper's Financial Report with the addition of check number(s):

2422 to The Meeting Place in the amount of \$71.30 for July Meeting Expense.

No other action was necessary.

The Board agreed to take items out of order as posted on the Agenda to readdress item #16 before addressing item #8.

8. To receive and review the monthly ad valorem tax report.

There was no ad valorem tax report.

The Board agreed to take items out of order as posted on the Agenda to address item #10 before addressing item #9.

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 June 18, 2020 Bookkeeper's Report which was check number 2396 in the amount of \$787,607.83 for Payroll Transfer 7/2020 Payroll and check number 2397 in the amount of \$117,602.00 for Maintenance & Operations Transfer 07/1/2020 whereto the Board unanimously approved the payment of Operation's Funding as presented in the July 9, 2020 Bookkeeper's Report which was check number 2418 in the amount of \$117,602.00 for Maintenance & Operations Transfer 08/1/20 and check number 2419 in the amount of \$787,607.83 for Payroll Transfer 08/2020 Payroll.

The Board agreed to take items out of order as posted on the Agenda to address items #13-15 before addressing item #11.

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 ESD July 2020 Board, Fire Chief's MVFD July 2020 Board Report, and handouts with special mention to the Board about the following topics:

- The Department continues to track the COVID-19 responses and exposures.
- The Department has received one (1) of the Clorox 360 machines and it is working well.
- The Rescue Trailer is scheduled for delivery in July or August.
- Capital Budget purchase request in the amount of \$20,000.00 for Firewall Upgrade/Training Room/Camera Replacement Server Project to improve the Department's remote training programs (Classroom Server Project Presentation)
- The Department is working on the 2021 Budget.
- ISO evaluation date is set for October 7, 2020
- Presented Physical Fitness program equipment proposal for review
- Presented the Department's 2020 2nd Quarter Reallocation check in the amount of \$65,774.40
- Tanker 186 and Station 186 building modification project in 2020 (Station 186 Apparatus Bay Extension Presentation)

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved up to \$20,000.00 for the Department's Classroom Server Project as presented.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Robinson, the Board unanimously approved up to \$40,000.00 for the Station 186 Apparatus Bay Extension as presented.

14. To receive a financial report from the MVFD.

Fire Chief Gary Vincent presented the June 2nd Quarter Rolling Budget, March, April, and May Amended Rolling Budgets, and the May and June GL's.

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

No action was taken.

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 Buschardt, the Board unanimously approved the payment of check number(s):

2020 Capital

2402 to MVFD in the amount of \$9,224.00 for Reimbursement of the Department's Website Redesign approved 12/12/19;

2417 to Pollock Investments Inc. in the amount of \$4,500.00 for one (1) of the two (2) Clorox 360 Electrostatic Machines and two (2) of the ten (10) cases of disinfectant approved 4/15/20.

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.

This topic was addressed on item #13 whereto no further action was necessary.

17. To review, discuss and act on the disposition of surplus and/or salvage property.

No action was taken.

18. 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.

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

Upon discussion of this topic no action was necessary.

20. 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.

This topic was addressed on item #13.

The Board readdressed this topic after item #9

The Board consulted with the District's legal counsel via phone whereto Chief Griffith presented a proposal for emergency repair of Station 181 roof.

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously approved up to \$35,000.00 to deal with emergency repairs to Station 181 roof.

21. 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.

The Board agreed to take items out of order as posted on the Agenda to address item #9 and readdress item #20 before addressing items #22.

9. To receive the monthly sales tax report from the sales tax consultant.

The July 2020 Sales Tax Report was prepared by Sales Revenue Inc. The Board discussed the July 2020 Sales Tax Report with Ryan Fortner via phone.

22. 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 consulted with the District's legal counsel via phone where to entered into Closed Session at 5:13 pm and reconvened for regular business at 5:40 pm.

23. 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.

24. 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.

25. 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.

26. To review and take action on matters related to claims regarding construction of Station 181.

Upon discussion of this topic where to upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved to retain the services of Rimkus Consulting Group where to authorized up to \$7,500.00.

27. To review and take action on matters related to COVID-19, including but not limited to meeting procedures, emergency expenditures and continuity of operations per Government Code §418.1101.

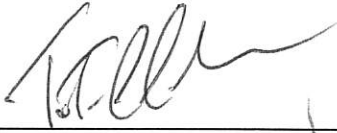
Upon discussion of this topic no action was necessary.

The Board agreed to take items out of order as posted on the Agenda to readdress item #4 before addressing item #28.

28. ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Gage, the Board unanimously approved adjourning the meeting at 5:50 pm.

Next regularly scheduled meeting is August 10, 2020 at 2:00 pm.



~~Robert Buschardt, President~~

TASE ROBINSON



Johnnie Bryant, Secretary

