



Montgomery County Emergency Services District No. 10

DATE: August 10, 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 Monday, August 10, 2020 at 3:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 3:06 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, Mark Miller of Municipal Accounts & Consulting LP, and Deputy Silvio.

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.

3. To receive public comment.

There was no public comment.

4. To propose the District FY 2021 Budget.

The Board consulted with the District's legal counsel via phone where to discussion ensued on this topic and legal counsel referred to the tax office documents and the proposed 2021 District Budget presented by Mr. Miller

Once the proposed District 2021 budget was reviewed, Commissioner Robinson made a motion to accept the District 2021 budget as presented, noting changes on line item 14320 anticipated maintenance tax collections from 95% to 97% collections for the property tax levy. Commissioner Bryant seconded the motion and the Board unanimously approved the motion with Robert Buschardt, Johnnie Bryant, Tommy Gage, and Tate Robinson voting for the motion. Of the four (4) said commissioners, all were voting in favor, none voting against, none present and not voting, and Scot Wall was absent whereto the Board unanimously approved the aforementioned District 2021 budget.

A copy of the proposed District 2021 Budget is attached hereto as **EXHIBIT A** noting an adjustment to the Maintenance Tax Collection Revenue to reflect anticipated collections from 95% to 97%.

5. To propose the District 2020 Tax Rate.

The Board consulted with the District's legal counsel via phone whereto discussion ensued concerning the 2020 Tax Rate.

Once the tax rate information provided by the Tax Assessor-Collector was reviewed, Commissioner Robinson made a motion to propose the same property tax rate as last year at \$0.10/\$100 of taxable value. Commissioner Gage seconded the motion with Robert Buschardt, Johnnie Bryant, Tommy Gage, and Tate Robinson voting for the motion. Of the four (4) said commissioners, all were voting in favor, none voting against, none present and not voting, and Scot Wall was absent.

The meeting was recessed at 4:06 pm.

The meeting reconvened for regular business at 4:15 pm.

Discussion ensued on the 2020 Tax Rate whereto the Board unanimously approved the tax adoption schedule of a public hearing and final action taken to adopt the 2020 Tax Rate on August 24th at 3:00 pm to which the meeting will be held at the Magnolia Volunteer Fire Department located at 18215 Buddy Riley Blvd, Magnolia, Texas, 77354, thereto the Board authorized Mr. Peeler to coordinate with the Tax Office on the required notices. The Commissioners of Montgomery County Emergency Service District No. 10 proposes to use the increase in total revenue for the purpose of capital improvements and acquisitions (fire stations, fire fighting vehicles and equipment) and to maintain manpower levels necessary to meet current and projected fire and rescue call volume at the level of service expected by the District's residents.

Commissioner Buschardt exited the meeting at 4:15 pm.

The Board advised the District's legal counsel of the meeting recess and will call upon him to address subsequent topics.

The meeting was recessed at 4:15 pm.

The meeting reconvened for regular business at 4:28 pm.

The Board agreed to take items out of order as posted on the Agenda to address item #7 before addressing item #6.

7. To review and take action on Magnolia VFD Executive Fire Board applicants for appointment effective September 1, 2020.

Upon discussion of this topic this item was tabled.

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

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved the Amended Minutes of the District's Regular Meeting held June 18, 2020 and the Minutes of the District's Regular Meeting held July 9, 2020 as presented.

9. To address financial matters including depositories, Investment Policy and investments, to receive Financial Reports from the District Bookkeeper and pay District bills.

Mr. Miller presented the August 10, 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):

2436 to Metro Fire Apparatus Specialists, Inc. in the amount of \$194,065.89 for the PARATECH GEN II Rescue Trailer;

2437 to The Blue House Catering & Events in the amount of \$92.00 for August Meeting Expense.

No other action was necessary.

The Board consulted with the District's legal counsel via phone for select topics mentioned separately for the duration of the meeting.

6. 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.

6. 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 whereto discussion ensued whereto no action was necessary.

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

Mr. Miller presented the June 2020 Ad Valorem Tax Report.

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

There was no sales tax report from Sales Revenue Inc.

The Board agreed to take items out of order as posted on the Agenda to readdress item #7 before addressing item #12.

Commissioner Robinson advised the District's legal counsel that item #7 was tabled.

12. 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 Bryant, the Board unanimously approved the payment of Operation's Funding as presented in the August 10, 2020 Bookkeeper's Report which was check number 2427 in the amount of \$787,607.83 for Payroll Transfer 09/20 and check number 2428 in the amount of \$117,602.00 for Maintenance & Operations Transfer 09/1/2020.

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

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved payment from Reserve Funds to Metro Fire Apparatus Specialists for the Rescue Truck.

2020 Capital Payments include the following disbursements presented in the August 10, 2020 Bookkeeper Report:

- 2426 to Fire Main Solutions in the amount of \$9,900.00 for Station 181 Fire Hydrant Replacement approved 6/18/20;
- 2430 to Pollock Investments Inc. in the amount of \$5,100.00 for two (2) of two (2) Clorox 360 Electrostatic Machines and eight (8) of the ten (10) cases of disinfectant approved 4/15/20;
- Additional Check # 2436 addressed and approved on item #9 to Metro Fire Apparatus Specialists, Inc. in the amount of \$194,065.89 for the PARATECH GEN II Rescue Trailer approved 1/9/20.

Fire Chief Gary Vincent requested up to \$40,000.00 for the purchase of a Cargo Van for use by the Department's Maintenance Technician. The Cargo Van purchase price will be inclusive of government bid pricing.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved up to \$40,000.00 to purchase a Cargo Van as requested by Fire Chief Gary Vincent.

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 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 August 2020 Board, Fire Chief's MVFD August 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 Rescue Trailer has been delivered.
- The Fire Hydrant behind Station 181 has been repaired.
- The Acid Water System for Station 187 has been installed.
- The Training Room Upgrade is in progress.
- Requesting permission to destroy obsolete gear.
- Requesting suspension of use it or lose it vacation/PTO policy for ESD employees similar to Fire Department employees.
- The ISO evaluation date is scheduled for October 7, 2020.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Robinson, the Board unanimously approved the disposal of obsolete gear as presented on item #11 Fire Chief's ESD Report.

16. To receive a financial report from the MVFD.

Fire Chief Gary Vincent reported that there are no Financial Reports from the Department. He will email them once they become available.

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

No action was taken.

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

The Board approved to destroy obsolete gear on item #15 whereto Fire Chief Gary Vincent also requested approval to sell the 3rd Tahoe after the Cargo Van goes in service.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved to sell the 3rd Tahoe after the Cargo Van for the Maintenance Technician goes in service.

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

No action was necessary.

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

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.

No action was necessary.

The Board agreed to take items out of order as posted on the Agenda to address item #23 before addressing item #22.

23. 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 4:57 pm and reconvened for regular business at 5:04 pm.

24. 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.

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

The Board consulted with the District's legal counsel via phone where to entered into Closed Session at 4:57 pm and reconvened for regular business at 5:04 pm.

26. 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.

22. 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.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved to suspend the use it or lose it provision of the vacation/PTO policy for ESD employees.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved to increase the Assistant Office Manager's wage by \$1.50 per hour inclusive of the current pay period.

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

Upon discussion of this topic no action was necessary.

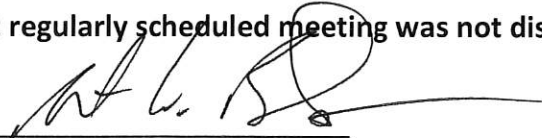
28. To review and take action on matters related to COVID-19, including but not limited to meeting procedures, emergency expenditures and continuity of operations per Government Code §418.1101.

Upon discussion of this topic no action was necessary.

29. ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved adjourning the meeting at 5:09 pm.

Next regularly scheduled meeting was not discussed.


Robert Buschardt, President


Johnnie Bryant, Secretary

