



Montgomery County Emergency Services District No. 10

DATE: September 17, 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, September 17, 2020 at 2:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 2:21 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, 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.

The Board agreed to take items out of order as posted on the Agenda to address item #5 before addressing item #4.

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

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Gage, the Board unanimously approved Commissioner Buschardt's recommendations to fill three (3) Fire Board positions with the reappointment of Mr. Scott St. John, Mr. Adam Vulgamott, and Mr. Christopher Thornton to serve on the Executive Fire Board of the Magnolia Volunteer Fire Department for a two (2) year term effective September 01, 2020.

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

The Board reviewed the prior minutes of August 10, 2020 and August 24, 2020.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved the Minutes of the District's Regular Meeting held August 10, 2020 as presented.

Discussion ensued on this topic whereto a motion was duly made by Commissioner Robinson and seconded by Commissioner Bryant, Commissioner Buschardt abstained, thereto the Board approved the corrected Minutes of the District's Special Meeting held August 24, 2020.

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

The Board reviewed the September 17, 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 Bryant, the Board unanimously approved the payment of district bills as presented in the Bookkeeper's Financial Report with the addition of check number(s):

2456 to Magnolia Volunteer Fire Department in the amount of \$7,987.01 for reimbursement of Classroom Server Project expenses paid to CDW-G;

2457 to Reliable Chevrolet in the amount of \$12.00 for the Cargo Van Title and State Inspection Fees included on Invoice # 357613.

No other action was necessary.

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

The Board reviewed the July 2020 Ad Valorem Tax Report.

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

The Board reviewed the September sales tax report prepared by Sales Revenue Inc.

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 whereto discussion ensued concerning the November 3, 2020 election.

Counsel presented the document 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. Counsel reported that the Order as written includes polling locations.

- a) a Final Revised Order calling an election to be held on November 3, 2020 to include polling locations

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously approved the Revised Order of Election as presented with Commissioners Buschardt, Bryant, Gage, and Robinson voting for the motion, Commissioner Wall was absent, no Commissioners present voting against.

Discussion ensued on this topic whereto the Board executed the election document as presented.

The Board agreed to take items out of order as posted on the Agenda to address item #22 before addressing item #10.

22. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters.

The Board consulted with the District's legal counsel via phone whereto entered into Closed Session at 3:01 pm to deliberate regarding real estate issues and reconvened for regular business at 4:30 pm.

The meeting was recessed at 4:30 pm.

The meeting reconvened for regular business at 4:50 pm.

The Board agreed to take items out of order as posted on the Agenda to address item #17 before addressing item #10.

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

The Board consulted with Carol Morrison via phone regarding the District's 2020 fiscal year end funds.

The Board agreed to take items out of order as posted on the Agenda to address item #22 before addressing item #10.

22. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters.

The Board entered into Closed Session at 5:25 pm to further deliberate regarding real estate matters and reconvened for regular business at 5:39 pm.

The Board agreed to take items out of order as posted on the Agenda to address item #17 before addressing item #10.

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

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Buschardt, the Board unanimously approved to give Lisa Free Miller authorization to begin negotiations on the purchase of three (3) properties, not to exceed her recommended purchase price.

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 Buschardt, the Board unanimously approved the payment of Operation's Funding as presented in the September 17, 2020 Bookkeeper's Report which was check number 2443 in the amount of \$787,607.83 for Payroll Transfer 10/20 and check number 2444 in the amount of \$117,602.00 for Maintenance & Operations Transfer 10/1/2020.

11. 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 the payment of check number(s):

- 2448 to Porter House Commercial Construction, LLC in the amount of \$27,500.00 for Station 181 Emergency Roof Repair;
- 2454 to Reliable Chevrolet in the amount of \$25,565.00 for Cargo Van for Maintenance Technician;
- 2456 to Magnolia Volunteer Fire Department in the amount of \$7,987.01 for reimbursement of Classroom Server Project expenses paid to CDW-G;
- 2457 to Reliable Chevrolet in the amount of \$12.00 for the Cargo Van Title and State Inspection Fees included on Invoice # 357613.

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.

No action was necessary.

The Board agreed to take items out of order as posted on the Agenda to address item #14 before addressing item #13.

14. To receive a financial report from the MVFD.

Fire Chief Gary Vincent presented the Department's July 2020 and August 2020 GL's, and the 3rd Quarter July 2020 and August 2020 Rolling Budgets.

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

Upon discussion of this topic no action was necessary.

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

No action was taken.

18. 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.

19. 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.

Fire Chief Gary Vincent gave an update on Station 181 Emergency Roof Repair.

20. 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 taken.

21. 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.

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

The Board entered into Closed Session at 6:01 pm to deliberate regarding personnel matters and reconvened for regular business at 6:05 pm.

24. 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.

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

Upon discussion of this topic no action was necessary.

13. To receive a report from 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 September 2020 Board, Fire Chief's MVFD September 2020 Board Report, and handouts with special mention to the Board about the following topics:

- Gary Vincent reported the loss Houston Fire Department Captain – Magnolia VFD Firefighter Tommy Searcy due to COVID-19. Requesting to donate his MVFD Gear to his family.
- The Department is in full preparation for Hurricane Laura
- The Department completed the Pre-Construction conference on the Magnolia Heavy Technical Rescue Truck
- The staffing for the Magnolia Heavy Technical Rescue Truck Team has come together very well.
- The ISO evaluation is scheduled for October 7th

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Gage, the Board unanimously approved to donate Tommy Searcy's MVFD Gear to his family.

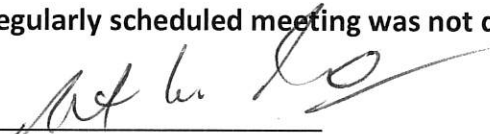
26. To review and take action on matters related to COVID-19, including but not limited to meeting procedures, emergency expenditures and continuity of operations per Government Code §418.1101.

Upon discussion of this topic no action was necessary.

27. ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Gage and seconded by Commissioner Bryant, the Board unanimously approved adjourning the meeting at 6:14 pm.

Next regularly scheduled meeting was not discussed.



Robert Buschardt, President



Johnnie Bryant, Secretary

