



Montgomery County Emergency Services District No. 10

**DATE:** December 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 Thursday, December 10, 2020 at 2:00 p.m. inside the boundaries of the District.

**AGENDA ITEM:**

**1. Call Meeting to order**

At 2:12 p.m., Commissioner Buschardt called to order the Regular Meeting of the Montgomery County Emergency Services District No.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.**

<b>COMMISSIONER</b>	<b>BOARD POSITION</b>	
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") Fire Chief Gary Vincent, and Office Manager Rhonda Reinholz, Carol Morrison 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 Wall.

**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 Robinson and seconded by Commissioner Bryant, the Board unanimously approved two (2) sets of Minutes as presented; the District's Regular Meeting held November 12, 2020 and the District's Special Meeting held December 2, 2020.

**5. 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 December 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 Bryant 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):

2513 to Cokinos & Young in the amount of \$37,663.58 for Legal Services;

2514 to Thrower Law, PC in the amount of \$15,281.25 for Professional Services for Real Estate Matters and 2021 Retainer Fee;

2515 to Lone Star Groundwater Conservation District in the amount of \$370.00 for Amended Pumpage Application for Station 187 Water Well Permit;

2516 Voided;

2517 Voided.

Discussion ensued on this topic whereto no other action was necessary.

**6. To receive and review the monthly ad valorem tax report.**

There was no Ad Valorem Tax Report.

**7. To receive the monthly sales tax report from the sales tax consultant.**

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

**8. 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").**

The Board reviewed the payment of Operation's Funding presented in the December 10, 2020 Bookkeeper's Report.

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously approved the payment of Operation's Funding as presented in the December 10, 2020 Bookkeeper's Report which was check number 2496 in the amount of \$832,180.78 for Payroll Transfer 1/21 and check number 2497 in the amount of \$121,296.73 for Maintenance & Operations Transfer 1/1/2021.

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

Fire Chief Gary Vincent gave a verbal presentation on the Physical Fitness Program and requests an additional \$2,853.82 to cover the purchase of the new gym equipment for Station 181.

Discussion ensued and the Board approved funding the aforementioned item as 2020 Capital Expenditures:

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Buschardt, the Board unanimously approved up to \$3,000.00 in addition to the \$10,000.00 previously approved to purchase new gym equipment for Station 181.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously approved the payment of check number(s):

- 2503 to CDW Government in the amount of \$18,991.5 for Computers, Monitors, VGA HDMI Adapters for the Station Computer Needs Project;
- 2504 to Lake Country Chevrolet in the amount of \$66,604.00 for Two (2) 2020 Chevrolet Silverado's Booster Chassis;
- 2505 to Lonestar Tactical Buildings in the amount of \$10,000.00 for a Forcible Entry Training Prop;
- 2506 to NAFECO in the amount of \$1,225.00 for Rescue Truck Equipment;
- 2507 to National Fire Services Office in the amount of \$10,966.00 for the 2<sup>nd</sup> installment for ISO Consultation Services and expenses;
- 2508 to Promaxima Manufacturing, LLC in the amount of \$12,853.82 for Gym Equipment for Station 181;
- 2509 to Rescue Gear in the amount of \$1,423.03 for Rescue Truck Equipment;
- 2510 to Magnolia Volunteer Fire Department in the amount of \$2,060.80 for Sonic Wall Network Security for the Classroom Server Project;
- 2511 to Magnolia Volunteer Fire Department in the amount of \$2,639.54 for 9 Huddlecam Cameras for the Classroom Server Project;
- 2512 to Magnolia Volunteer Fire Department in the amount of \$1,197.80 for 2 Printers for the Station Computer Needs Project.

**10. 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.

**11. 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 December 2020 Board, Fire Chief's MVFD December 2020 Board Report, and handouts with special mention to the Board about the following topics:

- The Department's ISO evaluation has been completed.
- We have addressed our concerns with Representative Cecil Bell and Senator Creighton about a flaw in the water system testing portion of the ISO evaluation process.
- We have received our two new Booster Chassis. They are being outfitted in house. They will be replacing the 2004 Boosters located at Stations 182 and 185.
- Requesting additional funding for new gym equipment at Station 181.
- Status of PPP Loan Forgiveness.
- Update on public auction for selling the three (3) Tahoe's.
- Requesting approval to dispose of obsolete Fire Hose and Bunker Gear.
- Much of the equipment for the Rescue Truck has been ordered.
- We have developed a plan for Station 1810.
- We are working to kick off our new Uniform Management Program in 2021.
- We are in the process of conducting a Comparative Analysis of multiple Fire Departments.
- Senate Bill 553

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Gage, the Board unanimously approved to dispose of obsolete Fire Hose and Bunker Gear as presented.

**The meeting was recessed at 3:16 pm.**

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

**12. To receive a financial report from the MVFD.**

Fire Chief Gary Vincent presented the Department's November 2020 GL, and the 4th Quarter November 2020 Rolling Budget.

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

The Board reviewed the Proposed Amended 2020 Budget presented by Ms. Morrison. Discussion ensued on this topic. The increase of \$1,764,000.00 to Prior Year Surplus Funds was necessary due to the revision(s) of approved line item expenses 16320, 16355, 16370, 16401, 16409, 16480, 1650031, 16500, and 16560.

Upon a motion by Commissioner Robinson and seconded by Commissioner Gage, the Board approved to adopt the Amended 2020 Budget as presented which is effectively an increase of \$1,764,000.00.

**Commissioner Bryant exited the meeting at 4:06 pm.**

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

The Board approved to dispose of obsolete Fire Hose and Bunker Gear on item #11.

***The Board agreed to take items out of order as posted on the Agenda to address item #16 before addressing item #15.***

**16. 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.

**17. 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 #19 before addressing item #18.***

**19. To review and act on proposal from Montgomery County Emergency Management District No. 1 regarding an interlocal agreement regarding overlapping sales and use tax.**

No action was necessary.

**20. 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.

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

The Board consulted with the District's general counsel John Peeler of Coveler & Peeler, PC and special counsel Greg Thrower of Thrower Law PC, and Real Estate Agent Lisa Free-Miller of Carswell Realty via phone, entering into Closed Session at 4:17 pm and reconvened for regular business at 5:22 pm.

**22. 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.

**23. 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.

**The Board agreed to take items out of order as posted on the Agenda to address item #18 before addressing item #24.**

**18. 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 Gage, the Board unanimously approved a 1.4% C.O.L.A. increase to all three (3) ESD Employees, effective the pay period that includes January 1, 2021.

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

No action was necessary.

**25. 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.**

No action was necessary.

**26. To review and take action regarding a policy to implement Health and Safety Code §775.038 allowing commissioner compensation.**

Upon a motion made by Commissioner Buschardt and seconded by Commissioner Gage, the Board unanimously approved compensation of \$150.00 per day, not to exceed \$7,200.00 per year, effective January 1, 2021.

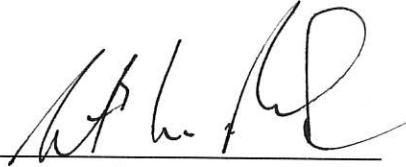
**15. To review and act on real estate matters, including but not limited to purchase, sale, lease, utilities, encumbrances and/or easements.**

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Gage, the Board unanimously authorized the Board President to continue negotiations with the District's legal counsel on the District's behalf for present real estate matters.

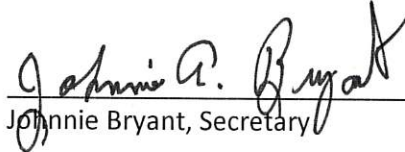
**27. ADJOURNMENT**

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

**Next regularly scheduled meeting will be on January 14, 2020 at 2:00 pm.**



Robert Buschardt, President



Jonnie Bryant, Secretary

