



Montgomery County Emergency Services District No. 10

DATE: January 14, 2021

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, January 14, 2021 at 2:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 2:18 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.

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, Assistant Chief of Finance and Administration Eloise Roberson, and Office Manager Rhonda Reinholz, Carol Morrison of Municipal Accounts & Consulting LP, Harry Gallagher of QZIP Technical Solutions, Jon Buckholtz of the Montgomery County District Attorney's Office, and Deputy Silvio. The Board consulted with the District's general counsel John Peeler of Coveler & Peeler, PC via phone for the duration of the meeting.

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.

Jon Buckholtz was in attendance as an observer.

4. To take action to elect Board officers for the 2021 term.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Buschardt, hearing no other nominations, the Board unanimously approved for all officers to remain the same as 2020 thereto Commissioners Bryant, Buschardt, Gage, and Robinson voting for the motion and Scot Wall was absent. The District Board officers for 2021 are President Robert Buschardt, Vice President Scot Wall, Treasurer Tate Robinson, Secretary Johnnie Bryant and Assistant Treasurer/Secretary Tommy Gage.

The District's counsel administered the oaths of office to Johnnie Bryant, Tommy Gage, and Tate Robinson for the two (2) year term ending December 31, 2022 after reappointment as District Commissioners by Montgomery County Commissioner Charlie Riley. Ms. Roberson notarized the Oath's of Office and Statements of Appointed Officers.

5. 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 three (3) sets of Minutes as presented; the District's Special Meeting held November 17, 2020, the District's Regular Meeting held December 10, 2020, and the District's Special Meeting held December 18, 2020.

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

Ms. Morrison presented the January 14, 2021 Bookkeeper's Report including a listing of the disbursements presented, for the Board's approval and signature. Discussion ensued on this topic.

Upon a motion duly made by Commissioner Robinson 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):

2535 to J K Graphics, Inc. in the amount of \$509.00 for Shipping Costs to send radio equipment to Pierce Manufacturing to install in the Rescue Truck;

2536 to Lone Star Groundwater Conservation District in the amount of \$20.00 for 2020 and 2021 Increased Operating Permit Fees for Approved Station 187 Amended Operating Permit.

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

7. To review and act on the engagement of services for the District's payroll processing and/or Human Resources Services.

The Board received quotes from 1) RIT-HR, 2) Paycor, and 3) ADP, for the District's employee payroll processing and/or Human Resources Services. Discussion ensued on this topic whereto upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously accepted the proposal from ADP to process the ESD Employees Payroll.

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

Ms. Morrison presented the December 2020 Ad Valorem Tax Report.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Buschardt, the Board unanimously approved to accept the December 2020 Ad Valorem Tax Report.

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

The Board did not address the January sales tax report prepared by Sales Revenue Inc.

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”).

The Board reviewed the payment of Operation’s Funding presented in the January 14, 2021 Bookkeeper’s Report.

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 January 14, 2021 Bookkeeper’s Report which was check number 2522 in the amount of \$832,180.78 for Payroll Transfer 2/21 and check number 2523 in the amount of \$121,296.73 for Maintenance & Operations Transfer 2/1/2021.

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):

- 2525 to Magnolia Volunteer Fire Department in the amount of \$1,050.00 for Reimbursement of Booster 182 and 185 Bed Liners paid to Texas Truck Works;
- 2532 to Metro Fire Apparatus Specialists, Inc. in the amount of \$49,590.00 for Rescue Truck Equipment;
- 2533 to Plastix Plus LLC in the amount of \$5,874.00 for Modifications to Booster 182 and 185;
- 2535 to J K Graphics, Inc. in the amount of \$509.00 for Shipping Costs to send radio equipment to Pierce Manufacturing to install in the Rescue Truck.

Discussion ensued on this topic.

Fire Chief Gary Vincent presented handouts pertaining to the 2020 Capital Projects Forcible Entry Training Prop, Station 181 Gym Remodel, and Station 183 Gym Conversion.

Gary Vincent presented a handout from Triad Marine with a request of up to \$60,000.00 to purchase two (2) custom Zodiac Rescue Boats. Counsel advised the Board of the competitive bid process for purchases above \$50,000.00 and therefore is limited to the purchase of one (1) custom Zodiac Rescue Boat as presented, per calendar year.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved up to \$30,000.00 out of the 2021 Capital Budget to purchase one (1) Zodiac Rescue Boat as presented.

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.

Commissioner Buschardt advised the Board that he has received a request from Magnolia Volunteer Fire Department to revise the budget amount to be funded by the ESD 10 to MVFD for 2021 by adding a line item to fund legal expenses for the Department in the amount of \$75,000.00. Discussion ensued on this topic specifically

the 2021 Reserve Fund. The Board was in agreement to add review of reserve funds to the agenda and open to the idea of creating a separate account for the Reserve Fund.

Upon a motion duly made by Commissioners Robinson and seconded by Commissioner Bryant, the Board unanimously approved the District to increase to the Department's Budget by \$75,000.00.

Gary Vincent presented the 2020 4th Quarter Re-allocation check in the amount of \$118,595.28 and a check from Rene Bates in the amount of \$22,015.82 from auction proceeds.

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 January 2021 Board, Fire Chief's MVFD January 2021 Board Report, and handouts with special mention to the Board about the following topics:

- Most of our Command Staff has had the first of the COVID-19 vaccine administered. COVID has increased the Department's payroll costs due to quarantine requirements. The PPP Loan is covering these costs.
- Requesting permission to donate the old E-One pump parts to the Texas Emergency Vehicle Training Association.
- Requesting Martin Luther King Day as a recognized Holiday for ESD employees.
- Our Forcible Entry Door Prop has been delivered, refer to 2020 Capital Projects handout on item # 11.
- The three (3) 2012 Tahoe's have sold for \$22,015.82 at auction.
- The Physical Fitness Project came out great, refer to 2020 Capital Projects handout on item #11.
- It is time to purchase two new Tankers. Tankers 182 and 186 are past due per our replacement schedule and are approaching end of life. They are 2000 models and at 25 years, worth zero to ISO credit. It will take a year for the Tankers to arrive (2022) if we purchase in February 2021. There may be an industry price increase involved this year, so sooner is better. We should also get quotes on a new Ladder truck for Station 181.
- The Department has been approved for \$52,954.87 from the County for COVID Expenses reimbursement program.
- Millions in CARES Act aid finalized locally – Refer to Community Impact article handout.
- Requesting the purchase of two Zodiac Rescue Boats from the 2021 Capital Budget. These Boats are designed for use by our new Heavy Technical Rescue Team and set up the same as Texas Task Force One uses. This topic was addressed on item #11.
- We are very pleased to present a quarterly Reallocation check of \$118,595.28. A great way to end the 2020 year.
- High Meadow Ranch water issue and ISO rating complaint handout.
- MCHD wants to discuss Expanding Station 183 with a new building for the EMS crew.
- Line Item in the 2021 Budget for Legal Expenses is needed.
- As we start this New Year, we are hopeful that we will see the end of the COVID crisis. COVID has interrupted our business, our lives, and our futures. Hopefully, better times are ahead in 2021!!
- Presented the 2020 Year End Department Roster.

Gary Vincent introduced Harry Gallagher from QZIP Technical Solutions. Mr. Gallagher gave a verbal presentation regarding the work his company is performing to manage and update Department computer and information technology equipment and software.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Buschardt, the Board unanimously approved to donate the old E-One Pumper Parts to the Texas Emergency Vehicle Training Association.

Upon a motion duly made by Commissioner Bryant and seconded by Commissioner Robinson, the Board unanimously approved the recognition of Martin Luther King Day as an approved holiday for ESD Employees.

The Board was in agreement for Gary Vincent to get quotes for Tanker 182 and 186, and Ladder 181.

The meeting was recessed at 4:13 pm.

The meeting reconvened for regular business at 4:35 pm.

14. To receive a financial report from the MVFD.

The Board did not address this topic.

15. To review and discuss issues related to the District assuming direct provision of emergency services, including actions to employ firefighting staff.

This item was Tabled.

16. To review and take action on information technology ("IT") matters, including engagement of consultants for the maintenance and improvement of IT infrastructure and resources.

Upon review of this topic, legal counsel recommended that due to the District's substantial investment in the costs of the computer equipment and software, that the District should be in charge of IT matters. A motion was duly made by Commissioner Robinson and seconded by Commissioner Gage, where to the Board approved the District to directly assume the IT Contract with QZIP Technical Solutions with the points of contact as Fire Chief Gary Vincent, District President Buschardt and legal counsel John Peeler.

17. To review, discuss and take action on revisions or amendments to the District's budget(s).

The Board address this topic on item #12.

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

The Board approved addressed this topic on item #13.

19. 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.

The Board agreed to take items out of order as posted on the Agenda to address items #26 and #27 before addressing item #20.

26. 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.

Ms. Reinholz recommended renewing the current medical, dental, and vision plans with a renewal date of February 1, 2021.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously approved to renew with the current medical, dental, and vision plans, whereto the District is to maintain the same level of benefits with a rate increase of 7.12% for medical, 0.89% increase for dental, and no increase for vision.

27. 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 Buschardt, the Board unanimously accepted both proposals of the recommended firms from Thrower Law P.C. to perform Phase I Environmental Assessment for Station 1810 property.

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.

Upon a motion duly made by Commissioner Buschardt and seconded by Commissioner Robinson, the Board unanimously agreed to grant permission to Montgomery County to finalize their plans to rebuild the traffic signal light at Station 183.

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 entered into Closed Session at 4:55 pm and reconvened for regular business at 5:13 pm.

22. 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.

23. To meet in Closed Session pursuant to Government Code §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee, including the District's administrative staff, executive staff and Fire Chief. Any employee the subject of review will be given the opportunity to request open meeting discussion of the matters if they are present at the meeting.

The Board did not enter into Closed Session on this item.

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, including potential settlement of same.

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.

No action was necessary.

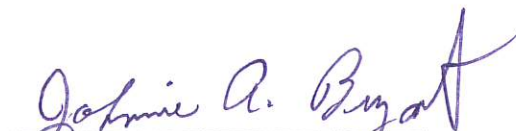
27. ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Gage and seconded by Commissioner Robinson, the Board unanimously approved adjourning the meeting at 5:14 pm.

Next regularly scheduled meeting will be on February 11, 2021 at 12:00 pm (noon).



Robert Buschardt, President



Johnnie Bryant, Secretary

