



Montgomery County Emergency Services District No. 10

DATE: February 3, 2021

THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 10 (the "District") met in a special session, open to the public, at the Magnolia Volunteer Fire Department, Station 181, 18215 Buddy Riley Blvd, Magnolia Texas 77354 on Wednesday, February 3, 2021 at 4:00 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 4:07 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	Present
Johnnie Bryant	Secretary	Present
Tate Robinson	Treasurer	Present
Tommy Gage	Assistant Secretary/Treasurer	Absent

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, and District's general counsel John Peeler of Coveler & Peeler, PC.

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 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 4:08 pm and reconvened for regular business at 4:49 pm.

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

The Board entered into Closed Session at 4:08 pm and reconvened for regular business at 4:49 pm.

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

7. To review and take action on matters related to claims regarding construction of Station 181, including potential settlement of same.

Upon a motion duly made by Commissioner Robinson and seconded by Commissioner Bryant, the Board unanimously accepted the settlement agreement as presented. Ms. Roberson notarized the Settlement and Release Agreement.

The Board agreed to take items out of order as posted on the Agenda to address items #9 before addressing item #8.

9. To review and act on real estate matters, including but not limited to purchase, sale, lease, utilities, encumbrances and/or easements and actions to engage services related to real estate.

District's counsel conveyed to the Board that Mr. Thrower presented the following: 1) engage TRL Consulting for water and wastewater estimates for \$1,500.00, 2) engage South Texas Surveying to prepare additional surveying and topographical surveying for a potential easement area for \$4,600.00, and 3) Authorize Precision Surveyors to update existing survey for approximately \$705.00. District's legal counsel recommended the Board approve those three (3) engagements for those services necessary to continue the Board's feasibility on the proposed purchase. Commissioner Robinson made a motion to approve the expenditures of \$6,805.00 for the three (3) proposals before the Board, where to discussion ensued and the motion was seconded by Commissioner Bryant, thereto the Board unanimously approved the motion.

Upon a motion duly made by Commissioner Robinson, and seconded by Commissioner Wall, the Board unanimously authorized Mr. Thrower to negotiate the water drainage related easement with the terms discussed in closed session.

6. 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 entered into Closed Session at 5:12 pm and reconvened for regular business at 6:05 pm.

8. To review and act on employment/personnel issues, including hiring, retention, compensation, benefits, scheduling, complaints and discipline of District employees, including administrative staff, executive staff and Fire Chief.


No action was necessary.

10. ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Commissioner Robinson and seconded by Commissioner Buschardt, the Board unanimously approved adjourning the meeting at 6:06 pm.



Robert Buschardt, President



Johnnie Bryant, Secretary

