

Montgomery County Emergency Service District # 2
Board of Commissioners Regular Meeting
Wednesday, October 26, 2022

Present:

- James Sibley, Commissioner – President
- Mike Mason, Commissioner – Vice President
- Kim Parrish, Commissioner – Treasurer / Secretary
- Burt Green – Commissioner
- Eric Gensheimer – Commissioner
- Brian Edwards, Chief
- Rusty Griffith – Battalion Chief
- Kaye Townley – Municipal Accounts & Consulting, L.P.
- John Peeler – Coveler & Peeler, PC
- Ricardo Martinez – Martinez Architects

Meeting Commenced: Wednesday, October 26, 2022

Location: Montgomery Fire Station # 51
20590 Eva Street
Montgomery, Texas 77356

- 1) Call to Order: President James Sibley called the meeting to order at 5:30 P.M.
- 2) Roll Call and Establish a Quorum
 - a) All members present as listed above.
 - b) Quorum established.
- 3) To Receive Public Comment
 - a) No public present.
- 4) Reading and Approval of following meeting minute(s).
 - a) Wednesday, September 28, 2022 – Regular Meeting
 - b) Wednesday, October 05, 2022 – Special Meeting
 - i) James Sibley called for a motion to accept the above listed minutes as written.
 - ii) Mike Mason made a motion to accept the above listed minutes as written.
 - iii) Burt Green seconded the motion.
 - iv) There were no objections and the motion carried.
- 5) Financial Matters
 - a) Monthly Financial Report as presented by District Bookkeeper.
 - i) Review, discuss, and take action as necessary on financial matters, including bill payment, depositories, investment actions, Investment Policy, and district debt.
 - (1) EVT Truck was purchased for a total of \$68,842.21. Budgeted cost was \$80,000.00.
 - (2) James Sibley called for a motion to accept the Monthly Financial Report and Ratify the Bills as presented.
 - (a) Mike Mason made a motion to accept the Monthly Financial Report and Ratify the Bills as presented.
 - (b) Burt Green seconded the motion.
 - (c) There were no objections and the motion carried.
 - b) Sales Tax Report and take any action on Sales Tax.
 - i) Eric Gensheimer presented the Sales Tax Report.
- 6) Old Business
 - a) To review and act on matters related to ownership of property for District fire station(s), including approving the purchase or lease of real property.
 - b) To review and take action on any matters related to construction of new station(s), including action to engage architectural or engineering service, to select delivery methods to engage contractor(s), to approve plans / designs / changes, to approve payments, and to authorize Building Committee to act on behalf of the District regarding construction matters. To review

Montgomery County Emergency Service District # 2

Board of Commissioners Regular Meeting

Wednesday, October 26, 2022

page 2 of 4

- c. and take action on construction and improvements of District facilities and property, including selection of contractors and consultants for construction and material testing services.
 - i. Station # 54
 - 1. General:
 - a. SWWP and construction fence installed.
 - b. Site grading complete
 - c. Building pad complete
 - d. ASI # 3 Generator shift issued (conflict with existing manhole)
 - e. Underground electrical completed
 - 2. Anticipated Activities:
 - a. Underground plumbing
 - b. Entergy design slated for December
 - c. GPR Survey scheduled for this week
 - 3. Financial Standing
 - a. Original Guaranteed Maximum Cost: \$4,169,000.00
 - b. Tap Fee Cost
 - i. James Sibley called for a motion to approve a payment of Water Tap Fees not to exceed \$150,000.00 for Station # 54.
 - ii. Eric Gensheimer made a motion to approve a payment of Water Tap Fees not to exceed \$150,000.00 for Station # 54.
 - iii. Burt Green seconded the motion.
 - c. Pay Application:
 - i. James Sibley called for a motion to approve Pay App # 3 in the amount of \$86,650.95.
 - ii. Mike Mason made a motion to approve Pay App # 3 in the amount of \$86,650.95.
 - iii. Eric Gensheimer seconded the motion.
 - iv. There were no objections and the motion carried.
 - ii. Station # 55
 - 1. Chief Griffith to draft letter to CBG on 2-3 remaining issues at Station 55. Retention area and sprinkler issues.
- d. New Business
 - a. To review, discuss, and take action on earnest money contract between MUD 8 and MCESD # 2.
 - i. Due to an oversight at the July 27, 2022, meeting, the action taken regarding the of earnest money is being reopened for action this time.
 - 1. James Sibley called for a motion to request the release of earnest money in the amount of \$5,000.00 from MUD 8.
 - a. Eric Gensheimer made a motion to request the release of earnest money in the amount of \$5,000.00 from MUD 8.
 - b. Burt Green seconded the motion.
 - c. Mike Mason abstained from voting.
 - d. There were no objections and the motion carried.
 - ii. James Sibley called for a motion to direct Counsel to take action as instructed in Closed Session regarding the earnest money contract between MUD 8 and MCESD # 2.
 - 1. Eric Gensheimer made a motion to direct Counsel to take action as instructed in Closed Session regarding the earnest money contract between MUD 8 and MCESD # 2.
 - 2. Burt Green seconded the motion.
 - 3. Mike Mason abstained from voting.
 - 4. There were no objections and the motion carried.

Montgomery County Emergency Service District # 2

Board of Commissioners Regular Meeting

Wednesday, October 26, 2022

Page 3 of 4

- b. To review, discuss, and take action on appointment / reappointment of MCESD # 2 Commissioners.
 - i. The District will communicate to the Commissioners Court that Commissioners James Sibley, Burt Green, and Eric Gensheimer would like to continue to serve MCESD#2 as Commissioners.
- c. To review, discuss, and take action on annual MCESD # 2 Banquet and Awards.
 - i. The Board unanimously agrees and upholds the statement as written below:

Regarding the Employee Recognition event scheduled for December 2, 2022, the Board chooses to continue the tradition of the event that has been held first by the Montgomery Volunteer Fire Department and then the District in prior years. The Board declares that continuing the tradition will boost employee and volunteer morale, promote esprit de corps, and provide individual recognition to employees and volunteers. We believe these are important public purposes within the fire service. No District business will be conducted at the event, and therefore it is NOT scheduled as an open meeting. Any information regarding District activities mentioned at the event will only be incidental to the recognition of the exceptional work of the District's employees and volunteers.

- e. To Meet in Closed Session.
 - a. To meet in Closed Session pursuant to Government Code 551.071 to consult with legal counsel regarding pending or contemplative 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.
 - b. To meet in Closed Session pursuant to Government Code 551.074 to discuss personnel matters.
 - c. To meet in Closed Session pursuant to Government Code 551.072 to deliberate regarding real estate matters.
 - i. Entered Closed Session at 5:50 P.M.
 - ii. Exited Closed Session at 6:12 P.M.
- f. Take any action on item(s) discussed in Closed Session.
 - a. Pending or contemplated litigation, settlement.
 - b. Real estate, including but not limited to purchase, sale, platting, or permits.
 - c. Personnel matters, including hiring, retention, duties, and benefits, including administrative staff, fire suppression staff, command staff, and fire chief.
 - i. James Sibley called for a motion to approve Chief Edward's Employment Contract, including the lease agreement, as presented, pending typographical edits, and authorize James Sibley to sign upon receipt.
 - 1. Mike Mason made a motion to approve Chief Edward's Employment Contract, including the lease agreement, as presented, pending typographical edits, and authorize James Sibley to sign upon receipt.
 - 2. Eric Gensheimer seconded the motion.
 - 3. Burt Green abstained from voting.
 - 4. There were no objections and the motion carried.
- g. Report from Fire Department on Present Activities and Events as presented by Chief Edwards.
 - a. ESD # 2 will hold a full-time test to fill three (3) spots November 15.
 - b. Preliminary discussions with landowner on property located on Spring Branch Road. Additional details to come.
 - c. Final FY 2021 / 22 Budget to be presented at November meeting.
 - d. The Award dinner is scheduled for December 2. Please RSVP.
 - e. Logistics center is undergoing slight renovations to help ensure that it is more user-friendly.
 - f. EVT has been hired and the new truck is in.
 - g. Nine (9) MCESD # 2 personnel will be attending an EMT-A Class.
 - h. MCESD # 2 personnel currently undergoing annual medical exams per NFPA and TCFP.
- h. Confirm Meeting Date, Time, and Location for November 2022 Meeting
 - a. Wednesday, November 16, 2022, at 5:30 P.M. at Station # 51
- i. Adjournment
 - a. Meeting adjourned at 6:35 P.M.

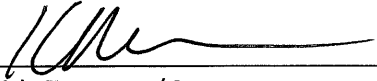
Montgomery County Emergency Service District # 2

Board of Commissioners Regular Meeting

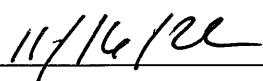
Wednesday, October 26, 2022

Page 4 of 4

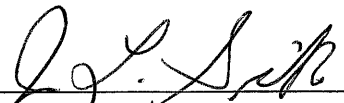
Minutes Prepared by:



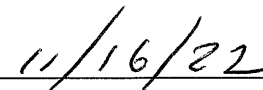
Kim Parrish, Treasurer / Secretary



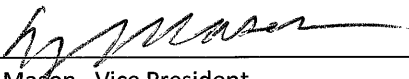
Date



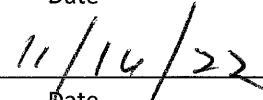
James Sibley, President



Date



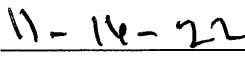
Mike Mason, Vice President



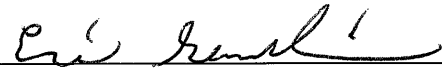
Date



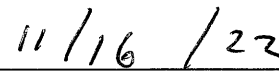
Burt Green, Commissioner



Date



Eric Gensheimer, Commissioner



Date