

**Montgomery County Emergency Service District # 2**

**Board of Commissioners Regular Meeting**

Thursday, December 28, 2023

*Regular meeting minutes*

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**Present:**

- |                                                     |                                        |
|-----------------------------------------------------|----------------------------------------|
| • James Sibley, Commissioner – President            | • Brian Edwards – Fire Chief           |
| • Kim Parrish, Commissioner – Treasurer / Secretary | • John Peeler – Coveler & Peeler, P.C. |
| • Burt Green – Commissioner                         | • Chris Section – Municipal Accounts   |
| • Eric Gensheimer – Commissioner                    | • Robin Humphrey – HdL Companies       |

**Meeting Commenced:** Thursday, December 28, 2023

**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 were present as listed above.
  - b) Quorum established.
- 3) To Receive Public Comment
  - a) No Public in Attendance
- 4) Oath of Office for ESD Commissioners
  - a) Kim Parrish renewed Oath.
  - b) Mike Mason to renew in January.
- 5) Action to elect Board Officers for 2024 Term.
  - a) James Sibley called for a motion to retain the current positions of Board Members.
    - i) Eric Gensheimer made a motion to retain the current positions of Board Members.
    - ii) Burt Green seconded the motion.
    - iii) There were no objections and the motion carried.
- 6) Reading and Approval of following meeting minute(s).
  - a) Wednesday, November 29, 2023 – Regular Meeting Minutes
    - i) James Sibley called for a motion to accept the above-listed minutes as written.
      - (1) Eric Gensheimer made a motion to accept the above-listed minutes as written.
      - (2) Burt Green seconded the motion.
      - (3) There were no objections and the motion carried.
- 7) 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) James Sibley called for a motion to accept the Monthly Financial Report and Ratify the Bills as presented.
        - Eric Gensheimer made a motion to accept the Monthly Financial Report and Ratify the Bills as presented.
        - Burt Green seconded the motion.
        - There were no objections and the motion carried.
  - b) Sales Tax Report and take any action on Sales Tax.
    - i) Robin Humphrey to present updated Sales Tax Report.
- 8) Old Business
  - a) 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 and take action on construction and improvements of District facilities and property, including selection of contractors and consultants for construction and material testing services.

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i) Station # 52 – Remodel

(1) General:

- Plumbing has started.
- Framing has begun.
- Electrical in progress.
- Project is approximately one month behind schedule.

(2) Anticipated Activities:

- The building committee has inquired about interior insulation between rooms.
- Closing of walls.

(3) Financial Standing of the Project.

- Original Guaranteed Maximum Price: \$119,000.00
- Change Orders to the Project: \$0.00
- Pay Application(s)
  - (i) James Sibley called for a motion to approve Pay App #s 1 and 2 for a total amount of \$51,646.11 contingent upon final receipt of conditional lien releases, certificates of insurance for stored material, and confirmation of documentation regarding storage.
    - 1. Pay App No. 1: \$27,076.42
    - 2. Pay App No. 2: \$24,569.69
  - (ii) Eric Gensheimer made a motion to approve Pay Ap #1 and Pay Ap #2 for a total amount of \$51,646.11.
  - (iii) Burt Green seconded the motion to approve Pay Ap #1 and Pay Ap #2 for a total amount of \$51,646.11.
  - (iv) No objections. Motion carried.
- Balance of Contract: \$67,353.89

ii) Station # 54

(1) General:

- Paint – First coat of paint has been applied.
- Sand Oil Separator
  - Recommendations to replace the unit have been issues to CBG.
  - CBG is coordinating replacement of the unit.
- Final Grading is ongoing.
- Electrical trim-out ongoing.
- Fire Alarm installed.
- Overhead Door installation is complete.
  - Revisions to the door panels (windows) and hardware have been requested, coordinated by CBG.
- MA Coordinated testing of concrete floors (for delamination) by WJE Engineers.
  - Areas throughout the facility indicated concrete topcoat has delaminated.
  - Corrective measures should be considered by Owner.
  - Apparatus Bay review identified approximately 90% failure.

(2) Anticipated Activities:

- Apparatus Bay floor finish.
  - All The Marbles to proceed with corrections.
  - MCESD # 2 shall review mock-up areas to verify approval.
  - Work anticipated to take up to four weeks to complete.
- Paint touch-up throughout.
- Interior signage installation.
- Complete items identified on observation reports.
- Start initial punch-list items.

(3) General Discussion:

- Eric Gensheimer, Brian Edwards, and James Sibley updated the Board on details of building progress.

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(4) Financial Standing

- Original Guaranteed Maximum Cost: \$4,169,000.00
- Change Orders to the Project: \$0.00
- Pay Application:
  - (i) James Sibley called for a motion to approve Pay App # 17 in the amount of \$125,879.26 contingent upon final receipt of conditional lien releases, certificates of insurance for stored material, and confirmation of documentation regarding storage.
    - 1. Burt Green made a motion to approve Pay App # 17 in the amount of \$125,879.26 contingent upon final receipt of conditional lien releases and certificates of insurance for stored material, and confirmation of documentation regarding storage.
    - 2. Eric Gensheimer seconded the motion.
    - 3. There were no objections and the motion carried.
- Balance of Contract: \$534,504.12.

iii) Station # 55

- (1) Eric Gensheimer has coordinated the inspection and repair of the stone exterior. Work has been completed.
- (2) Board approved to release payment previously approved.

9) New Business

- i) Discuss and take action on new staff vehicle.
  - (1) Edwards advised per approved Budget FY 23 / 24. The Fire Department is seeking bids for a new staff vehicle and should have bids available for the January ESD Regular Meeting.

10) 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) No Closed Session Necessary.

11) 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.

12) Report from Fire Department on Present Activities and Events as presented by Chief Edwards.

- a) Report from Promotional Ceremony – All went to plan and thank you to all in attendance.
- b) All promotions and transfers effective January 1.
- c) Actively working on apparatus replacement proposal.
- d) Have a personnel issue that may involve Step II Grievance Hearing. Remind ESD of Hearing Procedure.
  - i) The Board generally discussed procedures for Grievance Hearing and Policy.
- e) Working on finalizing items for move-in to Station 54. Expected time frame is the end of January into the first week of February.
- f) Looking at some options for new Logistics and Station Locations.

13) Confirm Meeting Date, Time, and Location for January 2024 meeting(s):

- a) Regular Meeting
  - i) Wednesday, January 24, 2024, at 5:30 PM at Montgomery Fire Station # 51 located at 20590 Eva Street, Montgomery, Texas 77356

14) Adjournment

- a) The meeting was adjourned at 6:32 P.M.

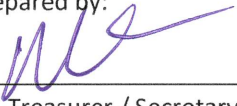
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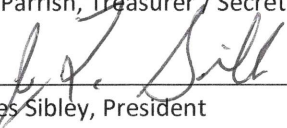
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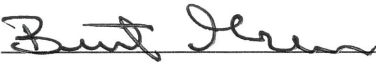
Thursday, December 28, 2023

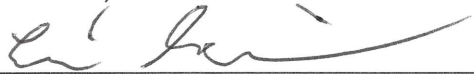
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Minutes Prepared by:

  
\_\_\_\_\_  
Kim Parrish, Treasurer / Secretary

  
\_\_\_\_\_  
James Sibley, President

  
\_\_\_\_\_  
Burt Green, Commissioner

  
\_\_\_\_\_  
Eric Gensheimer, Commissioner

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