

Montgomery County Emergency Service District # 2

Board of Commissioners Regular Meeting

Wednesday, April 26, 2023

Regular meeting

Present:

- James Sibley, Commissioner – President
- Kim Parrish, Commissioner – Treasurer / Secretary
- Burt Green – Commissioner
- Eric Gensheimer – Commissioner
- Brian Edwards – Fire Chief
- Rusty Griffith – Battalion Chief
- Kaye Townley – Municipal Accounts & Consulting, L.P.
- Christopher Section – Municipal Accounts & Consulting, L.P.
- John Peeler – Peeler & Coveler
- Ricardo Martinez – Martinez Architects (via Conference)
- Randy Johnson – Montgomery County Hospital District
- Melissa Miller – Montgomery County Hospital District
- Mike Others- McCall Gibson Swedlund Barfoot PLLC

Meeting Commenced: Wednesday, April 26, 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 present as listed above.
 - b) Quorum established.
- 3) To Receive Public Comment
 - a) No Public in Attendance
- 4) Reading and Approval of following meeting minute(s).
 - a) Wednesday, March 22, 2023 – Regular Meeting
 - 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.
- 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) James Sibley called for a motion to accept the Monthly Financial Report and Ratify the Bills as presented.
 - (a) Eric Gensheimer 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 to present updated 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.
 - i) Nothing to report.

Montgomery County Emergency Service District # 2

Board of Commissioners Regular Meeting

Wednesday, April 26, 2023

Regular meeting- page 2 of 4

- 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
- c) 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.
 - i) Station # 54
 - (1) General:
 - Exterior Paving underway.
 - Waterproofing completed in living quarters.
 - Interior framing is complete.
 - Window frame installation is complete.
 - The drywall is underway.
 - (2) Anticipated Activities:
 - Completion of storm line along Emerson.
 - Exterior insulations to begin.
 - Exterior waterproofing completion.
 - Exterior paving completion.
 - Retaining wall completion.
 - (3) General Discussion:
 - (a) Ricardo Martinez updated the Board on details of building progress.
 - (b) James Sibley called for a motion to approve up to \$12,000 in additional inspections for Station 54.
 - (1) Eric Gensheimer made a motion to approve \$12,000 in additional inspections for Station 54.
 - (2) Burt Green seconded the motion.
 - (3) There were no objections and motion carried.
 - (4) Financial Standing
 - (a) Original Guaranteed Maximum Cost: \$4,169,000.00
 - (b) Change Orders to the Project: \$0.00
 - (c) Pay Application:
 - (i) James Sibley called for a motion to approve Pay App # 9 in the amount of \$180,824.47 contingent upon final receipt of conditional lien releases and certificates of insurance for stored material.
 - 1. Burt Green made a motion to approve Pay App # 9 in the amount of \$180,824.47 contingent upon final receipt of conditional lien releases and certificates of insurance for stored material.
 - 2. Eric Gensheimer seconded the motion.
 - 3. There were no objections and the motion carried.
 - (d) Balance of Contract: \$2,157,282.26
 - ii) Station # 55
 - (1) All punch list items have been completed.
 - (2) James Sibley called for a motion to release the final Pay App contingent upon final receipt of conditional lien releases and certificates of insurance for any stored material.
 - (a) Eric Gensheimer made a motion to release the final Pay App contingent upon final receipt of conditional lien releases and certificates of insurance for any stored material.
 - (b) Burt Green seconded the motion.
 - (c) There were no objections and the motion carried.
 - (3) Chief Edwards contacted six (6) Fence Installation Proposals to enclose the backside of Station 55 around the Retention Pond area and received only one (1) returned from Tanner Pooles in the amount of \$4,910.00.
 - (a) Table this item until the May 2023 ESD # 2 Regular Meeting.
- d) Report and take any action on Strategic Planning Process.
 - i) Tabled for further discussion.

Montgomery County Emergency Service District # 2

Board of Commissioners Regular Meeting

Wednesday, April 26, 2023

Regular meeting- page 3 of 4

- e) Discuss and take any action on 2023 Legislative Session
 - i) Counsel updated Board on 2023 Legislative Session.
 - ii) Safe-D is continually updating all members.
- 7) New Business
 - a) Review and take action on FY 2022 Audit
 - i) Mike Others presented the FY 2022 Audit
 - ii) To be filed before filing date of June 1, 2023
 - iii) James Sibley called for a motion to accept the FY 2022 Audit as presented and authorize Municipal Accounts & Consulting, L.P. to file with Montgomery County by the June 1, 2023 cutoff date.
 - (1) Kim Parrish made a motion to accept the FY 2022 Audit as presented and authorize Municipal Accounts & Consulting, L.P. to file with Montgomery County by the June 1, 2023, cutoff date.
 - (2) Burt Green seconded the motion.
 - (3) There were no objections and the motion carried.
 - b) Discuss and take any action on Special Recognition
 - i) Discussion on Special Recognition for Ceremonial purposes.
 - ii) Include a Special Recognition Item on the May Agenda under Old Business.
 - c) 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 the 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.
 - i) Station 52: Randy Johnson with Montgomery County Hospital District presented a proposal of \$175,000.00 for the remodel of Station 52 along with a twenty year rental agreement at a cost of \$1,000.00 per month.
 - (1) Discussion
 - (2) James Sibley called for a motion to authorize the Station 52 Sub-Committee to review the MCHD Proposal and either agree to the Proposed Agreement or Counteroffer with revised Proposal.
 - (a) Eric Gensheimer a motion to authorize the Station 52 Sub-Committee to review the MCHD Proposal and either agree to the Proposed Agreement or Counteroffer with revised Proposal.
 - (b) Burt Green seconded the motion.
 - (c) There were no objections and the motion carried.
- 8) 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 confidentially 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 needed.
- 9) 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.
- 10) Report from Fire Department on Present Activities and Events as presented by Chief Edwards.
 - a) Incidents
 - b) Three members have resigned.
 - c) Boat delivery is expected within 30 days and Training has begun for Station 54 Members.
- 11) Confirm Meeting Date, Time, and Location for March 2023 Meeting
 - a) Wednesday, May 24, 2023, at 5:30 P.M. at Station # 51.

Montgomery County Emergency Service District # 2

Board of Commissioners Regular Meeting

Wednesday, April 26, 2023

Regular meeting- page 4 of 4

12) Adjournment

- a) The meeting adjourned at 7:48 P.M.

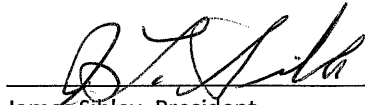
Minutes Prepared by:



Kim Parrish, Treasurer / Secretary

5/24/23

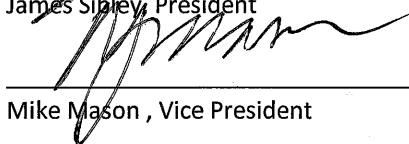
Date



James Sibley, President

5/24/23

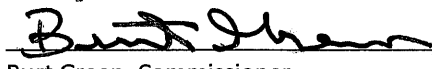
Date



Mike Mason, Vice President

5/24/23

Date



Burt Green, Commissioner

5-24-23

Date



Eric Gensheimer, Commissioner

5/24/23

Date