

Montgomery County Emergency Service District # 2
Board of Commissioners Regular Meeting
Wednesday, September 27, 2023

Present:

- James Sibley, Commissioner – President
- Mike Mason – Commissioner – Vice President
- Kim Parrish, Commissioner – Treasurer / Secretary
- Burt Green – Commissioner
- Eric Gensheimer – Commissioner
- Brian Edwards – Fire Chief
- Rusty Griffith – Battalion Chief
- Lonnie Mapston – Battalion Chief
- Mark Miller – Municipal Accounts & Consulting, L.P
- John Peeler – Peeler & Coveler
- Michael Others – McCall Gibson Swedlund Barfoot PLLC

Meeting Commenced: Wednesday September 27, 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) Reading and Approval of following meeting minute(s).
 - a) Wednesday, August 23, 2023 – Special Tax Meeting
 - b) Wednesday, August 23, 2023 – Regular Meeting Minutes
 - i) James Sibley called for a motion to accept the above-listed minutes as written.
 - (1) Mike Mason 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) 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 to present updated Sales Tax Report.
 - c) To review, discuss, and take any action on engagement of Auditor to prepare District 2022/2023 Fiscal Year Audit.
 - i) Michael Others presented a Letter of Engagement with Terms to prepare District 2022/2023 Fiscal Year Audit.
 - (1) James Sibley called for a motion to engage McCall Gibson Swedlund Barfoot PLLC as Auditor to prepare the 2022/2023 Fiscal Year Audit.
 - (a) Eric Gensheimer made a motion to engage McCall Gibson Swedlund Barfoot PLLC as Auditor to prepare the 2022/2023 Fiscal Year Audit.

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(b) Burt Green seconded the motion.

(c) There were no objections and the motion carried.

6) 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.

i) Station # 54

(1) General:

- Water test failed.
 - General Contractor making necessary corrections.
 - CBG to coordinate retest of failed installation – PASSED.
- Masonry complete.
- ATS was approved by the building committee.
 - CBG to coordinate installation with electrician.
 - Coordination of Emergency Generator.
- CBG to Coordinate electrical line located on south property line.
 - May conflict with Sand Oil Separator.
 - Lines to existing meter to be moved by the Owner (Walden); MFD assisting to coordinate.
- Natural Gas has been ordered for the site.
- Stonework to be completed.

(2) Anticipated Activities:

- Final Grading along South Side of Building.
- Site Cleaning.
- Finalize revisions at Patio.
- Condensing Unites to be installed by September 29.
- Anticipated schedule for permanent power this week.
- Finalize Sand Oil Separator installation.

(3) General Discussion:

(a) Eric Gensheimer updated the Board on details of building progress.

(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 # 14 in the amount of \$117,632.68 contingent upon final receipt of conditional lien releases, certificates of insurance for stored material, and confirmation of documentation regarding storage.

1. Eric Gensheimer made a motion to approve Pay App # 14 in the amount of \$117,632.68 contingent upon final receipt of conditional lien releases and certificates of insurance for stored material, and confirmation of documentation regarding storage.

2. Mike Mason seconded the motion.

3. There were no objections and the motion carried.

(d) Balance of Contract: \$1,078,624.49.

ii) Station # 55

(i) Stone Façade still in need of repair. James Sibley has reached out to Christenson to address this issue and is awaiting reply.

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1. James Sibley called for a motion to authorize the Building Committee to address the Stone repair issue by testing and offering a recommendation to address the issue at a cost not to exceed \$10,000.00.
 - a. Mike Mason made a motion to authorize the Building Committee to address the Stone repair issue by testing and offering a recommendation to address the issue at a cost not to exceed \$10,000.00.
 - b. Burt Green seconded the motion.
 - c. There were no objections and the motion carried.
 - b) To review and take action on any matters related on renovation of MCESD # 2 Station 52, including to engage architectural or engineering services, 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 District regarding construction matters.
 - i) James Sibley called for a motion to approve and execute the contract LDF Construction for the renovation of MCESD # 2 Station 52.
 - (1) Kim Parrish made a motion to approve and execute the contract LDF Construction for the renovation of MCESD # 2 Station 52.
 - (2) Mike Mason seconded the motion.
 - (3) There were no objections and the motion carried.
 - c) Discuss, review, and take action on lease contract between MCESD # 2 and MCHD for MCESD # 2 Fire Station 52.
 - i) MCHD has presented the revised and edited MCESD # 2 lease contract between MCESD # 2 and MCHD Lease Contract.
 - (1) James Sibley called for a motion to approve and sign the Lease Contract as presented by Counsel between MCESD # 2 and MCHD.
 - (a) Eric Gensheimer made a motion to approve and sign the Lease Contract as presented by Counsel between MCESD # 2 and MCHD.
 - (b) Mike Mason seconded the motion.
 - (c) There were no objections and the motion carried.
- 7) New Business
- a) Discuss and take any action on budget for FY 2023 / 2024.
 - i) No discussion necessary.
 - b) Discuss and take any action on computer equipment for MCESD # 2.
 - i) Mike Mason opened the discussion to provide electronic devices to access District Documents and Electronic Communication.
 - ii) Rusty Griffith presented electronic device options to the board with an explanation of operation and usage details.
 - iii) James Sibley called for a motion to authorize the purchase and set up of discussed electronic devices.
 - (1) Mike Mason made a motion to authorize the purchase and set up of discussed electronic devices.
 - (2) Burt Green seconded the motion.
 - (3) 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 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 into Closed Session at 6:47 PM
 - ii) Exited Closed Session at 6:52 PM
- 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.

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- c) Personnel matters, including hiring, retention, duties, and benefits, including administrative staff, fire suppression staff, command staff, and fire chief.
 - i) Chief Edwards indicated that he would prefer his Fire Chief Evaluation be performed in Closed Session.
 - 10) Report from Fire Department on Present Activities and Events as presented by Chief Edwards.
 - a) Posted promotional dates for Driver Operator and Captain.
 - b) Posted a full-time test.
 - c) Getting insurance quotes for real and personal property, also to include Worker's Compensation.
 - d) Working with Stanley Lake MUD on hydrant project.
 - e) Working on some annexation issues and answers with Will Metcalf.
 - f) Implemented an internship program with Lake Creek HS and their Criminal Justice Program.
 - 11) Confirm Meeting Date, Time, and Location for October 2023 meeting(s):
 - a) Strategic Planning Meeting
 - i) Tuesday, October 3, 2023, at 8:00 AM at Montgomery Fire Station # 51 located at 20590 Eva Street, Montgomery, Texas 77356
 - b) Regular Meeting
 - i) Wednesday, October 25, 2023, at 5:30 PM at Montgomery Fire Station # 51 located at 20590 Eva Street, Montgomery, Texas 77356
 - 12) Adjournment
 - a) The meeting was adjourned at 6:58 P.M.

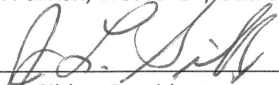
Minutes Prepared by:



Kim Parrish, Treasurer / Secretary

10/25/23

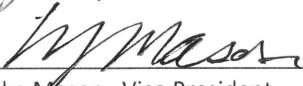
Date



James Sibley, President

10/25/2023

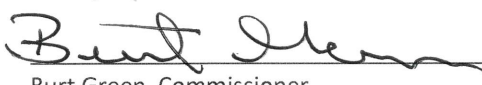
Date



Mike Mason, Vice President

10/25/23

Date



Burt Green, Commissioner

10/25/23

Date



Eric Gensheimer, Commissioner

10/25/23

Date