

Meeting Minutes -Montgomery County Emergency Services District No. 6

The Montgomery County Emergency Services District No. 6 Board of Commissioners held its regular meeting at the Porter Fire Department Station 121 on June 23, 2020.

The meeting was called to order by Therlyn Cook, District Board Vice-President.

Commissioners present: Therlyn Cook, Donnie Click, John Kelley, and David Miller.

Also attending: District Fire Chief Carter Johnson, District Administrative Assistant Jessica Black, District Legal Counsel John Peeler of Coveler & Peeler, PC, District Bookkeeper Mark Miller of Municipal Accounts & Consulting, LP.

Commissioners not present: Larry Trout

Public attendees: none

- The Board convened and the meeting was called to order by Commissioner Cook at 12:36 PM.
- The Board conducted roll call with a quorum present. The Board of Commissioners attended the meeting in person, and consultants appeared either in person or via teleconference.
- The Board opened the floor for public comment though none was offered.
- The Board then addressed item 3 of the agenda, minutes of prior meetings. The minutes were reviewed for the May 26, 2020 regular meeting. Motion by Commissioner Click and second by Commissioner Miller to approve the minutes as presented by Counsel. **After discussion the motion was approved 4 to 0.**
- The Board then addressed item 4 of the agenda: financial report, investments, and bills. Mark Miller presented a report on the financial status of the District for review and action, and he provided a verbal summary of the monthly report and bills for payment. Mr. Miller noted the payment from TDEM and the new account with Amegy Bank. Mr. Miller reported a 96.98% collection on the 2019 property tax levy. His report noted the sales tax collection as \$5,000 higher than the same month last year and a 10% increase year to date compared to 2019. Motion by Commissioner Kelley and second by Commissioner Miller to accept the report and approve the investments and bills as presented, including any additional bills presented at the meeting. **After discussion the motion was approved 4 to 0.**

The Board also addressed the District Investment Policy for 2020. Motion by Commissioner Miller and second by Commissioner Click to approve the Investment Policy as presented and to keep Ghia Lewis and Mark Burton as investment officers. **After discussion the motion was approved by a vote of 4 to 0.**

- The Board then addressed agenda item 5, amendments/revisions to District budget(s). Chief Johnson noted that COVID-19 has not had much effect on budgetary needs. No action taken.
- The Board next addressed item 6 of the agenda, 2021 budget and 2020 tax rate adoption planning. Counsel summarized the process, including discussion of the optional disaster declaration factors in Tax Code § 26.04, and requested the District hold a special meeting on August 11th to propose the 2021 budget and 2020 tax rate. Mr. Peeler also requested the District authorize Tammy McRae to prepare the calculations and designate himself and Chief Johnson to complete the tax rate setting calendar and unencumbered fund balance sheets requested by the Tax Office. Chief Johnson relayed that the draft budget he'd previously prepared did not call for new property tax revenue due to the expected increase of sales tax and expected less spending on capital expenditures next year by \$200,000. Motion by Commissioner Miller and second by Commissioner Click to (1) hold a special meeting on August 11th to propose the tax rate, (2) name Montgomery County Tax Assessor-Collector Tammy McRae to prepare calculations and (3) have Chief Johnson and Counsel provide

calendar and unencumbered fund balance to Tammy McRae. **After discussion the motion was approved by a vote of 4 to 0.**

- The Board next addressed agenda item 7, to review and act on items related to construction, improvements, repairs, renovations, and equipment purchases for District facilities, including selection/engagement of contractor(s), architectural, testing or other services. Chief Johnson reported that the new station project had begun and he was receiving a high level of detail on the progress including the following: second driveway cost \$282,680, falling within the allowance of \$290,000; presented change orders on fencing and maintenance area restrooms totaling \$12,550; minor savings on lights. Chief Johnson requested he be authorized to approve costs up to a total allowance of \$50,000 increase. Commissioner Miller made a Motion second by Commissioner Kelley to authorize all change orders and authorize Chief Johnson the requested authority on allowance approval. **After discussion the motion was approved 4 to 0.**
- The Board next addressed agenda item 8 regarding agreements with Montgomery County Hospital District. Chief Johnson stated that the lease agreement had been approved on Station 122 project and the initial payment of \$250,000 had been received.
- The Board took no action on item 9 of the agenda, disposition of surplus and/or salvage property.
- The Board next addressed item 10 of the agenda, acquisition of capital equipment and vehicles and financing for same. No action taken.
- The Board took no action on agenda item 11 regarding real estate matters.
- The Board addressed item 12 of the agenda, to receive a report from the Fire Department. Chief Johnson reported the following: New hire testing had been administered recently with four new hires. Chief Johnson and a Chief from Travis County will be conducting a SAFE-D training on TIFMAS the next week. Firefighters had been deployed to the City of Houston and El Paso to assist with COVID operations. Chief Johnson relayed issues with false alarms and the need to initiate billing for future occurrences. The Department responded to a large trash fire recently using 50,000 gallons of water to extinguish. Chief Johnson reported on District vehicles: stolen trailer had been recovered in Corsicana and is now in need of repairs; lift kit being put on a military truck; high-water vehicles being prepared for hurricane season; shared cost savings on the high-water trucks over some vendors' pricing. Chief Johnson informed the Board that an Interlocal Agreement with other jurisdictions on the use of ESD 6 maintenance facilities and personnel would be put in place. The Agreement will include a waiver on claims for damages. Lastly, Chief Johnson announced future public events such as a festival in Valley Ranch, approved by the County, at which the Department would be on fireworks emergency standby.
- The Board next addressed item 13 of the agenda, matters related to COVID-19. No action taken.
- The Board took no action on agenda item 14, records management issues.
- The Board then addressed agenda items 15-18 regarding a continuing contract with a private law firm for the collection of delinquent taxes for the District. Motion was made by Commissioner Click second by Commissioner Kelley to keep the contract with Linebarger for collection of delinquent taxes and to continue to annually impose penalties under Tax Code §§ 33.07, 33.08 and 33.11 via approval of the resolution presented by counsel. **After discussion the motion was approved 4 to 0.**
- The Board did not exercise the option of Closed Session under items 19 and 20, consultation with legal counselor real estate.
- The Board entered Closed Session under item 21, personnel matters, at 1:43 p.m. and returned to Open Session at 2:04 p.m.
- The Board then addressed item 22, personnel matters. No action taken.
- There being no further business to come before the Board at this time, the meeting was adjourned at 2:05 P.M.