

MONTGOMERY COUNTY ESD 1
MONTGOMERY COUNTY, TEXAS

The Board of Commissioners of Montgomery County ESD 1, convened in session on June 19, 2019 with the following Board Members to-wit:

Members Present: J. Steven Weisinger, President
 Chuck Frank, Vice President
 Robert Walker, Secretary
 Sharene Carr, Treasurer

Members Absent: David Cooper, Assistant Treasurer

The regular meeting of Montgomery County ESD 1 was called to order June 19, 2019 at 5:20 P.M. by President J. Steven Weisinger. All members were present, with the exception of David Cooper, therefore constituting a quorum. Also present were Fire Chief Jason Oliphant, Assistant Chief Shane Houser, Deputy Chief Kevin Kaliszewski, Battalion Chief Eric Rodriguez, Office Administrator Crystal LaCaze, Administrative Assistant Andrea Meek, Administrative Assistant Lynn Whitesides, District legal counsel John Peeler of Coveler & Peeler, PC, Accountant Brian Desilets, Bookkeeper Dana Smith, as well as Auditor Jon Watson with Brooks Watson & Co.

Addressing item 2 of the agenda regarding minutes from the prior meeting, the Board took action on the following:

Upon a motion made by Commissioner Carr and seconded by Commissioner Frank, the Board voted unanimously to accept and approve minutes as presented from the regular meeting held on May 15, 2019.

Addressing item 3 of the agenda regarding financial matters, the Board took action on the following: Accountant Brian Desilets presented the monthly Bookkeeper's Report. Upon a motion made by Commissioner Frank and seconded by Commissioner Walker, the Board voted unanimously to accept the Bookkeeper's Report as presented and to approve payment of the District's monthly bills.

Auditor Jon Watson with Brooks Watson & Co. presented the final annual audits dated October 1, 2017 through January 31, 2018 for Montgomery County Emergency Services District No. 12 and Montgomery County Emergency Services District No. 1. He also presented the post-merger audit for Montgomery County ESD 1 dated February 1, 2018 through September 30, 2018. Upon a motion made by Commissioner Carr and seconded by Commissioner Walker, the Board voted unanimously to accept all 3 audits as presented and authorize filing with the County Commissioner's Court.

Chief Jason Oliphant advised the board that he will be spending \$83,000.00 for radio software upgrades on the Department's existing radios which was budgeted on line item 6030.60. He further explained that Motorola has issued an end of life for the current radios and currently has enough repair part that should last through 2022. The County is being told that when the time comes for the purchase of new radios Motorola will be issuing a 70-75% credit for trade-ins. Nothing further to report and no action was taken.

Addressing item 4 of the agenda regarding old business, the Board took action on the following:
No action was taken on items 4a 4b, 4c, 4d, 4e, 4f, 4g and 4h.

i. Attorney John Peeler reported that it has been confirmed the new ESD 1 has not yet adopted a Records Retention Program with the Texas State Library and Archives Commission, and presented a program identical to the one previously adopted by predecessor district Montgomery County Emergency Services District No. 1. Mr. Peeler indicated that his office is still reviewing the requirements for electronic records storage and will have recommendations in the near future. Mr. Peeler recommended that the Board adopt the presented program as previously adopted by Montgomery County Emergency Services District No. 1, but in the name of the new ESD 1 and to keep the same retention schedules promulgated by TSLAC. Upon a motion by Commissioner Walker and seconded by Commissioner Frank, the Board voted unanimously to adopt the new program in the name of ESD 1 as presented.

Addressing item 5 of the agenda regarding new business, the Board took action on the following:

a. Regarding the imposition of early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to Section 33.11, attorney John Peeler explained to the Board that due to a typo on the agenda from May 15, 2019, Section 33.11 was inadvertently left off the agenda, and therefore was not discussed with Sections 33.07 and 33.08, though the Resolution approved by the Board in May did include reference to penalties under section 33.11. Mr. Peeler recommended that the Board take action to formalize the continued imposition of penalties under Section 33.11. Upon a motion made by Commissioner Walker and seconded by Commissioner Frank, the Board voted unanimously impose the 20% penalty under Tax Code sections 33.11.

b. Regarding District appraisal values and tax rates, attorney Peeler recommended that it be stated in the minutes on an annual basis to authorize the county Tax Assessor to prepare tax rate calculations and publish the Effective Tax Rate Notice, and authorize staff and legal counsel to assist the Tax Office in any way necessary to comply with Truth in Taxation requirements. Upon a motion made by Commissioner Carr and seconded by Commissioner Walker, the Board voted unanimously to authorize the Montgomery County Tax Assessor to prepare and publish the Effective Tax Rate Notice.

c. Regarding the District's 2019 Investment policy, attorney John Peeler advised there are no substantive changes from the previous year, but will forward the 2019 policy to Office Administrator Crystal LaCaze to circulate to the Board for review, as annually required by law. Any further discussion regarding the policy will take place at the July Board Meeting. No further action was taken.

No action was taken on item 5d.

Under items 6-8 of the agenda, at 6:06 P.M. the Board convened into Closed Session pursuant to Government Code sections 551.071, 551.072 and 551.074, to consult with legal counsel to review personnel matters and to review real estate matters.

The Board reconvened into Open Session at 7:47 P.M., under item 9 of the agenda.

Addressing item 10 of the agenda, no action was taken.

Addressing item 11 of the agenda, regarding the Chief's Report, Chief Oliphant presented the call volume log for 2019 year to date and reported 532 calls for the month of May. Nothing further to report, and no action was taken.

No public comments were offered under item 12 of the agenda.

Addressing item 13 of the agenda, regarding Agenda Items for the next meeting, nothing was offered; therefore no further action was taken.

There being no further business, upon a motion made by Commissioner Frank and seconded by Commissioner Walker, the Board voted unanimously to adjourn at 7:48 P.M.

Crystal LaCaze
District Office Manager and Administrative Secretary
Montgomery County ESD 1