

MONTGOMERY COUNTY ESD 1
MONTGOMERY COUNTY, TEXAS

The Board of Commissioners of Montgomery County ESD 1, convened in session on May 18,2022, with the following Board Members to-wit:

Members Present: J. Steven Weisinger, President
 Chuck Frank, Vice President
 Sharene Carr, Treasurer
 David Cooper, Assistant Treasurer – Via videoconference
 Tom Rozier, Secretary

Members Absent:

The meeting of Montgomery County ESD 1 was called to order on May 18,2022 at 6:00 P.M. by President J. Steven Weisinger. All board members were present, therefore constituting a quorum. Also present were Fire Chief Jason Oliphant, Assistant Chief Shane Houser, Office Administrator Crystal LaCaze, Administrative Assistants Andrea Meek & Kayla Gibson, Deputy Chief – Logistic Eric Rodriguez, Deputy Chief – Training Kirk Bailey, Battalion Chief Scott Traylor & Battalion Chief Michael Olson, District Legal Counsel John Peeler and Levi Love with LSquared Engineering.

No Public Comments were offered.

Addressing item 3 of the agenda, no action was taken.

Addressing item 4 of the agenda regarding minutes from the prior meeting, the Board took action on the following: Upon a motion made by Commissioner Frank and seconded by Commissioner Rozier, the Board voted unanimously to accept and approve the minutes as presented of the regular board meeting held on April 20, 2022, and the special called board meeting held on April 27, 2022.

Addressing item 5 of the agenda, the Board took action on the following: Upon a motion made by Commissioner Carr and seconded by Commissioner Rozier, the Board voted unanimously to accept the financial report as presented by Office Administrator Crystal LaCaze and approve payment of the District’s monthly bills.

Crystal LaCaze notified the board that she received the signature card account documents from First Financial Bank for the logistics facility funded loan. The Board members will execute the new signature cards.

Address 6a of the Agenda, Levi Love presented two amendments for the Logistics Facility. One being the additional scope of engineering services related to the Pump Test Pit. The second amendment is to remove the cost of the material testing from L’Squared contract and pay directly to the 3rd party vender Terracon.

Upon a motion made by Commissioner Carr and seconded by Commissioner Frank, the board voted unanimously to remove the material testing in the amount of \$15,000 from L’Squared Engineering contract.

Upon a motion made by Commissioner Carr and seconded by Commissioner Frank, the board voted unanimously to increase L’Squared contract by \$15,000 (not to exceed) for the additional structural engineering support for the Test Pit.

In last meeting the board authorized L'Squared to issue the Notice to Proceed for the Logistics Facility once the loan is closed. Mr. Love states that the ETA on start date is May 23, 2022. Office Administrator Crystal LaCaze informed Mr. Love that the loan is scheduled close on May 19, 2022.

Mr. Love informed the board that there would be some change orders to address concerns with the foundation thickness that was brought everyone's attention. Commissioner Frank requested that the board authorize the building committee some leeway on making decisions for change orders that are time sensitive.

Upon a motion made by Commissioner Carr and seconded by Commissioner Rozier, the board voted unanimously to authorize the Building Committee up to \$25,000 to approve change orders that are time sensitive, on the condition that it comes back to the board for ratification at the next available board meeting and the \$25,000 can then be reloaded for future change orders.

Addressing item 6b-6e of the agenda, no action was taken.

Addressing item 6f of the agenda, Chief Oliphant presented the board with a memo regarding the emergency purchase of two new boat motors for existing FB 94. District Legal Counsel John Peeler informed the board that he and Chief Oliphant had conversations regarding the need for emergency purchase, due to supply issues and the emergency nature of the fire boats which are useless without motors. The Board approved the emergency purchase.

Addressing item 6g of the agenda, no action was taken.

Addressing item 6h of the agenda, Commissioner Weisinger informed the board that the closing for the logistics facility construction loan is scheduled for May 19, 2022.

District Legal Counsel John Peeler and Chief Oliphant asked for the Board to give Legal Counsel John Peeler permission to go out for an RFP for a \$7 million construction loan to be secured by a pledge of ad valorem taxes for the construction of Station 91/Admin building and a Training facility. If the board agrees we would need to hold a special board meeting on June 6, 2022, to present proposals.

Upon a motion made by Commissioner Frank and seconded by Commissioner Carr, the board voted to unanimously to instruct the District Legal Counsel John Peeler to send out an RFP for \$7 million loan secured by ad valorem taxes.

Addressing item 7a of the agenda, Crystal informed the board that it was time to go out for RFP/Q for IT Services. Chief Houser and Crystal requested approval to send out once District Legal Counsel reviews. Commissioner Frank requested that we include a termination clause stating that ESD 1 can terminate with a 30-day notice but the IT company must allow ESD 1 90 days to secure a new company if the IT Company chooses to terminate.

Upon a motion made by Commissioner Frank and seconded by Commissioner Rozier, the board voted to unanimously to authorize the administrative staff send out the RFP/Q for IT Services once District Legal Counsel John Peeler reviews the RFP/Q.

Addressing items 7b-e of the agenda, upon a motion made by Commissioner Carr and seconded by Commissioner Frank, the Board voted unanimously to accept the resolution from counsel which addresses the continuation of the delinquent tax collection contract with counsel Linebarger Goggan Blair & Sampson, LLP, to impose penalty of 20% under Tax Code §33.07, to impose penalty of 20% under Tax Code §33.08, and to impose penalty of 20% under Tax Code §33.11.

Addressing items 8-9 of the agenda, under Government Code sections 551.071, 551.072, & 551.074 related to closed sessions, the Board convened into Closed Session at 8:02 PM.

Under item 11 of the agenda, The Board reconvened into Open Session at 8:47PM.

Addressing items 13 of the agenda, Chief Oliphant presented the call volume report and informed the board that the district was at 691 calls for the month of April. He also informed the board that we had crews leave today on a TIFMAS deployment in Mesquite, TX to assist with wildfires.

Addressing item 14 of the agenda, request special meeting on the 6th to go over the Loan RFP's.

There being no further business, upon a motion made by Commissioner Rozier and seconded by Commissioner Frank, the Board voted unanimously to adjourn at 8:49 PM.

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