

MONTGOMERY COUNTY ESD 1
MONTGOMERY COUNTY, TEXAS

The Board of Commissioners of Montgomery County ESD 1, convened in open session on May 15, 2024, with the following Board Members to-wit:

Members Present: J. Steven Weisinger, President
 Chuck Frank, Vice President
 Tom Rozier, Secretary
 Sharene Carr, Treasurer
 David Cooper, Assistant Treasurer (Attending via videoconference)

Addressing item 1 of the agenda, the meeting of Montgomery County ESD 1 was called to order on May 15, 2024, at 6:03PM by President J. Steven Weisinger. All Board members were present, with Commissioner David Cooper attending via videoconference under Government Code section 551.127, therefore constituting a quorum. Also present were Fire Chief Jason Oliphant, Assistant Chief Kirk Bailey, Office Administrator Crystal LaCaze, Administrative Assistant Staci Pennington, District Auditor Jon Watson with BrooksWatson and Co., District Legal Counsel John Peeler, Battalion Chief Josh Montgomery, Deputy Chief Michael Olson and a visitor from the public.

Addressing item 2 of the agenda, no public comments were made.

Addressing item 3 of the agenda, Chief Oliphant advised the board of the retirement of Battalion Chief Shane Houser.

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 Chuck Frank and seconded by Commissioner Sharene Carr, the Board voted unanimously to accept and approve the minutes as presented of the regular board meeting held on April 8, 2024.

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

Jon Watson presented the district audit to the Board. Upon a motion made by Commissioner Sharene Carr and seconded by Commissioner Chuck Frank, the Board voted unanimously to accept and approve the district audit as presented.

Upon a motion made by Commissioner Tom Rozier and seconded by Commissioner Sharene Carr, the Board voted unanimously to accept the financial report as presented by Office Administrator, Crystal Lacaze, and approve payment of the District monthly bills.

Discussions took place regarding the updated Investment Policy that District Legal Counsel prepared, the finance committee requested additional time to review prior to approving.

Addressing item 6a of the agenda, the Board took action on the following:

Office Administrator, Crystal LaCaze, presented the LaW Pay App 002. The building committee had already reviewed prior to the meeting. Upon a motion made by Commissioner Chuck Frank and seconded by David Cooper, the Board voted unanimously to approve Pay App 002 as presented.

Chief Oliphant discussed with the Board that he and the Building Committee would like to utilize Martinez Architect firm for the design of Station 99. Upon a motion made by Commissioner Chuck Frank and seconded by Tom Rosier, the board authorize the Chief to move forward with the AIA contract and for the Board President to execute contract once District Legal Counsel has reviewed.

Chief Oliphant informed the board that BRW was scheduling a meeting with staff, DBR and LDF to meet at Station 94 and discuss the ongoing moisture issues since being built.

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

Addressing item 6e of the agenda, the board took action on the following
Chief Oliphant discussed that we no longer have a need for the hose trailers and requested to sell them. Upon a motion made by Commissioner Sharene Carr and seconded by Commissioner Chuck Frank, the Board voted unanimously to authorize Chief Oliphant to sell the two hose trailers as surplus property.

Addressing item 6f of the agenda, Chief Oliphant presented a Budget Amendment for the 2023-2024 budget year. Upon a motion made by Commissioner Chuck Frank and seconded by Sharene Carr, the Board voted unanimously to except and approve the 2023-2024 District Budget Amendment as presented.

Addressing item 6g of the agenda, Chief Oliphant discussed that the 2023-2024 budget amendment included purchasing Two (2) New Battalion Chief Vehicles and One (1) high water vehicle but would like a motion to move forward with the purchase. Upon a motion made by Commissioner Sharene Carr and seconded by Chuck Frank, the Board voted unanimously to authorize the Chief to move forward with the purchases as budgeted.

Addressing item 6h of the agenda, Chief Oliphant discussed with the board that preliminary values came in and we have begun the process working with Government Capital to go out for the loan which will complete Training/Station 96 and being construction on Station 99. He requested a special meeting on June 6,2024 at Noon to review loan options that Government Capital will present.

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

Addressing item 7a of the agenda, Commissioner Steve Weisinger advised the Board that the City of Willis is charging \$5,000.00 initial payment to cover costs associated in reviewing the plat application for the new Station 91 property.

Upon a motion made by Commissioner Chuck Frank and seconded by Commissioner Tom Rozier the Board voted unanimously to authorize Commissioner Steve Weisinger to enter into the Agreement with the City of Willis for future Station 91 property.

Addressing item 7b of the agenda, upon a motion made by Commissioner Sharene Carr and seconded by Commissioner Chuck Frank, the Board voted unanimously to designate Montgomery County Tax Office to prepare the District tax rate calculations and notices and authorize staff to provide truth in taxation material to the Tax Office.

Addressing item 7c of the agenda, District Legal Counsel discussed the ratification of a continuing Contract with a collections counsel for the collection of delinquent District ad valorem property taxes, and providing for the payment of up to 20% of the delinquent taxes, penalties, and interest which are collected by the counsel under said Contract. Upon a motion made by Commissioner Carr and seconded by Commissioner Frank, the board voted unanimously to approve the contract as presented.

Addressing item 7d-f of the agenda, District Legal Counsel reviewed the delinquent tax collection process with the Board. Upon a motion made by Commissioner Carr and seconded by Commissioner Frank, the Board voted

unanimously to approve the Resolution presented which retains Linebarger as collections counsel and imposes the penalties allowed under Tax Code sections 33.07, 33.08 and 33.11 to fund the expenses of collections.

Addressing item 7g of the agenda, no action was taken.

Addressing item 8-10 of the agenda, the board convened into closed session at 7:14PM.

Addressing item 11 of the agenda, the board reconvened into open session at 7:32PM. Upon a motion made by Commissioner Carr and seconded by Commissioner Rozier the Board authorized the Chief and Board President to move forward with engaging a law firm to seek an opinion on a possible litigation matter.

Addressing item 12 of the agenda, no action was taken.

Addressing item 13a of the agenda, Chief Oliphant informed the board of the following:

1. Recent flooding event, damages, and administration building being struck by lightning.
2. During the flooding event we rescued 16 Pets and 22 People.
3. Class 002 has now passed both EMT and Fire; and are now fully certified firefighters.
4. We recently hired 6 already certified firefighters, who will start early June.
5. Class 003 is in the planning stages and planned to start the first of October.
6. Presented Call Volume Report.

Addressing item 13b of the agenda, no action was taken.

Addressing item 14 of the agenda, Special Called Board Meeting scheduled for May 30 at 11:30AM for future planning presentation.

Addressing item 15 of the agenda, there being no further business, upon a motion made by Commissioner Tom Rozier and seconded by Commissioner Chuck Frank, the Board voted unanimously to adjourn at 7:44PM.

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