



Montgomery County ESD No. 10

Magnolia Fire Department

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DATE: July 17, 2024

THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY EMERGENCY SERVICES DISTRICT NO. 10 (the "District") met in a regular session, open to the public, at the Magnolia Fire Department, Station 181, 18215 Buddy Riley Blvd, Magnolia, Texas 77354 on Wednesday, July 17, 2024, at 3:30 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call meeting to order.

At 3:30 p.m., Commissioner Smith Called to order the Regular Meeting of the Montgomery County Emergency Services District #10 (the "District"), and the roll was called of the duly appointed officer's to-wit:

2. Roll Call, Pledge of Allegiance, Pledge of Texas and Invocation.

Larry Smith	President	Present
Jeffrey Cunningham	Assistant Secretary/Treasurer	Present
Kelly Violette	Secretary/Treasurer	Present
Laurie Clifton	Board Member	Present

3 Commissioners were present, thus constituting a quorum.

Also present were Business Manager Eloise Roberson; Assistant Chief of Operations Gary Pangarakis; Assistant Chief of Administration Chuck Grant; Division Chief of Logistics & Planning August Naumann; Battalion Chief Jeffrey Jackson; Assistant Office Manager Joanna Padilla; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Ross Winker of Winkler Public Relations; and other Department Officers and Staff.

Commissioner Clifton led the Board in the Pledge of Allegiance to the U.S. Flag.

Commissioner Smith led the Pledge to the Texas Flag.

Commissioner Cunningham gave the Invocation.

3. To receive Public Comment. Texas law and District policy establish that members of the public may offer comments on any subject of concern to the public. District policy establishes time limits to address the Board: 3 minutes for items on the agenda; 2 minutes for items not on the agenda; or 1 minute if the person has spoken on the same topic at any of the two preceding meetings. Anyone who interrupts the meeting intending to prevent or disrupt the Board from conducting the meeting by interjecting comments after the Public Comment item has concluded are subject to removal from the meeting and premises under Texas law after receiving reasonable warning from the presiding officer.

No public comments were received.

4. Presentation of Certificates for Promotions, Recognitions and Appointments of District firefighters, fire officers and administrative staff.

There were no awards to present at this time.

5. To approve the Minutes of prior meeting(s).

There were no minutes to present at this time.

6. To review and act on improvements, repairs, maintenance and construction of facilities, including but

not limited to permits, utilities, architectural or engineering services, selection of contractors, approval of costs/budgets for projects, and payment of construction-related bills.

Chief August Naumann reported on damages caused by the most recent storm, such as damaged lights and four generators having gone down. The lights at Station 186 were damaged, and a quote or repairs are already being requested. Station 181 had two generators go out, Station 185 was able to fix its generator the day of the storm, and Station 187 will be a long-term project. A meeting with the pro-generator owner has been scheduled to discuss maintenance shortcomings and planned repairs.

Eloise Roberson presented several construction invoices from both LAW Construction and Martinez Architecture for Board review and approval. Eloise informed the Board that there is no money left in the construction loan account and that payment for construction would need to come out of a different account.

Commissioner Violette motioned to pay the Law Construction for Station 183 and Logistics Building invoice totaling \$227,137.41 from the Operations account, with a caveat to replace the funds from excess sales tax proceeds until fulfilled. Commissioner Cunningham seconded the motion, and **it was approved 4 to 0.**

Commissioner Violette motioned to pay both of the Martinez Architect invoices totaling \$5,268.00 and \$11,650.00 from Capital expenditures, and Commissioner Clifton seconded. **The motion was approved 4 to 0.**

Commissioner Cunningham motioned to approve the transfer of interest earned from the Texas Class account ending in 0003 to offset the Dobbin Huffsmith expenses paid through capital overlay, totaling \$36,571.65 until recompensed. Commissioner Violette seconded, and **the motion was approved 4 to 0.**

The Board moved to address Item # 11

11. To review and act on matters related to lawsuits, claims by or against the District, or Public Information Act requests.

No action was taken at this time.

12. To review and act on real estate matters, including but not limited to purchase, sale, lease, utilities, encumbrances, easements, resolutions, and other matters related to real property transactions, including engagement of realtor (s)/broker(s) and acquisition financing.

Chief Grant informed the Board that Joe Mark has listed the excess Coe Loop property for sale. No further action was taken at this time.

13. To address financial matters, including depositories, audits, Investment Policy and investments, financial reports, tax reports, and to pay District bills.

Eloise presented to the Board the General Ledger and bills for consideration and approval. After further discussion, Commissioner Violette motioned to pay the District bills, which was seconded by Commissioner Cunningham. **The motion was approved 4 to 0.**

14. To receive a report from Mark Frank and take any necessary actions.

Mark Frank, the District's financial advisor, presented to the Board the Quarterly Investment Reports for review. No further action was taken.

15. To receive a report and act as appropriate to revise District budgets.

Eloise informed the Board that for tax setting purposes, she will assume a 7% increase. This number will be updated once the District's budget is officially set.

16. To address sales tax matters, including reviewing monthly sales tax information.

No action was taken at this time.

The Board moved to address Items # 17 and 26 together

17. Consider and accept excess collections for 2023 debt service and certification for debt service

collection rate for 2024/2025.

District Legal Counsel, Krystine Ramon, informed the Board, they would need to consider and accept excess collections for 2023 debt service and certification for debt service rate for 2024/2025. After further review, Commissioner Cunningham motioned to consider and accept excess collections for 2023 debt service and certification for debt service rate for 2024/2025 and Commissioner Violette seconded. **The motion was approved 4 to 0.**

26. To review and act on scheduling District meetings and items to be added to meeting agendas.

August 7, 2024, at 3:30 pm

August 19, 2024 at 8:30 am

18. To review and act on public outreach and communications, including reports from consultants and District Committees on same.

Ross Winkler reported on the following:

- The Year in Review will be ready to present at the next Board meeting, August 7th.
- Is in the process of communicating with those in the Chiefs Committee as well as with HR in obtaining updates to share both within the Department and to the public.
- Captain Bryan Perry has been helpful in communicating updates during Hurricane Beryl.
- Dates for the Training Center Grand Opening are being discussed alongside Chiefs Herrman and Grant.

19. To review and act to approve the purchase, funding, financing and payment for capital assets, including construction, vehicles, fire-fighting apparatus and equipment and for non-capital items and expenses.

Chief Chuck Grant presented an application for review and approval for the authorization of drone operators with the FAA. Commissioner Violette approved the submitting of the application to the FAA which was seconded by Commissioner Clifton. **The motion was approved 4 to 0.**

20. To review and act on information technology ("IT") matters, including engagement of consultants.

Chief Pangarakis contacted the Department's IT consultant, SHAPE Integrations, on Sunday for assistance with getting the internet back in service after the storm. District legal counsel Krystine Ramon will get in contact with SHAPE Integrations to have them attend the next Board meeting to discuss services within the District.

21. To receive a report from Fire Chief and staff regarding Fire Department activities and operations.

Acting Fire Chief Gary Pangarakis had the following to report:

- Quartermaster Ray Chavers is working on attaining pins of recognition for those in the department for their hard work during Hurricane Beryl.
- HEB donated three \$100 gift cards to go to each shift at Station 187 and TeaN'ergy donated about 25-30 cases of water.
- During the hurricane the Department responded to 304 calls, compared to the normal 25 daily calls.

22. To review and act on payroll procedures and policies, including implementation of services for same.

No action was taken at this time.

23. To review, discuss and act on the disposition of surplus and/or salvage property.

No action was taken at this time.

24. To review and act on employment/personnel issues, including policies, handbooks, procedures, hiring, firing, retention, compensation, benefits, scheduling, complaints and discipline of District

employees, including administrative staff, fire suppression staff, executive staff and Fire Chief.

No action was taken at this time.

25. To review and act on administrative policies and procedures.

No action was taken at this time.

The Board agreed to enter into Closed Session at 5:35 p.m. on the following agenda items:

- 7. To meet in Closed Session pursuant to Government Code §551.071 to consult with legal counsel regarding pending or contemplated 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.**
- 8. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters.**
- 9. To meet in Closed Session pursuant to Government Code §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or a charge against an officer or employee, including the District administrative staff, executive staff and Fire Chief. Any employee the subject of review will be given the opportunity to request Open Session discussion of the matters if they are present at the meeting.**
- 10. To meet in Closed Session pursuant to Government Code §551.089 to deliberate regarding security assessments or deployments relating to information resources technology, network security information, or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices.**

The Board re-convened Open Session at 6:40 p.m.

11. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:41 pm