



# Montgomery County ESD No. 10 Magnolia Fire Department

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**DATE:** July 3, 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 3, 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
Laurie Clifton	Board Member	Present

### **3 Commissioners were present, thus constituting a quorum.**

Also present were Fire Chief Jeffrey Hevey; Business Manager Eloise Roberson; Assistant Chief of Operations Gary Pangarakis; Assistant Chief of Administration Chuck Grant; Division Chief of Logistics & Planning August Naumann; Division Chief of Training Jason Herrman; Battalion Chief of Training Chris Thornton; Community and Risk Reduction Captain Bryan Perry; Battalion Chiefs Adam Vulgamott, Jeffrey Jackson; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Ross Winker of Winkler Public Relations; Joe Mark Robinson of Robinson Group Realtors; Ricardo Martinez from Martinez Architects; Jacob Pillon from LaW Construction & Consulting, LLC; Montgomery County Constable Deputy Eric Gray; and other Department Officers and Staff.

Commissioner Smith 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.**

Member of the public, Leshia Roberts, had questions regarding the recently completed audit. Her main concerns came from the two Management Letters that were provided to the Commissioners for internal review.

### **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.

**The Board moved to address Item # 6**

**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 Chuck Grant, along with Jacob Pillon from Law Construction and Ricardo Martinez from Martinez Architects, presented new information and new contracts regarding construction on Stations 182.

- Ricardo Martinez provided an estimate of \$8.5 million for the total construction costs for Station 182, with an additional \$10,000 in pre-construction costs.
- Eloise Roberson informed the board that pre-construction cost invoices totaling \$298,000 have already been approved and paid and should be added to Ricardo's current estimated costs. She further emphasized to the Board that there is currently an estimated \$103,000 available in the capital expenditure account and questioned whether the District was going to absorb the \$155,904 payment. Commissioner Smith reiterated that payment will be reimbursed once the construction loan is approved and received.
- Jacob Pillon presented a contract to the Board for temporary apparatus housing for construction at Station 182, totaling \$155,904, with an estimated completion date of September 30, 2024. Legal Counsel Krystine Ramon asked Chief Chuck Grant if the District went out for an RFQ for the temporary apparatus bay. Chief Chuck Grant stated that the District did go out for an RFQ and that Law Construction was selected based on the RFQ.
- Fire Chief Hevey is adamant about getting the firefighters out of the station in a timely manner but is concerned about the availability of funding.
- Legal Counsel Krystine Ramon suggests postponing any new loan applications until the next fiscal year, preferably in January.

Commissioner Clifton motioned to proceed with both the \$155,904 contract and the \$10,000 in pre-construction costs, pending council review, and for it to come out of Capital expenditure with the caveat to repay once the loan funding is received. The motion was seconded by Commissioner Cunningham and was **approved 3 to 0**.

**The Board moved to address Item # 5, 11 – 13 out of order**

**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.**

No action was taken at this time.

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

After reviewing the minutes from the previous meetings (June 5, 19, and the Special Meeting on June 26), the Board approved the minutes by General Consent.

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

Eloise Roberson presented the General Ledger and District bills for the Board's review and approval. Items of note:

- The first and last month's rent, as well as the security deposit totaling \$15,000 for the firefighters' temporary housing at Station 182, were paid out of capital outlay.
- A dividend of \$93,579.77 was recently received from Texas Mutual.

Commissioner Smith requested separate line items for construction project costs, which Eloise will provide moving forward. Commissioner Cunningham motioned to pay the District Bills, which Commissioner Clifton seconded. **The motion was approved 3 to 0.**

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

No action was taken at this time.

**15. To address sales tax matters, including reviewing monthly sales tax information.**

No action was taken at this time.

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

Ross Winkler reported on the following:

- Updates from the selection committee for the Fire Chief Job posting will be shared with alternative sources for greater exposure and distribution. Chief Herrman further explained the application process, requirements, where the job will be posted.
- Year in review is in the design process and final stages to be ready for distribution.

**17. 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.**

No action was taken at this time.

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

No action was taken at this time.

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

Fire Chief Jeffrey Hevey had the following to report:

- The 2025 budget has been revised from \$25 million to \$23.5 million, with an expected \$500,000 going back into reserve. Multiple new and ongoing projects are continually undergoing line item reassessment.
- A priority project involves replacing modems on the vehicles and acquiring two new trucks for the Battalion Chiefs, as well as recommending a new truck for the next fire chief.
- It is projected that within the next five years, Station 189 will be stretched thin due to the new communities being developed in the area, necessitating the construction of a new fire station.
- Has communicated with ISO consultant Skip Starling, who made the recommendation to keep the Departments Tanker Trucks as many developments in the area are without fire hydrants.
- A number of PR requests have been scheduled for the 4<sup>th</sup> of July celebrations.

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

Fire Chief Jeffrey Hevey is developing a policy and is receiving assistance from HR consultant Angela Zacharias and other departmental staff.

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

No action was taken at this time.

**22. 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.

**23. To review and act on administrative policies and procedures.**

Legal Counsel Krystine Ramon informed the Board of the recommended changes she made to the Procurement Policy that was drafted by Mark Frank of Frank Financial.

After further discussion, Commissioner Clifton motioned to approve the Procurement Policy as written, and Commissioner Cunningham seconded. **The motion was approved 3 to 0.**

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

July 17, 2024, at 3:30 pm

***The Board agreed to enter into Closed Session at 4:51 p.m. on the following agenda items:***

- 6. 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.**
- 7. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters.**

***The Board re-convened Open Session at 6:52 p.m.***

- 8. 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.**

No action was taken.

- 9. 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.**

No action was taken.

**10. Adjournment.**

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:53 pm