



Montgomery County ESD No. 10

Magnolia Fire Department

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DATE: March 06, 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, March 06, 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
Charles McDonald	Vice President	Present
Jeffrey Cunningham	Assistant Secretary/Treasurer	Present
Laurie Clifton	Board Member	Present

4 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 Chief Jeffrey Jackson; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Dennis Winkler of Winkler Public Relations; District; Joe Mark Robinson of Robinson Group Realtors; Montgomery County Constable Deputy Eric Gray; and other Department Officers and Staff.

Commissioner McDonald 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 Received.

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

There were no presentations 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 Grant provided updates on construction projects:

- The Maintenance facility is having its flooring cleaned up and more concrete poured.
- For repairs and maintenance, Chief Naumann has gone out for bids with several AC contractors and is proposing Country Air Solutions as their choice. The project total is \$47,580.00, or \$15,860.00 per station for three stations. An entire change-out of AC units will be required from the current unit to a more appropriately sized unit, along with ventilation throughout the building.

As this is greater than what is currently allocated in the maintenance budget, funds will be taken from capital expenditures. A motion to adopt the bid with Country Air and not to exceed \$48,000.00 to re-do the ACs in 187, 188, and 189 was made by Commissioner Cunningham, Commissioner Clifton seconded. The motion was approved 3 to 4 with one abstention.

- Krystine Ramon presented the bids received for the Burn Building to the Board. Community Leasing has the lowest bid proposal, a yearly payment of \$191,578.76 for seven years at a 5.2140% interest rate, with the first payment being due on April 1, 2025. Commissioner McDonald made a motion to accept the Community Leasing seven-year offer for the Burn Building loan, and Commissioner Clifton seconded. The motion was approved.

The board made a decision to discuss Items #19 and #20 simultaneously

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

Ann Marie from Qzip was in attendance, joined by Albert Bunick, who introduced himself and his IT Company, Shape Integrations. As Qzip and Shape Integrations have joined forces, they will maintain the same maintenance schedule that Qzip originally had, with the payment schedule included. Along with more services offered, access to more employees will help with maintenance and productivity. No further action was taken.

20. To review and act on SHAPE Integrations IT Services.

No further action was taken.

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 on this item.

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

Eloise Roberson provided an overview of the District's financials. As of February 29, 2024, the total amount in assets is \$11,623,457.01, with \$2,421,003.55 coming from investment accounts and \$9,202,453.46 coming from checking and savings accounts. During the meeting, she presented the General Ledger of the District from March 1 to March 6 for review and approval for payment. However, the ledger did not include a check received from a VFIS claim for water damage at Station 181 for \$3,222.45. This check will be discussed and included in the next meeting. A motion to pay the District bills was made by Commissioner McDonald, and Commissioner Clifton seconded. The motion was approved.

14. To receive a report from Shah Group Consulting, Inc and act as appropriate to the District's budget.

No action was taken on this item. Eloise will contact the Shah Group in hopes that they will be able to attend the Board meetings more often. No further action was taken.

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

No further action was taken on this item.

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

No action was taken on this item.

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

Dennis Winkler presented on the following:

- The positive feedback for the grand opening of Station 183 and having another sit-down interview with Community Impact in regard to upcoming construction projects, such as the Logistics building.
- Ross Winkler is working on the Year in Review and is asking for feedback and participation to add. Commissioner Smith would like to see the first three years of the Department combined in the review. Multiple copies will be printed to distribute between Commissioners and others.

18. 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.

Metro Fire is renting out a fire truck to the District for \$300.00 a day. They have also agreed that they will take whatever payment the insurance pays out. The District will still have to pay for any preventative maintenance the rented truck needs while in the District's possession, which would have to be done whether or not the apparatus is rented or purchased. Two preventative maintenance are currently planned, one in six months for \$4,000.00 and another in one year starting at \$5,500.00.

Eloise informed the Board that the motor vehicle accident involving the fire truck was ruled without fault. We have since received a letter from the opposing party's insurance company, Geico. Krystine advised the District's insurance company, VFIS, to get contacted before moving forward with filing a claim.

Chief Grant has moved forward with the fourth engine and is waiting for it to be approved for purchase. The Board discussed the need for a fourth truck purchase. Chief Grant provided a total financed price of \$2.8 million for the four trucks. Commissioner Cunningham made a motion to order the fourth truck and take all proceeds from the insurance claim put into said purchase, which Commissioner McDonald seconded. The motion was approved.

The Board moved to address Item # 21

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

Fire Chief Hevey reported on the following:

- One of the Firefighters involved in the firetruck accident is currently on workers comp and was approved by Texas Mutual to attend a conference that had been scheduled.
- Ladder 186 is back from the repair shop and in service. Since 2021, an estimated \$100,000.00 has been spent on repairs to the apparatus. This truck will also be attending the funeral of a former Magnolia Volunteer firefighter.
- The yearly hose testing was completed, and it lasted about two weeks. Old retired hoses are given to law enforcement and schools for use in their training.
- No major fires or motor vehicle accidents.

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

Chief Grant informed the Board of certain ongoing payroll issues that have yet to be resolved.

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

No action was taken on this item.

The Board moved to address Item # 5

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

Commissioner Clifton inquired about Abip, which was mentioned in the previous minutes. Krystine has contacted the advisors for an explanation of the additional charges still not paid. Further explanation was given regarding not being notified of exceeding the agreed-to amount for the contract with Abip, which the District should have been notified well before the fact to make any further decisions. The board requested Krystine to meet with the advisors once again to discuss the unsatisfactory results and additional charges. Commissioner Clifton made a motion to approve the minutes, and Commissioner McDonald seconded. The motion was approved.

24. To review and act on employment/personnel issues, including policies, handbooks, procedures, hiring, 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 on this item.

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

No action was taken on this item.

The Board agreed to enter into Closed Session at 4:49 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 6:09 p.m.

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

By general consent, the Board agreed to engage Thrower for the re-platting of Station 182, not to exceed \$5,000.00.

By general consent, the Board agreed to repair the roof and paint the Dobbin Huffsmith property and not to exceed \$32,500.00.

26. To review and act on scheduling District meetings.

March 20, 2023, at 3:30 pm

27. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:15 pm

X 

Commissioner Larry Smith
President

X 

Commissioner Charles McDonald
Vice President