



Montgomery County ESD No. 10 Magnolia Fire Department

18215 Buddy Riley ♦ Magnolia, Texas 77354
Office (281) 356-3288 ♦ Facsimile (281) 356-1572
magnoliafire.org ♦ magnoliaesd.org ♦ mfd@magnoliafire.org



DATE: November 6th, 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 Monday, November 6th, 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
Kelly Violette	Secretary / Treasurer	Present
Jeffrey Cunningham	Assistant Secretary / Treasurer	Present
Laurie Clifton	Board Member	Present

5 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 Chiefs Adam Vulgamott and Jeff Jackson; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Ross Winkler and Dennis Winker of Winkler Public Relations; Albert Bunick from Shape Integrations; Mark Frank from Frank Financial; Shannon Stryk and Tom Newby from Texas Mutual; 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.

Battalion Chiefs Mark Akers and Jeff Jackson spoke and thanked Chief Chuck Grant for his years in the fire service. No further action was taken.

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

The pinning ceremony for the recently promoted Engine Operators and Lieutenants will take place on November 19th, 2024, at 6:00 pm. An agenda will be posted. No further action was taken.

The Board moved to address Item # 12

6. To review and act on Texas Mutual Insurance.

Tom Newby from Texas Mutual Insurance reported the following:

- The additional increased property to cover and a history snapshot of the past five years have resulted in an increase in premium rates.
- The Burn Building has been insured for \$800,000.
- Late November is when final costs will be available.

No further action was taken.

7. To review, discuss and take action on Safe Haven Baby Boxes (SHBB) contract.

District Legal Counsel Krystine Ramon has sent an updated and edited contract back to SHBB for their legal team to review. No further action was taken.

8. To review and act on records management issues, including records management policies, personnel, procedures, schedules and disposition of documents in accordance with applicable statutes and Texas State Library and Archives Commission guidelines.

District Legal Counsel Krystine Ramon presented records management documents, which were approved at the previous board meeting, for Commissioner Violette to review and sign. No further action was taken.

9. To review and act on improvements, repairs, maintenance and construction of facilities, including but not limited to permits, utilities, architectural/engineering services, selection of contractors, approval of costs/budgets, and payment of construction-related bills.

Business Manager Eloise Roberson presented an invoice from LAW Construction for the Logistics Center, totaling \$28,172.74, with a remaining project balance of \$69,724, for review and payment approval. As there are no more funds in the loan taken out for this project, Eloise requested guidance from the Board on obtaining money for this invoice. After further discussion, the Board decided to table this item.

Division Chief of Logistics & Planning August Naumann addressed the Board requesting approval of \$9,000 to purchase equipment, furniture, and other necessities for stations that were recently reassigned. Commissioner Clifton was asked to seek donations for two or three grills for the mentioned stations. The Board recommended that Chief Naumann use the allocated funds from the budget for his purchase. No further action was taken.

The Board moved to address Item # 25

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

Chief August Naumann is requesting board approval to designate an old lift as salvage. Once the old lift is sold, any funds received from its sale, along with the generator recently approved for salvage, will be reallocated to the budget line designated for station furniture and other equipment expenses. Commissioner McDonald motioned to approve the designation of the old lift as salvage, which Commissioner Cunningham seconded. **The motion was approved 5 to 0.**

The Board moved to address Item # 14

14. 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.

15. 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.

The Board moved to address Item # 17

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

No action was taken at this time.

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

Eloise stated that sales tax would be received by November 8th. Additionally, extra sales tax may be collected from the Golden Triangle due to stores failing to report correctly. No further action was taken.

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

Ross Winkler had the following to report:

- The Department 'Pictures with Santa' will be held on November 16th at Station 181 between 1:00 and 3:00 p.m. The event has been posted on the department's social media accounts.
- An introduction video with the new Fire Chief is being planned.
- A department calendar is currently being worked on.
- An updated proposal from the Winkler Public Relations group will be presented at the next meeting.

No further action was taken.

20. 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.

District Legal Counsel Krystine Ramon has requested the final invoice for the fire trucks to be purchased. A quote for four engines, including the additional radios and equipment, was presented for \$4,500,000. Commissioner McDonald motioned to approve legal counsel for going out for loan solicitations for the four (4) Spartan engines, including equipment, which Commissioner Cunningham seconded. **The motion was approved 5 to 0.**

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

Albert Bunick from Shape Integrations provided updates to the services they have provided.

- Email encryption has been added to all Department emails.
- Server updates have been made and are still ongoing.
- Improved remote work access.

Albert also informed the Board of a new policy that needs to be reviewed for future approval. This policy, which comes after Senate Bill 1893 was passed in December 2023, prohibits the use of certain social media applications and services on devices owned or leased by governmental entities. As this was not a planned expense, the budget may increase. No further action was taken.

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

Fire Chief Jeffrey Hevey had the following to report:

- An incident involving a chlorine leak resulted in one person being taken to the hospital for minor treatment.
- Assistant Chief of Administration Chief Chuck Grant delegated his work and current projects to several Admin Chiefs as today marks his last day with the department.

- No new projects have been started as that will be left up to the next Fire Chief.

No further action was taken.

23. To review, discuss, and act on contracts with the District.

The Board discussed the contract for Grace and Guidance. No action is currently needed, as the current contract expires on January 11th, 2025, and does not auto-renew. Chief Herrman stated he would provide information, including a proposal for Carrera Counseling Services, at the next board meeting. No further action was taken.

The Board moved to address Item # 5

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

After further review, Commissioner Violette motioned to approve the board meeting minutes for October 9th and October 23rd, which Commissioner McDonald seconded. **The motion was approved 5 to 0.**

The Board moved to address Item # 24

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

No action was taken at this time.

26. 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.

Tom Newby from Texas Mutual (VFIS) addressed several benefits related to workers' compensation, short—and long-term disability, and HB 471. Eloise Roberson informed the Board that the Department's benefit premium may change due to additional coverage; however, the increase is not expected to be significant compared to the additional benefits received. No further action was taken.

27. 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 4:35 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 7:17 p.m.

The Board moved to re- address Items #9, 16 and 20

- 9. To review and act on improvements, repairs, maintenance and construction of facilities, including but not limited to permits, utilities, architectural/engineering services, selection of contractors, approval of costs/budgets, and payment of construction-related bills.**

After further discussion, Commissioner McDonald motioned to pay the LaW Construction invoice for \$28,172.74, which was seconded by Commissioner Violette. **The motion was approved 5 to 0.**

- 20. 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.**

After further discussions, Commissioner McDonald proposed allowing legal counsel to seek a pledge debt loan, which was seconded by Commissioner Cunningham. **The motion was approved 5 to 0.**

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

After further discussion, Commissioner McDonald motioned to pay the District bills, which was seconded by Commissioner Clifton. **The motion was approved 5 to 0.**

- 28. To review, discuss and act on hiring a Fire Chief for the District.**

After further discussions, Commissioner Violette motioned to approve the hiring of the new Fire Chief Terry Colburn and his contract, which was seconded by Commissioner Clifton. **The motion was approved 5 to 0.**

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

November 11th, 2024, at 3:30 pm – Special Meeting

November 20th, 2024, at 3:30 pm

December 06th, 2024, at 3:30 pm

- 28. Adjournment.**

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 7:25 pm