



# Montgomery County ESD No. 10 Magnolia Fire Department

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**DATE:** October 09, 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, October 09, 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 Training Jason Herrman; Battalion Chief Adam Vulgamott and Jeff 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; District human resources consultant Angela Zacharias from Organizology LLC; Mark Frank from Frank Financial; Ryan Fortner of Revenue Management Services; Joe Mark Robinson of Robinson Group Realtors; 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.

### ***The Board moved to address Items # 3 & 18***

### **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.**

Ryan Fortner expressed his gratitude to the Board for the 10 years he has been able to serve the district. No other comments were provided.

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

Ryan Fortner provided updates to his sales tax findings and communications with the Comptroller's office on the "Golden Triangle." The sales tax collected for the month of October totaled \$868,444.15, which is a 2% increase from the previous year. No further action was taken.

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

No promotions were presented at this time.

**6. To review and act on Petition of Release from the City of Houston ETJ.**

Legal counsel Krystine Ramon presented a Petition of Release from the City of Houston ETJ along with a Resolution to approve the Petition of Release from the City of Houston to the Board for review and to take action.

After further discussion, Commissioner Violette motioned to approve and sign the Petition along with the Resolution, which was seconded by Commissioner McDonald. **The motion was approved 5 to 0.**

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

Bryan Perry, captain of community risk reduction, presented a contract for the Safe Haven Baby Boxes. He informed the Board that a member of the community, Melanie Luttrell, wishes to actively participate in funding and overseeing the project. The board agreed by general consent to move forward with further discussions pending legal review.

**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.**

Business Manager Eloise Roberson provided updates on documents that are past their retention schedule and need attention. The board was also informed that the Records Management Officer needs to be updated. A recommendation to appoint the Office Manager, Rhonda Reinholz, as the Records Management Officer and the Assistant Office Manager, Joanna Padilla, as the Records Liaison Officer was made.

Following further discussion, Commissioner McDonald moved to appoint Rhonda Reinholz, the Office Manager, as the Records Management Officer, and Joanna Padilla, the Assistant Office Manager, as the Records Liaison Officer. Commissioner Cunningham seconded the motion, **which was unanimously approved with a vote of 5 to 0.**

**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.**

Assistant Chief of Administration Chuck Grant provided updates on current construction projects. Station 187 has its initial punch list ready as well as there being several small issues fixed. The temporary housing for Station 182 is still pending Fire Marshall and inspector approvals. No further action was taken.

**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.

**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.**

Joe Mark Robinson of Robinson Group Realtors provided an update on the property that is being sold.

After further discussion, Commissioner Violette motioned to approve the resolution to authorize the board president, Larry Smith, to sign the real property documents, which was seconded by Commissioner McDonald. **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.**

Mark Frank from Frank Financial presented a quarterly investment report. Bank reconciliation and updating of the department's Procurement Policy have been completed. Frank Financial is also providing assistance on the department's Accounts Payables and Receivables; 180 days have been completed. Maribel Frank will work with Brooks Watson to complete the previous fiscal year's audit and recommends searching for a new auditor come next summer.

Eloise Roberson presented the general ledger along with current bills for the board's review and payment approval.

After further review, Commissioner McDonald motioned to approve the payment of bills dated September 1<sup>st</sup> to 30<sup>th</sup>, which was seconded by Commissioner Violette. **The motion was approved 5 to 0.**

Commissioner Violette motioned to approve the payment of bills dated October 1<sup>st</sup> to 9<sup>th</sup>, which was seconded by Commissioner McDonald. **The motion was approved 5 to 0.**

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

Eloise Roberson is passing along Ryan Fortner's recommendations regarding the district budget. It is recommended that no changes be made to the current budget, but that a follow-up be conducted sometime in late November or December. 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:

- Plans for having the Logistics Center open house have been tentatively set for November.
- A 2025 calendar with important department dates is in the works.
- Will work with Captain Perry on the Safe Haven Baby Boxes project.

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.**

No action was taken at this time.

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

Chief Hevey informed the board of the updates the IT consultant has made to the department computers and software. 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:

- Volunteer member Cindi Sedberry has submitted a grant to Firehouse Subs for the 4-wheel drive.
- Plans to apply for a grant with TDEM for assistance in recouping hurricane damages and replacement costs.
- A request was made to advertise and hire Full-time and Part-time staff. The department has lost 10 full-time firefighters over the last two years.
- About 800 radios are in the process of being replaced as they are becoming far more expensive to fix than to have replaced.
- Agreements to use radio communications with Waller, Harris, and Grimes counties are secured. Todd Mission and Plantersville are still in the process.
- Several fire stations have changed their status. Station 185 is now Rescue, 188 is part-time, and 189 is a full-time station.

- The new generator at Station 187 is waiting for Generac to complete the warranty registration
- Several fire trucks are out of service.
  - E182 – The brakes are out and are waiting for parts to arrive.
  - E186 – AC is being worked on and should be fixed by tomorrow.
  - E183 – Turbo leaking oil, also waiting on parts to be delivered and should be up tomorrow.
  - T181 – There was an electrical fire in the motor. Replacement costs are estimated to be between \$134-155,000.
  - T184 – Clutch not working, parts are on order.
  - Rental E187 – The engine is not working and will be returned to Metro Fire to be fixed. Station 187 will be using reserve E18.
- There was one house fire and one fatal motor vehicle accident.

No further action was taken.

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

Legal Counsel Krystine Ramon presented a contract renewal for Ready Rebound. The renewal will be for 8 months, February – October 2025. There has been a lot of positive feedback from firefighters who have used their services. Also presented was a contract renewal for Grace and Guidance. The contract is from January – September 2025 for a total of \$33,750.

After further discussion, Commissioner Violette motioned to approve renewing the 8-month contract with Ready Rebound, which was seconded by Commissioner Cunningham. **The motion was approved 5 to 0.**

Division Chief of Training Jason Herrman informed the board of a similar service that Grace and Guidance provides, which is located locally in the Woodlands: Carrera Counseling Services. They offer monthly billing per visit with no set contract. Herrman will provide more information on this service at the next meeting. The contract renewal for Grace and Guidance has been tabled. No further action was taken.

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

Division Chief of Training Jason Herrman informed the board that the Better Bookkeepers has once again changed the person who is taking care of our department. They are being brought up to speed on the payroll processing process. No further action was taken.

### **25. To review, discuss and form and necessary committees and appoint committee members.**

No action was taken.

### ***The Board moved to address Item # 5***

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

Commissioner Clifton wanted to clarify the previous meeting minutes regarding the construction committee. Chief Grant is to include Commissioners Smith and McDonald when necessary construction actions are to be taken; change orders and changes in price.

After further discussion, Commissioner Clifton motioned to approve the minutes for September 4<sup>th</sup> and September 18<sup>th</sup>, which was seconded by Commissioner Cunningham. **The motion was approved 5 to 0.**

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

No action was taken at this time.

### **27. 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.**

Chief Hevey informed the board of still working with the HR consultants in updating policies and procedures. No further action was taken.

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

No action was taken at this time.

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

October 23, 2024, at 3:30 pm

***The Board agreed to enter into Closed Session at 5:00 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 6:18 p.m.***

***The Board moved to re-address Item # 27***

- 27. 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.**

After further discussion, Commissioner McDonald motioned to provide Terry Colburn a contingent offer of employment as Fire Chief for the District which Commissioner Violette seconded. **The motion was approved 5 to 0.**

**30. Adjournment.**

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:19 pm