



Montgomery County ESD No. 10 Magnolia Fire Department

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DATE: December 4th, 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, December 4th, 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 Terry Colburn; Business Manager Eloise Roberson; Assistant Chief of Operations Gary Pangarakis; Division Chief of Logistics & Planning August Naumann; Division Chief of Training Jason Herrman; Battalion Chief of Training Chris Thornton; Captain of Community Risk Reduction Bryan Perry; Battalion Chief Jeff Jackson; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Dennis Winker and Ross Winkler of Winkler Public Relations; District human resources consultant Angela Zacharias from Organizology LLC; Mark Frank from Frank Financial; Joe Mark Robinson of Robinson Group Realtors; Montgomery County Constable Deputy Eric Gray; and other Department Officers and Staff.

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 presented.

4. To introduce the Montgomery County Emergency Services District No. 10's new Fire Chief.

Commissioner Smith introduced and welcomed the Department's newly hired Fire Chief, Terry Colburn.

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

No action was taken at this time.

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

After review, Commissioner Clifton motioned to approve the minutes for the following dates:

- November 06, 2024
- November 11, 2024 – Special Meeting
- November 20, 2024

Commissioner McDonald seconded the motion for approval. **The motion was approved 5 to 0.**

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

District legal counsel Krystine Ramon has not received the requested amended contract for the Safe Haven Baby Boxes. She is expecting to receive it by the end of the week. No further action was taken.

8. 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.

Division Chief of Training Jason Herrman provided updates to the following construction projects:

Station 182

- The fire alarm and sprinkler system are estimated to be \$2,000 less than previously presented.
- \$170 to pull the permit, which was not previously included in the original bid.

After further discussion, Commissioner Clifton motioned to approve the purchase of the fire alarm and sprinkler system not exceeding \$40,000. Commissioner Violette seconded, and **the motion was approved 5 to 0.**

Station 186

- A sewage line connection is needed for the relocation of the mobile home unit. Permission or a letter of denial from Aqua is needed to move forward.

Station 187

- Working with Consolidated Communications and Comcast to resolve internet connectivity issues.

No further action was taken.

9. 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.

10. 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.

A meeting with Joe Mark was scheduled to discuss real estate matters further. No further action was taken.

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

Eloise Roberson – Presented the District general ledger for December 1-4, 2024 for review and approval. She also informed the Board that Randall Parr, CPA, is currently working on the District’s record-keeping account. Changes to budget line items and the way AD Valorem and Sales Tax are being recorded were made.

After reviewing the general ledger and invoices to be paid, Commissioner McDonald motioned to pay the District bills, and Commissioner Cunningham seconded the motion. **The motion was approved 5 to 0.**

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

Eloise Roberson – A preliminary meeting with VFIS was recently held to discuss workers' compensation. Before any changes are made to the District budget, a meeting with the Fire Chief will be held.

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

No action was taken at this time.

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

Ross Winkler is working on getting an introductory video from the Fire Chief out to the department. He is also working on getting dates for the Logistics Building grand opening. Pictures with Santa had 260 families attend the event in its second year. No further action was taken.

15. 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.

Legal Counsel Krystine Ramon presented several loan proposals for the four new fire engines, equipment, and radios, and out of nine solicitations that were sent out, only three responded. A recommendation was made for Trustmark loan at a 4.08% interest rate for seven years, with yearly payments and pledge ad valorem taxes. The first payment is due in January 2026.

After further review, Commissioner Clifton motioned to approve the recommended loan schedule from Trustmark at a 4.08% interest rate for seven years, with yearly payments and pledge ad valorem taxes, which was seconded by Commissioner McDonald. **The motion was approved 5 to 0.**

Fire Chief Terry Colburn spoke with Metro Fire regarding the repayment of the loaned fire truck. Per the original agreement, Metro fire will accept the amount the Department is reimbursed by the insurance company, which is \$12,000.

After further discussion, Commissioner McDonald motioned to pay Metro Fire the \$12,000, which was seconded by Commissioner Cunningham. **The motion was approved 5 to 0.**

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

A proposal for cyber security insurance from Prime 250 was presented for \$31,000. As this expense was not accounted for previously, it will be included in the updated budget once approved. After further discussion, the board requested quotes from several vendors before approval. No further action was taken.

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

Fire Chief Terry Colburn had the following to report:

- A report on all recent calls was presented, with 693 total incidents.
 - MVA accident, which ended with one injured firefighter.
 - Major Gas Leak.
 - Truck accident on the 249 overpass.
 - Three dogs were saved from a home kitchen fire.
 - Hazmat incident alongside the Woodlands.
- Next Tuesday at 9 AM, a fire engine will be brought to the fire station for review.

No further action was taken.

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

same.

District human resources consultant Angela Zacharias informed the board that she is once again reviewing for any underpayments made in 2023 TCDRS accounts. After further discussion, Commissioner Violette motioned to approve corrected payments on TCDRS, which Commissioner Cunningham seconded. **The motion was approved 5 to 0.**

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

No action was taken at this time.

20. 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.

District human resources consultant Angela Zacharias will be working alongside Fire Chief Terry Colburn on the Department Handbook. No further action was taken.

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

December 18, 2024, at 3:30 pm

January 8, 2025, at 3:30 pm

January 22, 2025, at 3:30 pm

The Board agreed to enter into Closed Session at 4:17 p.m. on the following agenda items:

22. 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.

23. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters.

24. 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.

25. 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 5:15 p.m.

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

After further discussions, Commissioner Clifton motioned to approve the Fire Chief's authority to resolve complaints of those below Command staff, including termination. Commissioner McDonald seconded the motion, **which was approved 5 to 0.**

27. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 5:17 pm.