



Montgomery County ESD No. 10

Magnolia Fire Department

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DATE: June 15, 2023

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 Thursday, June 15, 2023, 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
Kelly Violette	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 Assistant Chief of Administration Chuck Grant; Assistant Office Manager Joanna Padilla; Battalion Chief Adam Vulgamott; Battalion Chief Jeffrey Jackson; Community Risk Coordinator Bryan Perry; District Legal counsel John Peeler of Coveler & Peeler, PC; Ryan Fortner of Revenue Management Services; Ricardo Martinez from Martinez Architects; Dennis Winker of Winkler Public Relations; Eric Huddleston from abip accounting firm; 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.

No Public Comments Received.

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

No presentations were made at this time.

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

The Board noted that minutes would be approved at the early July meeting. No further action was taken.

The Board moved to address Item # 12.

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

Eric Huddleston from abip provided an update on the procedures and information-gathering phase for the Full-Time Firefighters' payroll audit. Currently, 60 hours have already gone into the project. Commissioner Smith requested a timeframe for the next update, to which Mr. Huddleston replied it would be available the first week of July. Commissioner Clifton also questioned if abip will work on her additional requests, FSLA, Part-Time, and Volunteers. Mr. Huddleston confirmed they will be adding on the additional work once the Full-time portion is completed.

Eloise Roberson presented the General Ledger and requested the Board for approval to pay the District's bills. A motion to approve the report presented by staff and to pay the District's bills was made by Commissioner McDonald and seconded by Commissioner Cunningham. The motion carried.

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.

Ricardo Martinez reported on construction activities for the District: discussed the groundbreaking of the Logistics facility at Station 187. Testing of the soil is to be done so that select fill can be developed for the site before the start of construction. Once the soil is stabilized, the foundation and utilities can be installed. A delivery date on the metal building is expected in mid to late July. An update for Station 183 was also given, 95% of the metal framing has been completed, and with one side having Sheetrock installed the following week. Metal building materials for the building addition are expected in approximately 2 months.

A request to pay the invoices for LaW Construction & Consulting for \$342,127.30 and Martinez Architects for \$18,497.56. Commissioner McDonald made the motion to approve the construction bills, and Commissioner Clifton seconded. The motion carried.

The Board agreed to enter into Closed Session at 3:42 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 5:07 p.m.

The Board moved to address Item # 23.

23. 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.

Motion by Commissioner Violette and second by Commissioner Clifton to approve the development of a lease for the current tenants at the Honea Egypt property by legal counsel and Mr. Robinson. Motion was approved.

Motion by Commissioner McDonald and second by Commissioner Clifton to approve the Letter of Intent for property reviewed in closed session. Motion was approved.

The Board moved to address Item # 11.

11. To review and act on matters related to lawsuits, claims against the District, or Public Information Act requests.

No further action was taken.

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

No further action was taken.

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

No further action was taken.

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

Dennis Winkler reported on the District's recent property purchase being released to local news, such as the Houston Chronicle.

The strategic planning session took place this past Wednesday, where members of the general public were invited to attend, participate in talks, and learn more about the inner workings of the Department. Commissioner Clifton, noted she will be visiting several stations soon.

The Winkler group is continuously working alongside CRR Bryan Perry in providing updates and managing both Magnolia 360 along with the District's growing social media presence created just a few months ago.

16. To review and discuss sales tax revenue and review matters related to a potential election to increase the sales tax rate and reasons to consider same.

No further action was taken.

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 noncapital items and expenses.

Commissioner Smith discussed the future purchase of a drone for the Department. A drone equipped with thermal cameras will be of great use out in the field; it can locate hot spots in wider areas and assist in search and rescue.

The Battalion Chiefs will be the first in line to become certified to use the apparatus to assist on calls. This purchase will be added to next year's budget. No further action was taken.

18. To review and act on information technology ("IT") matters, including engagement of consultants for the maintenance and improvement of IT infrastructure and resources, District website, digital records and electronic mail.

Chief Herrman addressed the Board in regard to consolidating the two current websites into one. Doing so will save an estimated \$5,000 annually by bringing all website hosting and publishing on-site. The Board advised to include legal counsel for advice on how to proceed. No further action was taken.

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

Fire Chief Hevey reported on the following matters:

Full-time firefighter interviews will begin next week, 15 out of 28 applicants who've passed the PAT test have been selected.

The strategic planning committee met yesterday, June 14, 2023. This was the first meeting open to the general public and to those interested in joining the committee to help shape the future of the Department. The next meeting is to be scheduled for September 5, 2023.

Chief Naumann and Chief Grant have taken inventory of what needs updating at Station 184. A temporary remodel will be done in updating basic necessities before a full remodel is to take place, tentatively planned two (2) years from now. For this remodel, an amount of up to \$25,000 is being requested to be taken out of the capital (operations) account. Commissioner Violette made a motion to approve renovations, and Commissioner Clifton seconded. The motion carried.

20. To review and act on mutual aid agreements.

No action taken on this item.

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

August Naumann provided an update on selling the Hydratrek. Currently, he is seeking out new websites to better advertise surplus property to sell.

22. 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.

Chief Hevey discussed having submitted to the HR consultant and employment counsel the Standard Operating Guide (SOG) for station sleeping arrangements with male and female firefighters and is waiting for recommendations and modifications to the document.

Also discussed, the Part-Time Firefighter job description is being updated and reviewed for future hires.

24. To review and act on scheduling District meetings.

July 6, 2023, at 3:30 pm

July 20, 2023, at 3:30 pm

25. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 5:38 pm.

X *L R Smith*

Commissioner Larry Smith
President

X *Kelly Violette*

Commissioner Kelly Violette
Secretary / Treasurer