



Montgomery County ESD No. 10 Magnolia Fire Department

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DATE: May 11, 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, May 11, 2023, at 3:48 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call meeting to order.

At 3:48 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
Kelly Violette	Secretary/Treasurer	Present
Laurie Clifton	Board Member	Present

3 Commissioners were present thus constituting a quorum.

Also present were Fire Chief Jeffrey Hevey; Business Manager Eloise Roberson; Assistant Chief of Operations Gary Pangarakis; Division Chief of Logistics & Planning August Naumann; Division Chief of Training Jason Herrman; Assistant Chief of Administration Chuck Grant; Training Captain Chris Thornton; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; District Legal counsel John Peeler of Coveler & Peeler, PC; Dennis Winker of Winkler Public Relations; Ryan Fortner from Revenue Management Services; Eric Huddleston from abip Montgomery County Constable Deputy Eric Gray; and other Department Officers and Staff.

Fire Chief Hevey led the Pledge of Allegiance to the U.S. Flag.
Fire Chief Hevey led the Pledge to the Texas Flag.

The Board Moved to Address Item # 14

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

Ryan Fortner from Revenue Management Services presented the Sales Tax Report. Our current allocation reflects a 7% increase in revenue of \$881,295.84 compared to May 2022 of \$823,018.98. For the fiscal year 2023, the District has received \$4,172,749.97 with an average allocation for each month totaling \$834,539.00. Currently, the District has received 42% of the revenues required to achieve the \$10,000,000.00 set forth in the annual budget.

Mr. Fortner has also been in discussions with Rachel Steele, a representative of the City of Magnolia as the Economic Development Director. She has offered her assistance with obtaining data regarding businesses operating on the FM 149 and FM 1288 intersection.

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.

August Naumann and Chuck Grant reported on the possibility of acquiring new full-time firefighters to staff Station 184, as it is the next station to be fitted for a full-time staff, and that we are looking to put in \$50-60,000 for a short-term remodel of the station and for it to begin in late June or July.

Commissioner Clifton inquired about any issues coming from the construction by Station 187. Chuck Grant commented that the recent rain had made the road by Station 187 a bit tricky to get through, but with the road construction being nearly complete, it shouldn't be an issue much longer.

Eloise Roberson presented invoices from LaW Construction & Consulting LLC (\$137,378.55) and Martinez Architects LP (\$19,728.00). A motion to pay the invoiced using the loan proceeds was made by Commissioner Violette and seconded by Clifton. The motion was approved.

The Board generally discussed the need to move forward with the re-platting of the three parcels at Station 182 into one new station reserve so that planning for new construction can begin. The Board noted the need to address issues with the existing pond with the engineering and design professionals.

The Board Moved to Address Item # 5

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

Commissioner Clifton motioned to approve the amended minutes of prior meetings on April 13 and April 27. Commissioner Violette seconded. The motion passed.

The Board Moved to Address Item # 7

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.

No action was taken.

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

No action was taken.

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.

No action was taken.

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.

No action was taken.

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 action was taken.

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

Eloise Roberson presented the General Ledger for the month of May and noted a decrease in expenses since the start of the year. Also discussed were past invoices received from our IT contractors Qzip from the months of December 2022 and January 2023, which Ms. Roberson will be reviewing. A motion to accept the report and pay the District bills was made by Commissioner Violette and seconded by Commissioner Clifton. The motion passed.

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

No action was taken.

The Board Moved to Address Item # 15

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

Dennis Winkler reported on the public outreach projects currently being addressed: Ross Winkler will attend the Montgomery County Go Red for Women Luncheon on May 19th along with two of our firefighters, Walter Sassard and John Chambliss, who will participate in the fashion show. Ross continues to work on and provide any updates for bills that are in legislation.

Chief Herrman reported that the fatal fire that occurred recently was used as a means to raise awareness for smoke alarms and fire safety in the home. Jason Herrman, along with CRR Bryan Perry, is working on updating the ESD website and the new Magnolia Fire Department's Facebook page.

The Board Moved to Address Item # 17

17. To act on a review of District payroll records.

CPA Eric Huddleston from abip, P.C. presented a Master Service Agreement for the payroll audit to be performed. He informed the Board of their auditing process, estimated the hours such a project would take, and estimates on completion, aiming for the end of June. He stated that the process includes looking at all historical documents such as Tsheets, QuickBooks, ADP, and Excel files related to payroll. He also noted that abip has requested information on the process and approval of payroll. He made clear that abip is reviewing the District's payroll obligations for the time period versus the actual payroll issued to the employees but not making recommendations on the control process for payroll moving forward. Commissioner Violette made a motion to move forward with the audit not to exceed \$75,000, and Commissioner Smith seconded. The motion was approved.

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.

An update on the ladder truck was provided; it is expected to leave from Nebraska sometime by May 11 to arrive in Houston by the following Monday or Tuesday. Once it arrives, it is estimated to go into service in three or four weeks. Chuck Grant and Chris Thornton have worked alongside a committee working on completing the specifications for the next truck. Once completed, quotes from numerous vendors will be sought out.

19. 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.

No action was taken.

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

Fire Chief Hevey reported on the following matters:

Firecom organized a debriefing concerning the recent double-fatal fire. A few in attendance included Chief Herrman, Sheriff Officers, dispatchers, and ESD 10 firefighters. Chief Herrman noted that such a debriefing could be beneficial for future incidents as it was a great means to de-stress and provide support to all those involved. Battalion Chief and Chaplain Mark Akers, was also in attendance providing support to the family and those affected.

Chief Hevey reported that both incidents took place in mobile homes. A response time of 4 min and 15 seconds for the fatal fire on Goodson Loop, just before 10 a.m. The fire on Woodway happened around 3 a.m. and had a response time of 6 minutes and 28 seconds. A plan to canvass similar neighborhoods to distribute smoke alarms is underway.

Having attended a Cert Fair at Del Webb, Chief Hevey reported that their fire hydrants had been painted black by the water supplier in that area, so as to not be responsible for servicing and maintaining them. Fire Marshal Jimmy Williams has served the developers a cease and desist of further activities until they rectify the fire hydrant issue.

Contracts for the recently attained properties and loans are moving ahead.

This year we have had graduations for the eleven full-time firefighters and the three recently promoted Engineer Operators. We are looking to hire another twelve full-time firefighters come August. Station 184 will be in need of Engineer Operators. Duty Crew members will be filling in until the following promotions, a process which takes about twelve to eighteen months for EOs.

August Naumann reported that the annual ladder testing was currently being performed.

21. To review and act on mutual aid agreements.

Chief Hevey reported that several neighboring departments and districts are reviewing issues related to administration and organization so none are currently ready to discuss new agreements with ESD 10. We are hoping to revisit the issues with them next year.

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

The Hydratrek has been repaired and is ready to be sold along with an old tanker, as previously approved.

23. To review and take action to solicit proposals for human resources services.

No action was taken.

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.

Chief Hevey reported that the District's Standard Operating Guidelines (SOGs) have been distributed to both our HR representative and attorney for review.

25. 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.

Loan proposals were discussed, and quotes provided came from: First Financial Bank, Leasing 2, Community Leasing Partners, and Government Capital. The Board was in favor of a fifteen-year term with the lowest interest rate. Commissioner Violette motioned to move forward with Community Leasing, and Commissioner Clifton seconded. The motion to select Community Leasing was approved.

A special meeting is to be held on May 25, 2023, to approve the loan documents. Mr. Peeler noted that he will work with Ms. Robinson and the title company to have an update on the scheduled real estate closing at that meeting, as well.

The Board generally discussed the status of the survey for the Dobbin Huffsmith property. Chief Grant reported that he has instructed the realtor to have the overall survey completed immediately, rather than delay in order to prepare a survey with potential subdivision of the property in mind.

The Board Moved to Address Item # 16

16. To review and act on District's contract with and ADP, including the following items:

- a. ADP Module Update.
- b. Adjusting contract term dates.
- c. Presentation from ADP.
- d. Scheduling meeting(s) with ADP onsite with District staff and Committee of Board members.
- e. Designate staff members for access to ADP modules/system.

Eloise Roberson presented the current contract and active ADP modules and explained their roles and functions, noting that not all modules are available to all employees. Employees can see their benefits, update their personal information, and update their banking needs, such as setting up direct deposit. Helpful links are also available, including Salary and Hourly paycheck calculators, Aflac, Empower, Ready Rebound, TCDRS, and more. For people with administrator authorization, additional modules are included, such as Analytics and Payroll.

Eloise Roberson and Joanna Padilla have been meeting weekly with ADP representative David Vizzaccaro, building and testing a scheduler for time and attendance. Ms. Roberson is requesting an IT professional to step in and be involved in the process of building this scheduler and recommended Matt Potter from Qzip. Chuck Grant said we might need quotes for programmers versus having Qzip involved. No other presentations or meetings have been scheduled with ADP onsite with District staff and committee of Board members, talks to schedule a meeting in the future continue.

Also discussed was a program the Battalion Chiefs had purchased back in October of 2022, Vector Solutions. For the past couple of months, BC Adam Vulgamott has been testing the scheduling platform with a group of firefighters. Creating the scheduler in ADP while already having Vector Solutions is time-consuming and redundant. Ms. Roberson will contact ADP and Vector Solutions to attain written confirmation of both programs working in unison to have Vector Solutions as the departments' main scheduler. The Board expressed concern that staff is required to use potentially duplicative and incompatible systems, thereby creating unnecessary burden in creating and reviewing schedules.

26. To review and act on scheduling District meetings.

The Board noted the following upcoming meetings:

May 25th special meeting; June 1st Regular Meeting; and June 15th regular meeting.

27. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 7:03 pm.



Commissioner Larry Smith
President



Commissioner Kelly Violette
Secretary / Treasurer