



Montgomery County ESD No. 10 Magnolia Fire Department

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DATE: November 20th, 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, November 20th, 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
Jeffrey Cunningham	Assistant Secretary / Treasurer	Present
Laurie Clifton	Board Member	Present

4 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; Battalion Chiefs Mark Akers and Jeff Jackson; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Dennis Winker of Winkler Public Relations; Mark Frank from Frank Financial; Ryan Fortner from Revenue Management Services; 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.

Assistant Chief of Operations Gary Pangarakis thanked Fire Chief Jeffrey Hevey for his time in the Magnolia Fire Department. He emphasized the many successful projects and improvements that Chief Hevey implemented for both the department and its staff in the three and a half years he has served Magnolia. After an impressive 50 years of dedicated service, Fire Chief Jeffrey Hevey is set to retire, leaving behind a legacy of commitment and excellence in the fire service.

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 took place on November 19th, 2024, at 6:00 pm.

Commissioner Smith introduced and welcomed Terry Colburn, the department's new Fire Chief. His official start date is December 2, 2024. No further action was taken.

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

No minutes were presented for approval.

6. 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 informed the Board that no new construction invoice has been received.

Division Chief of Training Jason Herrman provided project updates to Station 182.

- Permits for the Fire Marshal's office have been submitted. There have been no records of any building permits having been issued for the rental home.
- The rental home is on a well, which will require pressure testing.
- A permit for the sprinkler system installation still needs to be submitted.

Division Chief of Logistics & Planning August Naumann informed the board of the current mold issue at Station 186, which is caused by moisture and high humidity. Testing is currently being done, and the test results will be provided once available. Chief Herrman also informed the board that the trailer to be moved to Station 186 will also need permits pulled for installation.

District Legal Counsel Krystine Ramon presented the board with an update on the petition of release from the City of Houston ETJ. The city confirmed that the property in question is not in their ETJ. Greg Thrower has prepared a letter to be sent to the county engineer to accept the property belonging to Montgomery County. No further action was taken.

The Board moved to address Item # 11

11. 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.

12. 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.

Eloise Roberson informed the board that the MVFD board members have met, are in the closing process, and are currently reconciling their financials.

District Legal Counsel Krystine Ramon has been in contact with Greg Thrower regarding the MVFD. The MVFD attorney, Andrew Meyer, has reached out requesting documentation that will aid them in closing the remaining property, Old Station 181.

Commissioner McDonald motioned to authorize the release of attorney documents from Thrower to Andrew Meyer's office, which was seconded by Commissioner Clifton. **The motion was approved 4 to 0.**

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

Business Manager Eloise Roberson presented the general ledger and bills for payment for review. After further review, Commissioner McDonald motioned to approve the payment of the district bills, which was seconded by Commissioner Cunningham. **The motion was approved 4 to 0.**

The Board moved to address Item # 21

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

Division Chief of Training Jason Herrman introduced Priscilla Carrera from Carrera Counseling Services. She has experience working with multiple other departments. Carrera Counseling bills its services at \$150/ session, compared to the department's current contract with Grace & Guidance, which is an annual payment of \$33,700.

After further discussion, Commissioner Clifton motioned to approve the contract as written for Carrera Counseling, which Commissioner McDonald seconded. **The motion was approved 4 to 0.**

The Board moved to address Item # 14

14. To receive a report from Mark Frank and take any necessary actions.

Mark Frank of Frank Financial presented their quarterly financial report. There were a few recommendations made for budget adjustments:

- To hire eleven new firefighters in the next year versus the originally planned fifteen. This will lower the department's benefits and payroll budget by \$1,000,000.
- Apparatus maintenance should be increased by \$120,000.
- On average, \$207,000 has been consistently spent on training and certifications, while \$407,000 has been budgeted for these expenses.

Credit card reconciliation is also being worked on. No further action was taken.

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

No action was taken at this time.

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

Ryan Fortner from Revenue Management Services presented his findings on the district's sales tax allocations. The month of November received \$959,612.64 in sales tax, 11.2% higher than the previous year. Ryan plans to present a report on the area known as the 'golden triangle' at the next meeting and has assured the board that no money is missing from that area.

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

Dennis Winkler had the following to report:

- Pictures with Santa was a big hit with the community; 261 people were in attendance.
- An introductory video of the new Fire Chief is being planned.
- The logistics grand opening has been rescheduled for some time in January or February of 2025.

No further action was taken.

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.

District Legal Counsel Krystine Ramon informed the board that she reached out to nine potential lenders for an apparatus loan. The loan totals \$4,469,061.44, with the first payment due in January 2026 to cover the purchase of four engines, equipment, and radios. The responses are to be received on the Monday before the next board meeting, which is December 2, 2024. No further action was taken.

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

Chief Hevey notified the board of the IT consultant's current projects. We are updating the computers used by administrative staff and fire stations to ensure proper connectivity with the new servers. No further action was taken.

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

Fire Chief Jeffrey Hevey had the following to report:

- Several members of the apparatus committee are in South Dakota visiting Metro Fire to inspect the purchased engines. The current estimated delivery date for the engines is February 2025.
- Several engines have reached over 20 years in service; these will either be replaced by the new units coming in next year or be placed as reserve units. The Plantersville Fire Department is looking to purchase engines, which can be another source of use.
- Currently, Ladder 186 and Tanker 181 are out of service.
- Staff have been actively working on previously neglected projects, which include radios, construction, and IT.
- Fire Chief Hevey's last day in the office is Wednesday, November 25, 2024. The Chief's official last day is Sunday, December 1st.

No further action was taken.

The Board moved to address Item # 22

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

No action was taken at this time.

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

No action was taken at this time.

24. 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.

No action was taken at this time.

25. 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 4:52 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 6:12 p.m.

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

December 4th, 2024, at 3:30 pm

December 18th, 2024, at 3:30 pm

27. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:13 pm