



Montgomery County ESD No. 10 Magnolia Fire Department

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DATE: October 23, 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 23, 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
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; Assistant Chief of Administration Chuck Grant; Division Chief of Logistics & Planning August Naumann; Division Chief of Training Jason Herrman; 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; Joe Mark Robinson of Robinson Group Realtors; Mark Frank from Frank Financial; Ryan Fortner of Revenue Management Services; Montgomery County Constable Deputy Mr. Coppock; 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 McDonald 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.

Leshia Roberts requests updates on any action taken based on the district's auditor's recommendations. Commissioner Smith will contact Frank Financial to provide her with the requested updates.

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

No action was taken.

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

There were no minutes to present at this time.

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.

Assistant Chief of Administration Chuck Grant and Division Chief of Logistics & Planning August Naumann visited the logistics center for a final walkthrough, noting minor details that still need to be completed.

A final construction invoice for the temporary housing for Station 182, totaling \$23,705.85, was presented for payment. This final invoice does not include the estimated \$13,000 for the fire alarm system installation or any other miscellaneous expenses incurred after moving in. The fire alarm system is on hold for another 3-4 weeks as Montgomery County has not processed the required permits for its installation.

A second construction invoice was presented for the Logistics Center, totaling \$119,954.51. Chief Grant states that this is the second-to-last payment for the Logistics Center and specifies that the Logistics Center project, including the Station 183 remodel, is just over half a percent over budget.

After further discussions, Commissioner Clifton moved to approve payment of the construction invoice from Law Construction, totaling \$119,954.51, from the reserve account. It is stipulated that this amount will be reimbursed in November once Ad Valorem is collected. The motion was seconded by Commissioner McDonald and **approved 3 to 0.**

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.

13. 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 and invoices for review and approval. The rent check for Station 182 temporary housing, for \$5,000, is also included for approval.

After further review, Commissioner McDonald motioned to approve the payment of the district bills, which was seconded by Commissioner Clifton. **The motion was approved 3 to 0.**

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

Eloise Roberson advised the board to keep the budget as adopted. Amendments are to be made sometime in Late December or January 2025.

A proposal to employ 14 full-time firefighters was discussed at a recent Chiefs meeting. The additional firefighters will have a tentative hire date of February 23, 2025, which will have an estimated \$46,000 increase per pay period. No further action was taken.

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

Commissioner Smith requested that Mark Frank provide a report on the adjustments recommended by the auditor for the previous year, per a member of the public's request. Mark Frank informed the board that all recommendations had been made, including additional protocols to minimize errors in accounts payable. No further action was taken.

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

Ryan Fortner presented his district sales tax findings for the month. The average allocation in 2024 has been \$885,820.07, with the total allocation being \$8,858,200.71. The sales tax allocation received for the month of October 2024 is \$868,202.60, a 2% increase from the previous year. The board was also informed that the district is now receiving funds from the area known as the "Golden Triangle". 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.

Fire Chief Hevey provided updates regarding the purchase of four new fire engines and one mid-mount tower. A Purchase Order has been created with an estimated projected cost of \$6,800,000.

Battalion Chief of Training, Chris Thornton, along with several members of the apparatus committee and Vice President Charles McDonald, will travel to Nebraska to inspect the four engines.

Loan applications will be discussed at the November board meeting. No further action was taken.

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

Ross Winkler reported the following:

- The Haunted House will take place at Station 183 beginning at 7 PM.
- Pictures with Santa will take place on November 16, between the hours of 1-3 PM.
- The Open House for the Logistics/Training Facility has changed with a new tentative date of January 25, 2025.
- The annual calendar project, which will include important dates such as SAFE-D and blood drives, is being worked on.
- Montgomery County still has a Burn Ban in effect, which has been extended to November 21, 2024.

No further action was taken.

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

The IT consultants from Shape Integrations will participate in the upcoming November 6, 2024 board meeting to review necessary updates as well as updates that have already been made.

20. To review and act to approve Covered Applications and Prohibited Technology Policy based upon model policy developed by the Texas Department of Information Resources.

Legal Counsel Krystine Ramon presented to the board the Covered Applications and Prohibited Technology Policy based upon a model policy developed by the Texas Department of Information Resources. This policy requires that state and department-owned devices implement certain security measures and block specific blacklisted applications. This policy will need to be adopted by November 20, 2024. No further action was taken.

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

Chief Hevey had the following to report:

- There was a Chiefs meeting earlier today to discuss projects that are open and/or near completion. Any new large projects are on hold until the new Fire Chief comes into the office.
- Chief Grant has submitted his letter of resignation, effective November 6, 2024. He has begun delegating his responsibilities to several members of the Command Staff.
- A full-time firefighter has submitted their resignation. They will be working for the Cy-Fair Fire Department.
- Plans to hire 10-14 full-time firefighters no later than February 2025.
- Is requesting a pay increase for the part-time firefighters, the administrative staff, the mechanics, and the quartermaster. This request was tabled for when all Commissioners are present.

No further action was taken.

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

Eloise Roberson informed the Board that open enrollment has been completed. No action was taken at this time.

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

Chief August Naumann requested permission to advertise the auction for the old 187 generator.

The board agreed by general consent to advertise the auction of the old 187 generator.

25. To review, discuss and act on hiring a Fire Chief for the District.

No action was taken at this time.

26. 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.

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

No action was taken at this time.

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

November 06, 2024, at 3:30 pm

November 20, 2024, at 3:30 pm

The Board agreed to enter into Closed Session at 4:57 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 7:26 p.m.

The Board moved to address Items # 12 & 22

- 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.**

After discussions, Commissioner McDonald motioned to approve the adjusted price for Coe Loop as discussed, which was seconded by Commissioner Clifton. **The motion was approved 3 to 0.**

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

After discussions, Commissioner Clifton motioned to not renew the 2025 contract with the Winkler Group and to revise any future contracts ad hoc, which was seconded by Commissioner McDonald. **The motion was approved 3 to 0.**

29. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 7:29 pm