



Montgomery County ESD No. 10 Magnolia Fire Department

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DATE: August 7, 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, August 7, 2024, at 3:30 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call meeting to order.

At 3:50 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 Administration Chuck Grant; Division Chief of Logistics & Planning August Naumann; Division Chief of Training Jason Herrman; Battalion Chief of Training Chris Thornton; Community and Risk Reduction Captain Bryan Perry; Battalion Chief Jeffrey Jackson; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; Quartermaster Ray Chavers; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Dennis Winkler and Ross Winker of Winkler Public Relations; District human resources consultant Angela Zacharias from Organizology LLC; Joe Mark Robinson of Robinson Group Realtors; Joseph Chaudhary from SHAPE Integrations; Jim Lord from Texas First Insurance; Montgomery County Constable Deputy Eric Gray; and other Department Officers and Staff.

Commissioner Clifton 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.

Nick Kira stated he would like his termination to be appealed to the Board per the District's Policies.

The Board agreed to enter into Closed Session at 3:52 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.

The Board re-convened Open Session at 6:04 p.m.

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

There were no promotions or recognitions presented at this time.

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

After further review, Commissioner Clifton motioned to approve the minutes for July 3, 2024 and July 17, 2024 and was seconded by Commissioner Cunningham. **The motion was approved 5 to 0.**

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.

Commissioner Smith spoke on the previous meeting with ProGenerator regarding the maintenance and contracts on the Departments failed units. Fire Chief Jeffrey Hevey provided estimated repair costs for two of the units:

- Unit at Station 181 - \$30k - 50,000
- Unit at Station 187 - \$35k – 55,000

Eloise Roberson presented the Board with an invoice from LaW construction for Station 182s temporary housing, totaling \$155,904. It was also explained to the Board that there is currently \$75,172.95 left in Capital funding. Commissioner McDonald motioned to pay the LaW invoice totaling \$155,904 from Operations, and Commissioner Cunningham seconded. **The motion was approved 5 to 0.**

The Board moved to address Item # 22

22. 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.

Jim Lord from Texas First Insurance informed the Board of no changes taking place for health, dental and vision. There is also no change in the Hartford's short and long term coverage. Eloise added on that the only increase the Department will see will be when the new firefighters are enrolled. Jim Lord stated he was waiting to hear back on vacation versus sick days for disability.

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.

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 presented to the Board the General Ledger and bills for consideration and approval. She is requesting two separate motions, one for bills received right after the previous meeting dated 7/18-7/31, and a second for bills dated 8/1-8/7. After further discussion, Commissioner Violette motioned to pay the District bills dated 7/18-7/31, and was

seconded by Commissioner McDonald. **The motion was approved 5 to 0.** Commissioner Violette motioned to pay bills dated 8/1-8/7 and was seconded by Commissioner McDonald. **The motion was approved 5 to 0.**

Mark Frank was able to review and provide information on the District's processes as well as the Procurement policy, which was adopted at the previous Board meeting.

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

No action was taken at this time.

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

The sales tax received this month totaled \$897,557.84, which is lower than the average but higher than was estimated.

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

Ross Winkler reported on the following:

- Community Impact covering the Departments' new Drone Program
- Updates on the Fire Chief committee to be shared with the Board
- Plans to incorporate the opening of the Burn Building in October with fire prevention month
- Presented the Board with a semi-final version of the Year in Review for approval and feedback

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 non-capital items and expenses.

Fire Chief Hevey reviewed the upcoming purchase of four engines and one ladder truck. Plans to have modems and new radios installed within a four to five year plan was also discussed. The Suburban that was being planned to be purchased for the next Fire Chief has been pushed back to the following year.

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

No action was taken at this time.

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

Fire Chief Hevey reported on the following:

- The Department was busy during Hurricane Beryl; approximately 204 calls were made compared to a normal day of 20-30. The majority of the calls pertaining to downed wires and a handful of motor vehicle accidents.
 - Several stations had their generators go out, recommendations on maintenance will be taken into consideration moving forward.
 - Rhonda contacted CenterPoint and they will prioritize the Fire Department when restoring power.
 - Quartermaster, Ray Chavers, will be acquiring commemorative pins for those who served during the storm.
- Shape Integrations met with Larry Smith and Fire Chief Hevey.
- A meeting took place to discuss the Procurement Policy.

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

No action was taken at this time.

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

No action was taken at this time.

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

No action was taken at this time.

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

August 19, 2024 at 8:30 am

The Board agreed to enter into Closed Session at 7:01 p.m. on the following agenda items:

- 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 7:45 p.m.

25. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 7:45 pm