



# Montgomery County ESD No. 10 Magnolia Fire Department

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**DATE:** September 04, 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, September 04, 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
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 Pangarakis; Assistant Chief of Administration Chuck Grant; Division Chief of Logistics & Planning August Naumann; Division Chief of Training Jason Herrman; Battalion Chiefs Adam Vulgamott and Jeffrey 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; District human resources consultant Angela Zacharias from Organizology LLC; Mark Frank from Frank Financial; 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.**

A public comment was received from Lesha Roberts regarding her personal concerns about the district's past, current, and future budgets.

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

Fire Chief Jeffrey Hevey spoke on upcoming promotions. Six candidates are being promoted to Engineer Operator, and six others are being promoted to Lieutenant. One candidate will require future approval from the Board to be hired as

a Full-Time employee as they are currently Part-Time. Assistant Chief Gary Pangarakis and Business Manager Eloise Roberson reassured the Board that these promotions and pay increases are a part of the 2024 Suppression Pay Scale, which had been previously approved by the Board. Upon further discussion, the Board agreed to the upcoming promotions.

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

After further review, Commissioner Clifton motioned to approve the following Board Meeting Minutes:

**August 7, 2024 – Regular Meeting**

**August 19, 2024 – Regular Meeting**

**August 7, 2024 – Tax Setting Meeting**

**August 19, 2024 – Tax Setting Meeting**

Commissioner Violette seconded the motion, and **the motion was approved 5 to 0.**

**6. To review, discuss and take action regarding the Gulf Coast Regional Blood Center Emergency Donation Site Agreement.**

Office Manager Rhonda Reinholz elaborated on the agreement presented by the Gulf Coast Regional Blood Center. The Blood Center is requesting the use of the District’s facilities to safely provide blood, biotherapies, and other related services in the event of a catastrophic event. After further discussion, Commissioner McDonald motioned to approve the agreement and authorize Commissioner Smith as the primary contact, which Commissioner Violette seconded. **The motion was approved 5 to 0.**

**7. 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 Chuck Grant reported several construction delays with the logistics. Construction on Station 182’s temporary housing is underway. A temporary driveway and construction pad are to be installed, and the temporary building was given a delivery date of September 12 or 13. The following week, electricians to provide power to the building. An additional quote of \$16,000 was provided for the required installation of the alarm system. A previous check for \$155,904 made out to Law Construction was voided to include the additional \$16,000 for the alarm system, now totaling \$172,000.

Commissioner Violette motioned to pay the \$172,000 invoice to Law Construction from the reserve account, and Commissioner McDonald seconded the motion after further discussion. **The motion was approved 4 to 1, with Commissioner Smith opposing.**

Eloise Roberson further informed the Board of a final invoice from LaW Construction, estimated to total \$596,113.10. This final invoice is for the Station 183 and Logistics building projects.

Division Chief of Logistics & Planning August Naumann and Assistant Chief Chuck Grant presented quotes from several vendors for replacement generators for Station 187. After further discussion, Commissioner Violette motioned to approve the \$41,363.75 quote from Big Daddy Electric, to be funded from the Operations account. Commissioner McDonald seconded the motion. **The motion was approved 5 to 0.**

***The Board moved to address Items #8-28 out of order***

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

Ryan Fortner had the following to report:

- The State Comptroller’s office is experiencing delays in providing Ryan’s office with the requested information. Complaints have been filed against them.
- August monthly allocations totaled \$897,557.84, which was lower than the previous month but still a 3% increase compared to last year.

**12. 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 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.**

Commissioner Smith provided updated information on the lease the District has with the cheer center. A proposal to renew the lease for another nine months was discussed. After further discussion, Commissioner Violette motioned to approve the nine-month lease extension, which was seconded by Commissioner Clifton. **The motion was approved 5 to 0.**

Commissioner Smith provided information on a potential buyer for approximately four acres on the Coe Loop property. Any re-platting will be paid at the buyer's expense. No further action was taken.

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

Eloise presented two District General Ledgers and bills for consideration and approval. The first ledger was for the pay period August 20 – 31, 2024, and the second ledger was for the pay period September 1-4, 2024.

After further review and discussion, Commissioner Violette motioned to pay the district bills for the pay period ending August 31<sup>st</sup>, which was seconded by Commissioner Clifton. **The motion was approved 5 to 0.**

Commissioner Cunningham motioned to approve the ledger for the pay period ending September 4<sup>th</sup>, and Commissioner Violette seconded the motion. **The motion was approved 5 to 0.**

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

Business Manager Eloise Roberson informed the Board of ongoing Command staff meetings to discuss further budget amendments. Several vendors have yet to submit their estimates which is delaying progress. Eloise Roberson, alongside Fire Chief Hevey and financial advisor Mark Frank, will be providing recommendations for future revisions. No further action was taken.

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

Dennis Winkler reported that Ross Winkler toured the logistics building alongside Chief Grant in preparation for fire prevention month and the open house.

Captain Bryan Perry spoke on planning the yearly haunted house attraction, and Commissioner Clifton asked if the department should book Santa for the end of the year. 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.**

Chief Grant provided new quotes for the four engines and one tower that the department is looking to purchase, totaling \$4,395,048 and \$2,300,000, respectively, for a total of \$6,800,000. This quote includes the apparatus, equipment, and radios. Apparatus inspections will take place sometime in November with an estimated delivery in March.

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

No 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:

- Upcoming promotions for the Engine Operators and Lieutenants, including a request to hire one person as a full-time employee.
- Changes are being made for several stations, including transitioning from part-time to full-time and relocating

the rescue team.

- A part-time firefighter was unhappy with the upcoming changes and left.
- Station 189 will be a full-time Station, and Station 188 will be a part-time Station.

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

Legal Counsel Krystine Ramon informed the Board of an email she sent containing policies that are up for review and renewal. No further action was taken.

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

The procurement policy has been shared within the Department. Discussions in implementing changes will be scheduled.

**23. To review, discuss and form and necessary committees and appoint committee members.**

The Board discussed forming a construction committee to oversee the departments' construction projects. After further discussion, Commissioner Violette motioned to approve the formation of the construction committee and Commissioner Cunningham seconded the motion and it was **approved 5 to 0**. Commissioner Smith appointed himself and Commissioner McDonald to the construction committee.

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

Inventory will be taken, and currently, fire hoses are the only items available to dispose of or donate.

**25. 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.

**26. To review and act on administrative policies and procedures.**

No action was taken at this time.

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

September 18, 2024, at 3:30 pm

October 09, 2024, at 3:30 pm

October 23, 2024, at 3:30 pm

***The Board agreed to enter into Closed Session at 5:32 p.m. on the following agenda items:***

**8. 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.**

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

**10. 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.**

**11. 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 6:44 p.m.***

**28. Adjournment.**

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:45 pm