



Montgomery County Emergency Services District No. 10

DATE: August 26, 2021

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 Volunteer Fire Department, Station 181, 18215 Buddy Riley Blvd, Magnolia Texas 77354 on Thursday, August 26, 2021 at 3:30 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 3:31 p.m., Commissioner Smith called to order the Regular Meeting of the Montgomery County Emergency Services District No.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.

COMMISSIONER	BOARD POSITION	
Larry Smith	President	Present
Charles McDonald	Vice President	Present
Kelly Violette	Secretary/Treasurer	Present
Heath Schultz	Assistant Secretary/Treasurer	Present
Jeffrey Cunningham	Board Member	Present

All 5 Commissioners were present thus constituting a quorum.

Also present were Magnolia Volunteer Fire Department ("MVFD" or "the Department") Fire Chief Jeffrey Hevey, Assistant Chief of Operations Gary Pangarakis, Assistant Chief of Finance and Administration Eloise Roberson, Assistant Chief of Training and Safety Jason Herrman, Assistant Chief of Safety and Health Chuck Grant, Assistant Chief of Logistics August Naumann, Battalion Chief Alan Paulk, Captain Jeff Jackson and Office Manager Rhonda Reinholz, Montgomery County Constable Deputy Duane Burrell, District General Counsel John Peeler of Coveler & Peeler, PC, Ross Winkler of Winkler Public Relations, and Community Impact Reporter Chandler France. Leshia Roberts arrived at 3:40 pm.

The Board consulted with Carol Morrison of Municipal Accounts via phone on Item number 5

Commissioner Smith led the Board in the Pledge of Allegiance to the U.S. Flag.

Commissioner McDonald led the Pledge to the Texas Flag.

The Invocation was given by Commissioner Cunningham.

3. To receive public comment.

Battalion Chief Alan Paulk addressed the Board as the President of the Executive Fire Board stressed the importance of completing the handbook as the Board is under time constraints. The Board needs to give the Department Members a two (2) month notice of the de-escalation of the Magnolia Volunteer Fire Department. Chief Hevey noted that the handbook is almost done and should be done by the District’s next meeting for the Boards review and consideration. President Paulk expressed his thanks noting that everyone has been doing a good job making sure this is a smooth transition whereto the Board reciprocated.

Captain Jeff Jackson addressed the Board as the Magnolia Steward of the Montgomery County Professional Firefighters Association IAFF Local 4183. He thanked Chief Hevey for inviting him to the transition meeting last month but unfortunately was out of town and couldn’t attend and is looking forward to upcoming opportunities. Chief Hevey allowed some of the Full-Time Firefighters to attend FDIC noting that they had some really good interactions with instructors and were able to look at new products, software, and fire trucks. It was very educational and is something that he hopes will continue after the transition as the industry is constantly changing.

4. To review and take action on issues related to the District assuming direct provision of emergency services, including actions to employ staff, and scheduling public meetings on this issue.

Counsel noted that Commissioner Cunningham pointed out that no one has discussed the logo, name, and decal on the District vehicles. Once the District is the direct provider, and there is no longer a contract with Magnolia Volunteer Fire Department then it is no longer appropriate to have a reference to MVFD on the vehicles. Chief Hevey noted that technically MVFD owns the name however it is his understanding that MVFD is willing to give us the name excluding the word Volunteer. Discussion ensued whereto the general consensus is to keep Magnolia Fire Department on the logo however there is the opportunity to re-brand with the new organization. Commissioner Cunningham will recreate the logo and present it to the Board since he has the graphics software After further discussion the Board was in agreement for Chief Hevey to give opportunity for MVFD members to come up with a design for a new patch.

Chief Hevey noted that he is in the process of re-doing job descriptions, with the assistance of RIT Human Resources and will present them to the Board upon completion.

Commissioner Cunningham presented a “In God We Trust” decal that was designed by a friend of his who will donate the decals for each vehicle.

Upon a motion duly made by Commissioner Violette and seconded by Commissioner Cunningham, the Board unanimously approved to accept the donation of In God We Trust decals on the District vehicles.

5. To receive a report and act as appropriate to revise District and/or Department current year operating and/or capital budgets pursuant to Department quarterly re-allocations and/or other matters.

Ms. Roberson gave a verbal update on the following:

She prepared and presented a 2022 preliminary budget to the Board for review noting the combined budget Incorporates Municipal Accounts Budget and the anticipated budget for Operations and Payroll. Most of the information has been discussed in the transition meetings. Will present a comprehensive report that will describe what each individual dollar amount represents at the September meeting. The Board will also receive a five (5) year expense report which will entail all of the money that has been spent in the last five (5) years and will break down each category so, the Board can understand the growth of the department as well as the future needs.

Amounts summarized on the 2022 Preliminary Budget:

2022 Ordinary Income/Expense approved 8/23/21	\$15,619,719.24
Total proposed 2022 Payroll and Operations Expense	\$18,424,898.35

Discussion ensued where to the Board the Board requested quotes for fuel tanks.

Ms. Reinholz noted her findings of the Profit and Loss Budget Performance in the August 12, 2021 Noting that there are additional Ordinary Income/Expense Line Items on the Profit and Loss Budget Performance that are not included on the amended 2021 Budget approved 2/11/21 where to Ms. Morrison will prepare an amended 2021 Budget that aligns with the Profit and Loss Budget Performance at the September 9, 2021 meeting.

6. To review and take action on public outreach and communications, including reports from consultants and District Committees on same.

Ross Winkler gave a verbal update to the Board:

Commissioner Smith and Violette met with Chandler France with Community Impact prior to the meeting Chandler enjoyed the story of safety and the growth of the area
The District's Tax Rate story will be ready for the next meeting.

7. To review and take action on information technology ("IT") matters, including engagement of consultants for the maintenance and improvement of IT infrastructure and resources.

Chief Hevey reported that QZIP is in the process of migrating our Email system to Microsoft GCC. QZIP will start installing all new servers on September 18th. The Commissioners will also get a new email address.

8. To review and take action on transfer of Tower Lease Agreement with Crown Castle to ESD including authorization from MVFD regarding same.

Counsel explained that the Tower Lease Agreement is part of the assets that will be included in a comprehensive resolution contract between the Department and the District where to no action was necessary at this time.

9. 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 entered into Closed Session at 4:28 pm and reconvened for regular business at 5:19 pm.

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

The Board entered into Closed Session at 4:28 pm and reconvened for regular business at 5:19 pm.

Commissioner Schultz stepped out of Closed Session on real estate matters because of his involvement of the other side of the potential deal as noted in previous minutes. He participated in all Closed Session Items except real estate.

11. 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's administrative staff, executive staff and Fire Chief. Any employee the subject of review will be given the opportunity to request open meeting discussion of the matters if they are present at the meeting.

The Board did not convene in Closed Session on this item.

12. 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 did not convene in Closed Session on this item.

Counsel exited the meeting at 5:19 pm.

13. To review and take action on matters related to lawsuits or claims, including potential settlement of same.

No action was necessary on this topic.

14. To review and take action on matters related to the District investigation of District and Department operations, personnel and fiscal matters.

No action was necessary on this topic.

15. To review and take action to enter into a contract with First Response Family Clinic for pre-employment medical testing.

Chief Hevey explained the First Response Family Clinic Agreement.

Upon a motion duly made by Commissioner McDonald and seconded by Commissioner Schultz, the Board unanimously approved the agreement with First Response Family Clinic for pre-employment medical testing.

Commissioner Violette exited the meeting at 5:20 pm.

16. To review and act on employment/personnel issues, including hiring, retention, compensation, benefits, scheduling, complaints and discipline of District employees, including administrative staff, executive staff and Fire Chief.

No action was necessary on this topic.

17. To review and take action with respect to County real property records and Montgomery Central Appraisal District records regarding ownership of District and Department facilities.

No action was necessary on this topic.

18. To review and act on real estate matters, including but not limited to purchase, sale, lease, utilities, encumbrances and/or easements.

Upon a motion duly made by Commissioner Cunningham and seconded by Commissioner McDonald, the Board unanimously approved the real estate contracts and feasibility studies proposals from South Texas Surveying Associates, Inc. and DCH Environmental Consultants as presented and discussed in Closed Session. Motion was approved by a vote of 3 to 0 with Commissioner Schultz abstaining.

19. To review and take action on repairs or renovations to District or Department facilities.

Discussion ensued about leaks and mold at Station 181 where to no action was necessary on this topic.

20. To review and take action on scheduling District meetings.

The next scheduled meetings will be:

Regular Meeting on September 9, 2021 at 3:30 pm

Regular Meeting on September 23, 2021 at 3:30 pm

21. ADJOURNMENT

There being no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 5:24 pm.



Larry Smith, President



Kelly Violette, Secretary

Heath Schultz Asst Secretary

