



Montgomery County Emergency Services District No. 10

DATE: February 10, 2022

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 Thursday, February 10, 2022 at 3:30 PM inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 3:47 PM, 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 Fire Chief Jeffrey Hevey, Business Manager Eloise Roberson, Office Manager Rhonda Reinholz, Assistant Chief of Operations Gary Pangarakis, Assistant Chief of Administration Chuck Grant, Division Chief of Training Jason Herrman, Division Chief of Planning and Logistics August Naumann, Training Captain Christopher Thornton, District Legal Counsel John Peeler and Krystine Ramon of Coveler & Peeler, PC, Ross Winkler of Winkler Public Relations, Montgomery County Constable Deputy Eric Gray, Michelle Murray, Luis Bonilla, and Candy Emmerich with First Financial Bank, Randy Oliver with Segno Volunteer Fire Department, Constable Chris Jones, Montgomery County Sheriff Rand Henderson, Magnolia Police Chief Kyle Montgomery, Life Save Awards Recipients and families, and other staff members assisting with the ceremony.

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.

The Board was in agreement to address item #4 before addressing item #3.

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

Life Saving Commendations Awards presentation by Fire Chief Jeffery Hevey. Commendations were presented in recognition of life saving skills displayed at two (2) events:

1) Cement Mixer on December 14, 2021, Incident 21-87150, Location of Rescue was 9311 FM 1488, Magnolia, TX 77354, Commendations presented to thirteen (13) members; Captain Kevin Hoffart, Firefighters Austin Hanson, Brandon Pizzino, Brian Prince, Chance Lane, Curtis Sandlin, James Faulkner, Michael Tullos Michael White, Regan Holcomb, and Mort Smith, Battalion Chief Ben Cornelius, and Assistant Chief Gary Pangarakis whose life saving skills rescued a woman from being entrapped in her vehicle, underneath a fully loaded cement mixer which rolled on top of her car;

2) MVA Entrapment Vehicle Fire on December 20, 2021, Incident 21-88531, Location of Rescue was 42000 FM 1774, Magnolia, TX 77354, Commendations presented to eight (8) members; Captain Scott St. John, Firefighters Daniel Wooten and Roosevelt Lozano, Montgomery County Sheriff Office Deputies Luke Pickard and Conrad Rapplelea, Magnolia Police Department Officers Daniel Bonilla and Paul Hudson, and Montgomery County Constable Precinct 5 Sergeant Bronson Christopher whose life saving skills and valor saved a man from an overturned, burning vehicle. This gentleman was rescued with significant burns to the lower half of his body.

Commissioner Smith, Montgomery County Precinct 5 Constable Chris Jones, and Montgomery County Sherriff Rand Henderson addressed the awards recipients thereafter the awards recipients gathered for a group photo.

3. To receive public comment.

Randy Oliver with Segno Volunteer Fire Department addressed the Board to consider donating the District's surplus tanker and two (2) pumpers to the Segno Volunteer Fire Department. He provided the Segno Volunteer Fire Department's funding sources, operations, quantity and type of fire apparatus, and equipment to support his request.

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

Upon a motion duly made by Commissioner Schultz and seconded by Commissioner Violette, the Board unanimously approved the Minutes of the District's Regular Meeting held January 13, 2022 as presented.

The Board was in agreement to address Items #6 and #8 together

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

Ms. Roberson presented District bills for the Board's signature and a synopsis of financial activity from February 1, 2022 noting all disbursements are budgeted expenses. She noted the following: financials and other pertinent documents will be available before the meetings via the Dropbox which should be implemented soon; the department credit cards will be switched from Wells Fargo to First Financial; the new accounting firm is not in attendance today because they have not been added to the accounts and want to review the records for accuracy before presenting a financial report; the new Quickbook Account has been received and will be installed on essential staff's computers and will have the ability to view the financial activity in real time; the relationship managers with First Financial are in attendance and will be introducing themselves and updating the signature cards.

Additionally, Ms. Roberson presented and noted ESD expenditures from December 20, 2021 until the end of January 2022 that were paid by MVFD. She notes that those assets are part of what MVFD is going to transfer to the District and put into the reserve up to \$500,000.00. On the last page she prepared a synopsis of the outgoing expenses from December 20, 2021 to January 27, 2022 plus payroll costs because we couldn't get the account

number changed in time for some of the 457 contributions, so those amounts are included as well. That total came to \$298,392.41 so, the District is not going to reimburse MVFD but instead reimburse the District's reserve account. In addition the District can expect a check from MVFD in the amount of \$201,607.59 at the next meeting for a total of \$500,00.00 to be allocated to the District's reserve account and will also represent the transfer of assets from the MVFD Operations to the District.

Additionally, Ms. Roberson presented the following checks to the District:

- MCHD check number 111389 in the amount of \$950.00 for February 2022 Rent;
- SFFMA check number 021384 in the amount of \$50.00 for reimbursement of overpayment of dues;
- VFIS check number 27416 in the amount of \$770.00 for a tow reimbursement, claim number TXTR22020225;
- LDF Construction check number 13162 in the amount of \$5,000.00 Roof Settlement payment. After reconciliation determined it is the final payment.

The Board inquired on a few of the listed distributions whereto they were explained by staff.

Ms. Roberson introduced the relationship managers with First Financial:

- Luis Bonilla Branch Manager; Updated signature cards and contact information on commercial accounts, updated contact information, have all the documents prepared and ready for the Boards signatures.
- Michelle Murray; works in the Treasury Management Department, has paperwork to give Eloise access to perform ACH and wire transactions, seminar on February 23rd and Positive Pay service available that helps with fraud prevention, check scanner to give Eloise to perform check deposits.
- Candy Emmerich Commercial Lender at 1488 Branch; assisted the District with loan for 3 new stations, please contact her for the District loan needs.

7. To review and act on a Resolution to authorize staff to pay recurring, budgeted expenses via electronic funds transfer for bills occurring in between meetings.

Upon a motion duly made by Commissioner McDonald, and seconded by Commissioner Schultz, the Board unanimously approved a Resolution presented by counsel by a vote of 5 to 0, to authorize Board Officers and District Staff to execute via ACH/wire/electronic payment bills and obligations which fall within the approved FY 2022 Budget and which are received between monthly meetings, effective immediately. Staff noted that the payments would be reflected on the next available monthly financial report.

8. To receive a financial report from the District administrative staff.

This item was addressed with Item #6.

The Board was in agreement to address Items #9 and #17 together

9. To receive a report and act as appropriate to revise District operating and/or capital budgets.

Capital Expenditure included in the District bills that was budgeted and paid to MES in the amount of \$741,058.11 for SCBA Air Paks. Ms. Roberson noted that the payment is funded by reserve account funds.

10. To review and act on District insurance policies.

No action was necessary.

11. To review and act to engage bookkeeping or accounting services.

No action was necessary.

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

The Board reviewed the February 2022 Sales and Use Tax Report prepared by Revenue Management Services.

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

Ross Winkler announced that he invited the Community Impact to the Awards Ceremony and will be sending pictures and details to them. He also noted that their firm is working on a one (1) year review which expected for presentation at the March Board Meeting.

14. To review and act on 2022 ad valorem tax exemptions.

Upon a motion duly made by Commissioner Schultz and seconded by Commissioner Violette, the Board unanimously adopted the Montgomery Central Appraisal District "Verification of Exemption" request for the year of 2022, approving exemptions for tax year 2022 as follows:

Homestead	\$	0.00
Over 65	\$	50,000.00
Disability	\$	50,000.00

A copy of the "Order Of The Board Of Emergency Services Commissioners Of Montgomery County Emergency Services District No. 10 Granting Exemptions For 2022" that was adopted and approved by a vote of 5 in favor and 0 against and is attached hereto as **EXHIBIT A** with Commissioners Cunningham, McDonald, Schultz, Smith, and Violette present. Staff and counsel noted that these are the same exemptions granted for tax year 2021.

15. To review and act on the request by the County Elections Department to use District facilities as polling locations.

General Counsel conveyed to the Board that the elections office does not need to use our building for elections. Chief Hevey further conveyed to the Board that the election equipment could not be properly secured due to the frequent use of the Training Room.

Counsel exited the meeting at 5:16 PM and returned at 5:35 PM.

16. To review and take action on all matters related to transition by the District to direct provider of services, including transfer of assets from Magnolia Volunteer Fire Department to the District.

Chief Hevey presented four (4) patches to which Patch No.1 received the most votes, noting that Chief Herrman oversaw the survey and Captain Thornton designed the patches. Upon discussion, the Board was in unanimous agreement with Patch No. 1 contingent upon minor changes to the design.

17. To review and act to approve the purchase, funding, financing and payment for capital assets, including vehicles, fire-fighting apparatus and equipment and for non-capital items and expenses.

Chief Grant presented an Aerial Ladder Handout noting two (2) HGAC pricing options from Metro Fire Apparatus Specialists for Contract No. FS12-19, Product Code EEA05, described as a 105' Rear Mount Telescoping Ladder, Formed Aluminum Body, Spartan Gladiator, 4-Door, Tilt Cab, Tandem Axle, inclusive of H-GAC Order Processing Charge, published and unpublished options. The two pricing options are to pay at end or pay at beginning with a \$20,000.00 savings whereto discussion ensued on financing options for the Ladder Truck and Station renovations and Maintenance Building projects.

Upon a motion duly made by Commissioner Cunningham, and seconded by Commissioner Schultz, the Board unanimously approved to issue PO to Metro Fire Apparatus Specialists, Inc. on H-GACBuy Contract No. FS12-19 as presented, in the amount of \$1,321,845.00 and to secure funding to pay Metro Fire Apparatus Specialists, Inc. at time of delivery.

18. To review and take action on information technology (“IT”) matters, including engagement of consultants for the maintenance and improvement of IT infrastructure and resources, District website, digital records and electronic mail.

Discussion ensued about email problems with the Commissioners magnoliaesd.org emails.

The Board was in agreement to transition to one (1) email format. Chief Grant noted that new email accounts with magnoliafire.org can be created then move the magnoliaesd.org emails to new magnoliafire.org email.

Chief Grant reported that QZIP is not able to purchase the IT items necessary for IT improvements. The current quotes noted on January 13, 2022 are old and need to be re-quoted. The DNA Fusion Access Lock Control is just a software upgrade, camera software involves the installation of the cameras which QZIP doesn’t do. The new antivirus was installed today. Discussion ensued on whether QZIP will be able to accommodate the growth of the organization.

Upon a motion duly made by Commissioner Schultz and seconded by Commissioner Violette, the Board unanimously approved sending out an RFP for IT Services.

The Board was in agreement to provide QZIP an option to submit a proposal for IT Services as outlined in the RFP then a 30 day termination notice, if applicable, upon selection of IT Services vendor.

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

Chief Hevey addressed the Board on the following topics:

The Command Staff office is busy and will be very involved in monthly reports to the Board as they are subject matter experts.

The transition to direct provider was successfully completed in ten (10) months.

Ricardo Martinez is still working on designing Station 182 & 186, and Maintenance Building. His vision is to build the Maintenance Building first because no demo or renovation is required; Station 183 – MCHD wants to improve the living conditions for the EMS personnel. It is possible to complete renovations and remain within the footprint of the station. It is a ripple effect once one area is remodeled and brought up to code for electrical, water, septic, as well as upgrading IT; MCHD will not have their budget amount available until November and not sure what MCHD limitations will be; Station 182 & 186 – Will need to determine where to house personnel either by temporary relocating or a mobile home for temporary living arrangements.

Ladder 186 passed its aerial inspection today and will be in-service once Rescue 188 comes back from the shop for body issues under warranty; District Chief Naumann added that Ladder 181 is still waiting for parts, Engine 183 is getting the radiator rebuilt, Engine 181 is at Lonestar Emergency Group for warranty A/C Repair, Tanker 184 will have warranty tank repair done next Tuesday, Chief Hevey added that Rescue 188 is at Pierce having some warranty body work on some minor stress fractures among some welds, it cracked right behind the right side passenger along a weld seam.

Contracted with Grace and Guidance for Behavioral Health, Rebound Ready for employees injured on and off the job as an employee advocate for finding sports medicine physicians and physical therapists.

Presented updated Organizational Chart with new ranks and radio numbers.

Old and new pay rates were previously sent to the Commissioners for comparison purposes; the new Battalion Chief’s and Firefighter’s will start at new pay rate; advertised for Lieutenants; once Ladder 181 and Ladder 186 are up and running will need a Captain and a Lieutenant at both of those stations so there will be 6-8 staffed at those stations, a Lieutenant for the Engine and Captain for Tanker; could have 6 new Lieutenants by May; received 12 or 13 Lieutenant applications thus far.

He deferred to Assistant Chief Pangarakis to convey questions from the firefighters about the Lieutenant applications whereto Chief Pangarakis expressed they mainly are inquiring on what the process is going to be and

he informed them that it will be similar to the process for the Battalion Chief's and they are very excited and eager and wanting to find out as much information they can so they can prepare.

Eventually we will have a Driver Operator position and tests, we basically created two (2) new ranks and that helped facilitate a pay scale and fix a lot of problems. It is also typical of other fire departments.

District Chief Herrman explained the testing process noting that we are trying to be transparent with testing process.

Some people have been here for over a year and a half or longer and have not had any significant increases in their pay, and others that have been here have received significant pay increases which needs reviewed; Firefighter, Captain, and Battalion Chief pay are above normal and in some cases there is a \$20,000.00 difference between new and old starting pay; we are working on a schedule that is based from 2% to 5% for the Board to determine whether a pay increase for employees across the board is due and what are the options; the numbers will be solidified at the next meeting; pay rates were compared by using salary surveys; our new pay rates are in line with other departments but we are still a competitive department, the Board needs to determine a pay scale, a pay rate increase schedule and/or COLA will be presented at the next meeting.

Working on a new uniform policy in an effort to get full-time suppression members a Class A Uniform or long sleeve shirt, Captain Thornton and Chief Herrman have a number of new ideas that we will be rolling out including Company Officer Training.

We anticipate hiring 15 new full-time firefighters around April 11

20. To review, discuss and act on the disposition of surplus and/or salvage property including but not limited to the process to dispose of same.

Commissioner Schultz asked for a list of surplus property whereto Chief Hevey affirmed he will provide a list of surplus and salvaged vehicles and equipment. General Counsel advised the Board that the District has wide discretion to transfer surplus and salvage property to another ESD or volunteer fire department in the State of Texas.

Discussion ensued on the process if the District transfers surplus or salvaged PPE and SCBA equipment to the Forest Service Helping Hands program.

21. To review and act on improvements, repairs, maintenance and construction of District facilities, including utilities, architectural or engineering services and selection of contractors.

Martinez Architects sent legal counsel draft contracts this morning. Mr. Peeler reports he would get with him to have them ready for the next meeting.

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

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

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

24. 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 meeting discussion of the matters if they are present at the meeting.

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

25. 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.

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

Upon discussion the Board by general consent unanimously authorized counsel to re-open the claim with LDF.

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

No action was necessary.

28. To review and act on real estate matters, including but not limited to purchase, sale, lease, utilities, encumbrances, easements and engaging consultants for feasibility and other matters related to real property transactions.

No action was necessary.

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

The District's next scheduled meetings are:

Regular Meeting on February 24, 2022 at 3:30 PM.

Regular Meeting on March 10, 2022 at 3:30 PM.

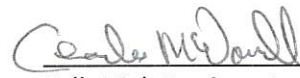
Regular Meeting on March 24, 2022 at 3:30 PM.

30. ADJOURNMENT

There being no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:45 PM.



Larry Smith, President



Kelly Violette, Secretary
Charles McDonald Vice President

