



Montgomery County Emergency Services District No. 10

DATE: July 28, 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, July 28, 2022 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 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 Logistics and Planning August Naumann; Battalion Chief and Montgomery County Professional Firefighters Association IAFF Local 4183 Jeff Jackson; Battalion Chief Adam Vulgamott; Captain Michael Cockrell; Lieutenant Andrew Heinson; District Legal Counsel John Peeler of Coveler & Peeler, PC; Ross Winkler of Winkler Public Relations; Ricardo Martinez, President of Martinez Architect Firm; Nick Shah of the Shah Group; Jon Watson, CPA with BrooksWatson & Co., PLLC; and Montgomery County Constable Deputy Richard Garlock.

Members of the public were Vivian Kahla, Irene Collins, Laurie Clifton, , Bruce Clifton, Kevin Hoffart, Shannon Hoffart, and private investigator Wayne Dolcefino with camera crew. Some members of the public didn't stay for the duration of the meeting.

- Commissioner Smith led the Board in the Pledge of Allegiance to the U.S. Flag.
- Commissioner McDonald led the Pledge to the Texas Flag.
- Commissioner Cunningham gave the Invocation.

3. To receive public comment.

Commissioner Smith welcomed everyone to the meeting of the ESD 10 and invited comments from the public where to there was no public comment offered.

The Board was in agreement to enter into Closed Session before addressing Item #4.

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

No action was necessary.

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

No action was necessary.

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

Jon Watson of BrooksWatson & Co., PLLC presented the 2021 Financial Audit noting that the audit was performed in accordance with Generally Accepted Accounting Standards (GAAS). Mr. Watson gave a brief overview of their findings where to he pointed out that the District received an unmodified opinion which is the highest level of assurance. He also provided a brief breakdown of the District's revenue sources of which Property Tax Revenue is 52%, Sales Tax is 47% of Revenue, and Other Revenue is 1%.

Upon a motion duly made by Commissioner Violette and seconded by Commissioner McDonald, the Board unanimously agreed to approve and move forward with filing the 2021 Financial Audit as presented.

The Board was in agreement to address Item #16 before addressing with Item #7

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

Mr. Martinez provided a Design Progress Report for Magnolia Fire Station 183 Renovation and Logistics Center which consisted of the following information as included in the report:

Schedule:

7/22 Martinez Architects to publish documents

7/29 Issue for Permitting / Building

8/18 LaW Construction Guaranteed Maximum Price (GMP) to MC ESD 10

July Design Collaboration:

Onsite coordination between consultants and LaW Construction to review existing site conditions at Station 183

Design Team page turn meeting to review outstanding items and coordinate issue for bid documents

LaW Construction onsite investigation at Station 183 existing PEMB conditions

Mr. Martinez also provided a verbal update on the Design Progress.

The Board was in agreement to address Item #8 before addressing with Item #7

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

Ross Winkler provided an update on the Magnolia360 newsletter noting Walter Sassard has continued the design aspect and continuing with the content side. Plans to publish next month. Chief Hevey contacted Mr. Sassard

about the Burn Ban and asked him to get the message out to the public. Mr. Winkler coordinated efforts with the Fire Marshal to get the message out.

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

No action was necessary.

9. 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.

No action was necessary.

10. 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.

The District's legal counsel presented the responses to the RFP for construction financing for the Station 183 and Logistics facility project. He presented a bid tabulation summary with 10 Year Option, 15 Year Option, and 20 Year Option for \$8 million financing proposals from 1) Community Leasing Partners, 2) Government Capital, and 3) Leasing 2. Discussion ensued on this topic whereupon a motion duly made by Commissioner Schultz and seconded by Commissioner Violette, the Board unanimously approved to pursue the 20 Year Loan, semi-annual payments with Government Capital Corporation and to authorize the execution of documents necessary to complete the loan transaction.

11. 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.

Chief Hevey reported that we received IT proposals from 1) Prime ITS and 2) QZIP, who is the District's existing IT service consultant. Discussion ensued on this topic whereupon a motion duly made by Commissioner Cunningham and seconded by Commissioner Schultz, the Board unanimously accepted the QZIP proposal for a period of one year.

12. To review and act on records retention matters.

Ms. Reinholz provided an update on the records retention progress. No action was necessary.

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

Chief Hevey reported on the following topics:

Over the next 24-30 months we will need an additional new ladder truck

Need temporary housing for Station 183 crew before we start the renovation project which is not included in the loan. We still need a final cost from MCHD for their portion of the Station 183 renovation project.

The Logistics Building will be most of the loan costs

Authorized maintenance to come in on Saturdays

Chief Grant reported that Ricardo Martinez of Martinez Architect Firm will be giving him the square footage of each building.

Tentative meeting with MCHD next week

There are Engines and Tankers that will need to be replaced over the next few years

L186 will need to be replaced. Once 186 remodel starts order L186 which will be approx. 24-30 month to complete both.

T186 is back in service after having its pump tank belt replaced.

Booster 181 and 188 will be back in service later on this week. They had broken flanges going into the intake in the back of the truck

T184 has a leak, it had just been fixed. We contacted the tank company. Chief Naumann reported that we are testing out a plug that the tank company suggested to test, if the threads or stainless steel piping is causing the

leak. We put the plug in, and it is leaking, but not as before. We are hoping if we get another type of stainless steel piping to install, that will resolve the leak. If not, we have to call the company that does the warranty work and there are only two (2) technicians throughout the country and we have to wait for them to get here. He noted the tank has a lifetime warranty.

Chief Hevey continued his report:

Vehicles: We have one (1) of everything at every station and we do not have enough people to staff every vehicle. Would like to move some of the Medical Response cars to Administration and sell some to other ESD's. Station 181 and 186 are the two (2) busiest stations and want to use the ladder truck to respond to medical calls. Last meeting Chief Grant talked about iPads that are needed for vehicles. We have iPads that are 4 ½ years old that are dilapidated. Proposals for purchasing iPads, Mounts, and Modems were sent to the Board for consideration. The modem allows us to see where the vehicle is. The projected cost to purchase the iPads, mounts, and modems is approximately \$46,000.00. Additionally, when these vehicles are sent to medical calls, the iPads will be essential for patient refusals. Chief Herrman reported that we are in the process of setting up patient refusals under MCHD. A lot of calls are low equity calls (LEQ). LEQ calls must wait on a MCHD medic unit to arrive to do a patient refusal before an ambulance can go back in-service. This program is in Partnership with MCHD. The iPad is key for the program to kick off and move as MCHD has the same problem. The program will put both MCHD and us in-service sooner. Additionally, if we show up and do the patient refusal it doesn't generate a bill for the patient contrary to if MCHD does. Discussion ensued about the funding whereto Ms. Roberson noted she can reallocate funds as approved for mid-year reallocation. Ms. Roberson noted that there are funds available in unexpected income and Chief Grant noted that the Responder 360 subscription costs will increase next year by approximately \$300 per iPad.

Upon a motion duly made by Commissioner Cunningham and seconded by Commissioner Violette, the Board unanimously approved \$46,000.00 for iPads, Mounts, and Modems as presented.

Chief Hevey further reported:

On August 11th, there will be a pinning ceremony for six (6) Lieutenants, on August 19th there will be a special meeting at noon which will be a pinning ceremony and luncheon to swear in the twelve (12) new Firefighters. There is a crew that is working on Fire Hose and turnout gear from two (2) vendors - Fire Decks and Lyon. We purchased gear and put four (4) people in each garment. The Department has not had to close a station in months.

14. To review and act on mutual aid agreements with neighboring emergency services providers.

No action was necessary.

15. 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.

Chief Hevey reported that the fire truck the Board elected to donate is still not ready for transfer to the other department yet. He also asked the District's legal counsel if the wooden command boxes that were removed from the command vehicles have to be salvaged or allowed to give them to firefighters as they have no value.

The Board was in unanimous agreement by general consent to dispose and give away the wooden command boxes.

The Board was in agreement to enter into Closed Session before addressing Item # 21.

17. 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 convened in Closed Session at 3:35 p.m. and reconvened for regular business at 3:58 p.m.

The Board convened in Closed Session again at 5:20 p.m. and reconvened for regular business at 6:09 p.m.

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

The Board convened in Closed Session at 3:35 p.m. and reconvened for regular business at 3:58 p.m.

The Board convened in Closed Session again at 5:20 p.m. and reconvened for regular business at 6:09 p.m.

19. 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 convened in Closed Session at 3:35 p.m. and reconvened for regular business at 3:58 p.m.

The Board convened in Closed Session again at 5:20 p.m. and reconvened for regular business at 6:09 p.m.

20. 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 convened in Closed Session at 3:35 p.m. and reconvened for regular business at 3:58 p.m.

The Board convened in Closed Session again at 5:20 p.m. and reconvened for regular business at 6:09 p.m.

The Board was in agreement to address Item #23 before addressing Item #21.

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

Upon a motion duly made by Commissioner Violette and seconded by Commissioner Schultz, the Board approved and granted the electricity utility easement to MidSouth at Station 188 contingent upon the neighbors removing their encroachment and having MidSouth confirm that they will not be infringing on any other easement(s). The Board instructed counsel to complete whatever review is reasonably necessary of the existing easements and related utilities at Station 188 to ensure that the new easement will not negatively impact them.

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

No action was necessary.

22. 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.

Upon a motion duly made by Commissioner Cunningham and seconded by Commissioner McDonald, the Board approved a new contract with Jeffrey Hevey from August 1, 2022 through July 1, 2025.

Upon a motion duly made by Commissioner McDonald and seconded by Commissioner Schultz, the Board approved payroll changes for the personnel requested by Chief Hevey for the listed personnel effective next pay period; Office Manager, Assistant Office Manager, Quartermaster, Chief EVT Mechanic, and Assistant EVT Mechanic.

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

Tax Setting Meeting on August 8, 2022 at 4:00 p.m.

Regular Meeting on August 11, 2022 at 3:30 p.m.

Special Meeting on August 19, 2022 at 12:00 p.m.

Tax Setting Meeting on August 25, 2022 at 3:30 p.m. immediately followed by the Regular Meeting

Walter Sassard will be doing photography head shots on August 11th. The Commissioners photos will be added to the website.

25. ADJOURNMENT

There being no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:15 p.m.



Larry Smith, President



Kelly Violette, Secretary

