



DATE: November 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, November 10, 2022 at 3:30 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 3:39 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	Absent
Jeffrey Cunningham	Board Member	Present

4 of 5 Commissioners were present thus constituting a quorum.

Also present were Business Manager Eloise Roberson; Office Manager Rhonda Reinholz; Assistant Chief of Operations Gary Pangarakis; Assistant Chief of Administration Chuck Grant; Division Chief of Logistics and Planning August Naumann; Captain Michael Cockrell; Dennis and Ross Winkler of Winkler Public Relations; District Legal Counsel John Peeler of Coveler & Peeler, PC; and Montgomery County Constable Deputy Eric Gray.

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.

Commissioner Smith thanked all Veteran’s in attendance for their service.

3. To receive public comment.

Commissioner Smith welcomed comments from the public. There were members of the public in attendance that were not recorded on the Public Comment Sign-In Sheet, nor did they offer public comment.

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).

There were no minutes presented to the Board whereto legal counsel affirmed some of the minutes are pending his review, which are anticipated to be presented for approval next meeting.

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

Chief Grant conveyed to the Board that he has information on this topic that requires discussion in Closed Session, prior to action.

He also gave a verbal report of Station 183 and Logistics Building Project.

Station 183: Construction is underway; the temporary buildings are in place and in process of establishing electricity and water service; anticipate the trailers to be ready to move in by next week; demolition should start by December 1st. Logistics building: Requires discussion in Closed Session. Legal counsel will provide an update on Station 182 in Closed Session.

The Board readdressed this topic after Item #22.

The Board expressed their desire to update the District signage with the new logo at all of the fire stations as to be consistent, as well as, the best method of signage and placement of the same in order to inform the community of the fire department's transition from volunteer to the District. Chief Naumann provided an update on the signage for Station 181. The Board requested Chief Grant to provide a signage presentation at the next meeting.

The Board readdressed this topic after Closed Session.

Upon review of material to contract for the installation of water and sewer lines at Station 187 site related to the need for increased water and sewer capacity related to the construction of the Logistics Facility, Commissioner Violette made a motion that was seconded by Commissioner McDonald, whereto the Board unanimously approved to authorize the Board President to execute documents in order to join the Water and Sewer Line project that is being administered under the authority of Southeast Regional Management District and to approve the cost for same, at a cost not to exceed \$100,000.00, pending final review of said documents by the Board President and legal counsel.

The Board was in agreement to address Item #11 before addressing Closed Session Items #7, 8, 9, & 10.

11. To review and take action on matters related to lawsuits, claims or Public Information requests.

Legal counsel noted this item is a duplicate of Item # 22.

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

Ms. Roberson presented the October and November 2022 Financial Reports and requested the Board's consideration for approval to pay the current bills as presented.

Upon a motion duly made by Commissioner Violette and seconded by Commissioner McDonald, the Board unanimously approved the monthly financial reports and to pay the bills as presented.

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

Ms. Roberson presented the 2023 proposed Amended Budget and supporting documents for the Board's review and consideration, noting it is based upon historical data. Discussion ensued on Federal Law regulations of Volunteer Firefighters Stipends and the District's compliance, resulting in a reduction of the District's Volunteer

Firefighters Stipends. Ms. Roberson explained that because the District is now a Full-Time Fire Department employing firefighters directly, it is appropriate to base the Volunteer Stipends on District firefighter pay rather than The Woodlands firefighter pay as the area standard which was done before the District employed a primarily full-time paid staff. The Board expressed their concern of the reduction in Stipends and discussed the option for a retirement plan designated for volunteer firefighters that is solely funded by employer contributions as a way to make serving as a District Volunteer firefighter more rewarding. Ms. Roberson advised the Board that a representative from Texas Emergency Services Retirement System ("TESRS") is willing to give a presentation. The Board directed the Command Staff to inform the volunteers that the District is reviewing all options on this issue. The Board also asked the staff to secure attendance by a TESRS representative at an upcoming meeting to receive information on this issue.

Ms. Roberson also noted that most of the Capital items approved at the October meeting have been paid and presented an overview of the up-to-date Budget to include a list of Capital Projects from Chief Hevey that the District should consider going forward.

Ms. Roberson also presented information on employee health insurance coverage and costs for FY 2023 for approval, noting an overall 2% reduction in costs to the District for coverage of employees. She also noted that some part-time duty crew employees are being added to such coverage. She noted that the Board would be asked to review and approve this under item 23.

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

The Board reviewed and accepted the District's local Sales Tax Report for the month of November 2022 prepared by Ryan Fortner with Revenue Management Services, noting that Mr. Fortner could not attend today's meeting. Discussion ensued about a question from a concerned citizen about how the new HEB and the other new businesses on FM 1488 and Spur 149 corridor will affect the District's property tax revenue. Legal counsel informed the Board that there is a company that can do property tax estimating at the request of the District however, it is not the District's responsibility to answer questions from the public about projected assessments nor does the District have the data. Mr. Peeler advised that generally such inquiries should be referred to the Appraisal District.

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

Ross Winkler reported the Magnolia360 newsletter is ready to go out next week; the Open House meeting was well received by the public. Discussion ensued about publicizing District events to nearby school, and displaying banners in front of the station for future public events. Mr. Winkler mentioned that improvement of communication efforts are necessary for future District projects with nearby neighborhoods. He suggested, the HOA by Station 183 be invited to attend the Ground Breaking Ceremony, whereto the Board was in unanimous agreement. He also reported that Ana Lotz with Community Impact news is interested in reporting the District's Capital Projects.

16. To review and take action on all matters related to transition by the District to direct provider of services.

No action was necessary on this topic.

The Board was in agreement to address Item #23 before addressing Item #17.

23. 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, fire suppression staff, executive staff and Fire Chief.

Ms. Roberson presented the District's 2023 Benefit Package for the Board's review and consideration to which she recommended the District to stay with current benefit plans for 2023 renewals.

Upon a motion duly made by Commissioner Cunningham and seconded by Commissioner McDonald, the Board was in unanimous agreement to renew the District's current Health, Dental, Vision, Life, Short Term, and Long Term Disability plans as presented.

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.

Assistant Chief Grant gave a verbal update on the new Ladder Truck: it has been transferred from Michigan to Nebraska; the mid-point inspection will be November 30th and December 1st; the final inspection should be in January.

Deputy Chief Naumann gave a verbal update on the new Gear Extractor for Station 186: installation should be this week; adjustments to the drainpipe by a plumber are necessary before the installation of the automatic soap dispenser.

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.

No action was necessary.

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

The Board and staff discussed signage for District fire stations and on District vehicles to reflect the current MC ESD 10/Magnolia Fire Department rather than prior Magnolia Volunteer Fire Department. The Board also asked Chief Grant to prepare information regarding digital signs to provide information to the public.

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

No action was necessary.

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

No action was necessary.

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

No action was necessary.

The Board was in agreement to readdress Item #6 before entering into Closed Session. The action on item #6 is noted above.

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 convened in Closed Session on this item from 4:43 p.m. to 6:05 p.m.

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

The Board convened in Closed Session on this item from 4:43 p.m. to 6:05 p.m.

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; or to hear a complaint or charge against an officer

or public 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 on this item from 4:43 p.m. to 6:05 p.m.

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 convened in Closed Session on this item from 4:43 p.m. to 6:05 p.m.

The Board was in agreement to address Item #6 before addressing Item #24. The action on item #6 is noted above.

24. 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.

No action was necessary.

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


Regular Meeting on December 15, 2022 at 3:30 p.m.

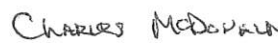
26. ADJOURNMENT

There being no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:07 p.m.



Larry Smith, President



Kelly Violette, Secretary

Charles McDonald
Vice President