



Montgomery County Emergency Services District No. 10

DATE: June 23, 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, June 23, 2022 at 3:35 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 3:35 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	Absent
Kelly Violette	Secretary/Treasurer	Absent
Heath Schultz	Assistant Secretary/Treasurer	Present
Jeffrey Cunningham	Board Member	Present

3 of 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 Training Jason Herrman; Training Captain Christopher Thornton; Division Chief of Logistics and Planning August Naumann; Battalion Chief and Magnolia Steward of the Montgomery County Professional Firefighters Association IAFF Local 4183 Jeff Jackson; Ricardo Martinez, President of Martinez Architect Firm; District Legal Counsel John Peeler and Krystine Ramon of Coveler & Peeler, PC; Dennis Winkler of Winkler Public Relations; and Montgomery County Constable Deputy Eric Gray.

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.

Commissioner Smith welcomed everyone to the meeting of the ESD 10 and invited comments from the public as recorded on the Public Comment Sign-In Sheet.
Several people addressed the Board to request property tax exemptions for residential homestead.

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

Pinning Ceremony ended at 3:47 PM

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

There was a motion by Jeffrey Cunningham, seconded by Heath Schultz for approval of the following minutes as presented: February 10, 2022; February 24, 2022; March 10, 2022, March 24, 2022 and April 28, 2022. The motion carried.

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

District Business Manager noted \$950.00 received from Montgomery County Hospital District, deposit of Dividend check from Texas Mutual and bills and invoices received for payment approval consideration (See General Ledger) since last meeting. She also noted the upgrade and receipt of new WEX Universal Fleet Cards; notice of the Districts contribution rate of 10.87% to the Texas County and District Retirement System for calendar year 2023; and June 2022 report received from Revenue Management reflecting an allocation of \$737,587.49 for the month of June 2022. There was a motion by Heath Schultz, seconded by Jeff Cunningham to approve payment for bills due as presented. The motion carried.

7. To review and take action on matters related to tax exemptions.

Mr. Peeler presented summary information on the estimated effect of granting residential homestead tax exemptions. After reviewing information on how District property tax revenue would be decreased, the Board voted unanimously to make no changes to the exemption levels set earlier this year.

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

No action taken

9. To review and take action to schedule District 2022 Tax Adoption and 2023 Budget meeting(s) and provide requested information to Tax Assessor-Collector.

Mr. Peeler discussed the 2022 Tax Rate Adoption Calendar as follows: July 1 Deadline to submit 2022 Tax Rate Calculation Data to Montgomery County Tax Office; July 25 Deadline for Chief Appraiser to certify rolls to taxing entities; August 2 Tax Assessor-Collector submits appraisal roll to taxing unit. Tax Assessor-Collector shall certify the anticipated collection rate & excess debt collections. Sec. 26.04 (h) (h-1) (h-2); August 7 Chief Appraiser shall deliver notice of property tax database to each property owner. Sec. 26.04 (e-2); August 7 Submission of the No New Revenue and Voter Approval Rates to governing body Sec. 26.04 (e); August 7 Taxing unit shall post Notice of Tax Rates (provided by Tax Assessor-Collector) prominently on the home page of the taxing unit's website Sec. 26.04 (e); August 7 Tax Assessor-Collector shall post all rates to property tax database meeting of the governing body to discuss tax rate; if proposed tax rate will exceed the voter approval rate or the no new revenue rate (whichever is lower), take a record vote and schedule public hearing; Publish Public Hearing Notice - Published in the newspaper and posted on taxing unit's website until the final tax rate is adopted. Sec. 26.06; Date and time of Public Hearing (must be at least 5 days after the publication of notice & Chief Appraiser complies with Sec. 26.04 (e-2) & 26.17 (f)) *Rate can be adopted after public hearing; *If Applicable** - Date of meeting to adopt tax rate. Meeting is no later than 7 days after public hearing. (Only if rate was not adopted at public hearing); Rate Adoption Deadline: August 21, 2022 – (78th day before the uniform election date) if adopting a tax rate that exceeds the Voter and; September 16, 2022 if adopting a tax rate that does not exceed the Voter Approval Rate.

The Board and Counsel reviewed the Truth in Taxation calendar and questionnaire from the Tax Office. The Board unanimously approved August 8th at 4:00 PM as the meeting to propose the Tax Rate, August 25th for the public hearing and adoption of the tax Rate, and for staff and counsel to provide the requested information to the Tax Office.

10. To review and act on District insurance policies.

No action taken

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

No action taken

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

Dennis Winkler advised that some efforts should be made to reach out to the community regarding the August 8th Tax Proposal Meeting. Mr. Peeler said that he will help Mr. Winkler in phrasing the explanation of the various tax rates which will be reviewed and how the increased valuations effect those rates.

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

No action taken

14. 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 Hevey reported that the ladder truck is under construction with an expected delivery in January with a payment due at that time of approximately \$1.4 million.

15. 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 taken

16. To review and act on records retention matters.

Ms. Roberson reported that staff is working with Iron Mountain on the storage of documents offsite.

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

Chief Hevey reported on recent Department activities and issues, noting he is working with Ken Campbell on a mutual aid agreement with ESD 200; the Department recently rescued a 16-year old from a home laundry chute.

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

No action taken

19. To review and act on the disposition of surplus and/or salvage property.

No action taken

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

Mr. Martinez and Mr. Peeler presented information on the contract and budget for the Station 183 renovation and Logistics Center construction noting: the contract with LaW is ready to sign; the rough estimate for the project is currently approximately \$8M due to some additional scope and inflation issues; that sub-contractors and suppliers are only willing to hold prices for about a week at this time; MCHD is being consulted for the scope of improvements needed for the ambulance crews. The Board unanimously approved the solicitation of construction financing for the project in the amount of \$8M with a pledge of property tax revenue asking for repayment terms of 10, 15 or 20 years.

21. 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 from 6:11 to 7:02 p.m.

22. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters. The Board entered into Closed Session from 6:11 to 7:02 p.m.

23. 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 entered into Closed Session from 6:11 to 7:02 p.m.

24. 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 entered into Closed Session from 6:11 to 7:02 p.m.

25. To review and take action on matters related to lawsuits or claims.

No action taken

26. 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, including renewal of Fire Chiefs employment contract.

No action taken

27. 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.

Chief Grant reported that the surveyor recently engaged is expected early next week.

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


Regular Meeting on July 14, 2022 at 2:30 p.m.

Regular Meeting on July 28, 2022 at 3:30 p.m.

29. Adjournment.

There being no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 7:02 p.m.


Larry Smith, President


Kelly Violette, Secretary

Charles McDonald
Vice President