



Montgomery County Emergency Services District No. 10

DATE: June 9, 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 9, 2022 at 2:30 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 2:48 p.m., Commissioner Larry 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	Present
Heath Schultz	Assistant Secretary/Treasurer	Present
Jeffrey Cunningham	Board Member	Present

4 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 Krystine Ramon of Coveler & Peeler, PC; Ross Winkler of Winkler Public Relations; and Montgomery County Constable Deputy Eric Gray.

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

Commissioner Larry Smith led the Pledge to the Texas Flag.

Commissioner Jeffrey Cunningham gave the Invocation.

3. To receive public comment.

Commissioner Larry 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

Members of the public spoke to ask the Board to reconsider granting a residential homestead tax exemption.

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

No action taken

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

Staff reported that several sets of minutes will be available for approval at the next meeting.

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

District Business Manager, Eloise Roberson presented the bills and invoices to be paid as outlined on District General Ledger as presented for approval consideration. There was a motion by Commissioner Heath Schulz, seconded by Commissioner Jeffrey Cunningham for approval of invoices and bills to be paid as presented. The motion carried.

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

District Business Manager, Eloise Roberson noted that the independent outside accounting firm will present the quarterly audit of the districts financials for the months of April, May and June at the July 2022 regularly scheduled meetings. She also informed the Commissioners of credit card issuance to Division Chief Jason Hermann.

8. To review and act on District insurance policies.

No action taken.

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

Revenue Management Services provided a summary report for the month of June 2022 noting an allocation of \$737,587.49 for the month of June 2022; which is 13% higher than the \$655,737.57 received in June 2021 of the previous year.

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

Ross Winkler presented an update on the internal newsletter.

11. 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.

The District Business Manager, Eloise Roberson informed the Commissioners of the intent of the Magnolia Volunteer Fire Department to transfer the balance in its "Donation Account" to the District, pending acceptance; "BILL OF SALE AND ASSIGNMENT" entered into by Magnolia Volunteer Fire Department, a Texas non-profit corporation ("Assignor"), in favor of Montgomery County Emergency Services District No. 10, a political subdivision of the State of Texas ("Assignee"). Concurrently herewith, Assignor has conveyed to Assignee by Special Warranty Deed (the "Deed") that certain improved real property located at 27114 FM 2978, Magnolia, Texas 77354, also known as Station 182, together with all improvements thereon and all appurtenances thereto, as more particularly described in the Deed (the "Property") and "BILL OF SALE AND ASSIGNMENT entered into by Magnolia Volunteer Fire Department, a Texas non-profit corporation ("Assignor"), in favor of Montgomery County Emergency Services District No. 10, a political subdivision of the State of Texas ("Assignee"). Concurrently herewith, Assignor has conveyed to Assignee by Special Warranty Deed (the "Deed") that certain improved real property located at 27610 Decker Prairie Rd., Pinehurst, 77362, also known as Station 184, together with all improvements thereon and all appurtenances thereto, as more particularly described in the Deed (the "Property").

12. 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.

No action taken.

13. 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. The District Business Manager presented the Response to Request for Proposal for Information Technology Services. Commissioners reviewed proposal received from Prime IT, 616 Cypress Creek Parkway, Suite 410 □ Houston, TX 77090 and Qzip.net, Inc. 200 N Cherry St. Tomball, TX 7737. After discussion, there was a motion by Health Schulz, seconded by Jeffrey Cunningham selecting QZIP to fulfil the districts Information Technology Services as outlined in the proposal request. The motion carried.

14. To receive a report from District Fire Chief and staff regarding Fire Department activities and operations. Department Command Staff provided information on recent activities.

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.

There was a motion and a seconded to utilize René Bates Auctioneers, Inc. www.renebates.com 1650 W Virginia St, McKinney, TX 75069 for items deems as Salvaged Equipment. The motion carried. There then was a motion by Jeffrey Cunningham, seconded by Kelly Violette regarding targeted department donations. The motion carried.

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

The District reviewed contract presented by LaW Construction & Consulting, LLC, Limited Liability Company 40 Cypress Creek Pkwy #340 Houston, Texas 77090 "Standard Form of Agreement Between Owner and Construction Manager" where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price. There was a motion by Kelly Violette, seconded by Jeffrey Cunningham to approve the agreement with signature authority by Commissioner Larry Smith, pending final contract. The motion carried.

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 entered Closed Session from 5:01 – 5:30 PM.

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

The Board entered Closed Session from 5:01 – 5:30 PM.

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 entered Closed Session from 5:01 –6:35 PM.

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.

No action taken

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

No action taken

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.

No action taken

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.

No action taken

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

Regular Meeting on June 23, 2022 at 3:30 p.m.

25. ADJOURNMENT

There being no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:39 p.m.


Larry Smith, President


Kelly Violette, Secretary

Charles McDonald Vice President