



**Montgomery County ESD No. 10  
Magnolia Fire Department**

18215 Buddy Riley ♦ Magnolia, Texas 77354  
Office (281) 356-3288 ♦ Facsimile (281) 356-1572

[www.magnoliafire.org](http://www.magnoliafire.org) ♦ [www.magnoliaesd.org](http://www.magnoliaesd.org) ♦ [mvfd@magnoliafire.org](mailto:mvfd@magnoliafire.org)



DATE: February 23, 2023

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 23, at 3:34 p.m. inside the boundaries of the District.

**AGENDA ITEM:**

**1. Call meeting to order.**

At 3:34 p.m., Commissioner Smith called to order the Regular Meeting of the Montgomery County Emergency Services District No. 10 (the "District").

**2. Roll Call, Pledge of Allegiance, Pledge of Texas, and Invocation.**

<b>COMMISSIONER</b>	<b>BOARD POSITION</b>	
Larry Smith,	President	Present
Charles McDonald	Vice President	Present
Jeffrey Cunningham	Assistant Secretary / Treasurer	Present

**3 Commissioners were present, thus constituting a quorum.**

Also present were Fire Chief Jeffrey Hevey; Business Manager Eloise Roberson; Assistant Office Manager Joanna Padilla, Assistant Chief of Operations Gary Pangarakis; Division Chief of Logistics and Planning August Naumann; Assistant Chief of Administration Chuck Grant; Division Chief of Training Jason Herrman; Training Captain Chris Thornton; Battalion Chief Jay Smith; Battalion Chief Jeffrey Jackson; Ross Winkler of Winkler Public Relations; District Legal Counsel John Peeler of Coveler & Peeler, PC; Montgomery County Constable Deputy Eric Gray; and other Department Officers and Staff.

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

**3. To receive Public Comment. Texas law and District policy establish that members of the public may offer comments on any subject of concern to the public. District policy establishes time limits to address the Board: 3 minutes for items on the agenda; two minutes for items not on the agenda; or one minute if the person has spoken on the same topic at any of the two preceding meetings.**

**Anyone who interrupts the meeting intending to prevent or disrupt the Board from conducting the meeting by interjecting comments after the Public**

Commissioner Smith welcomed comments from the public. The board noted that no one had signed up to offer comments. However, there were members of the public who offered comments in attendance not recorded on the Public Comment Sign-In Sheet. Dr. Ron Welch and Kathryn Foss with Municipal Information Services, LLC/EVO provide an overview on their Work with Special Purpose Districts (SPD) and offered services to the District to assist in determining locations for Future fire stations, as well as forecasting based on growth trends and property tax values. He then presented maps and density studies from previous county projections and concluded that should the District decide on his services, there would be a minimum of a 4-5 year contract to thoroughly learn the area to provide accurate results. Chief Hevey commented on bringing their team on for their services. John Peeler would like to see their contracts for review before advising on engaging MIS/EVO at the next meeting.

Mr. Joe Mark of R Group Realtors provided a list of properties for sale and offered their services in providing locations for future stations. The Board noted the need for 2-2/12 acres to be purchased for future stations/projects.

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

Fire Chief Hevey introduced newly hired Assistant Office Manager Joanna Padilla. Also introduced was temporary Office Manager, Mrs. Walla Almasri.

**5. To receive a presentation from David Eckerman of Lonestar Tactical Buildings, LLC regarding the construction of fire training facilities and take any action related to same.**

David Eckerman of Lonestar Tactical Buildings, LLC discussed the cost and logistics in constructing a burn building. The board then discussed the potential of constructing a fire training facility to include a burn building. Chief Herrman informed the board that the Department has used its services in the past and the many benefits of the District having its own training facilities for both the Department and the community. Mr. Peeler reminded the Command Staff of the District's bidding requirements. Chief Herrman and Mr. Peeler will review the District's needs in order to advise the Board on a possible RFP.

**6. To review and act on improvements, repairs, maintenance and construction of facilities, including but not limited to permits, utilities, architectural or engineering services, selection of contractors, approval of costs/budgets for projects, and payment of construction-related bills.**

Assistant Chief – Administration, Grant proposed an alternative to the current fuel company, WEX, as Moffitt is offering fuel tanks that can be placed at District stations. The proposal is for an on-site fuel project with the company Moffitt with a total of \$22,314.00 for three (3) stations. By general consent, the Board approved the project not to exceed a \$25,000 budget.

The Board also reviewed Pay Application No. 1 from LaW Construction in the amount of \$327,750.90. The Board unanimously approved payment from the loan funds.

**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 entered into Closed Session at 5:08 p.m. on the agenda item.

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

The board entered into Closed Session at 5:08 p.m. on the agenda item.

**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, including the District administrative staff, executive staff, and Fire Chief. Any employee the subject of review will be given the opportunity to request Open Session discussion of the matters if they are present at the meeting.**

The board entered into Closed Session at 5:08 p.m. on the agenda item.

**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 entered into Closed Session at 5:08 p.m. on the agenda item. The Board re-convened Open Session at 6:15 p.m.

**11. To review and act on matters related to lawsuits, claims against the District, or Public Information Act requests.**

No action taken on this item

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

Business Manager, Eloise Roberson noted correspondence received from Tax Assessor-Collector Tammy J. McRae identifying delinquent uncollected sales tax that would no longer be perused and subsequently canceled. Upon a motion made by Commissioner Smith, the Board approved to accepting the Levy Write-Off totaling \$3,410.36.

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

Ms. Roberson presented the District's General Ledger outlining invoices and purchase orders to be reviewed for approval. By General consent, the Board approved payment of District Invoices and Purchase Orders as presented.

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

No action taken on this item.

**15. To review and act on public outreach and communications, including reports from consultants**

**and District Committees on same.**

Ross Winkler provided an update on the Magnolia 360 survey that was sent out after the last board meeting. Commissioner Smith requested an update on the Strategic Planning Committee. Chief Hevey stated the committee will not have significant changes yet, but he will have updates in March.

**16. To review and act on engagement of District legal counsel.**

The Board unanimously approved issuing the RFQ for legal services presented by Commissioner Smith, with a due date of March 23, 2023. The Board generally discussed the RFQ process and determined that the RFQ would be mailed to at least three qualified potential respondents rather than advertised in the newspaper.

**17. To review and act on 2023 ad valorem tax exemptions.**

The Board discussed Ad Valorem tax exemptions for General Homestead, following up from the last board meeting in which, a member of the public had made a public comment asking the Board to grant a Homestead Exemption. The Board noted the deadline for adopting tax exemptions is July 1st. No action taken on this item, but the Board instructed that the item remain on the agenda for the next meeting.

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

Chief Hevey provided an update on the fire apparatus delivery date. The timeline remains the same; 2-3 week delivery for a ladder truck.

**19. To review and act 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 Grant provided an update on the 11 tablet computers and modems to be installed on the trucks beginning Friday, 2/24/2023.

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

Fire Chief Jeffrey Hevey provided a verbal summary of his report including strategic planning committee; Station 183 has received permits and will begin pending work; other stations which need remodeling; Stations 182 and 186 to be the next stations to focus on; Station planning to start for 1810, 1811, and 1812; Discussed maintenance for current apparatus as well as future apparatus acquisitions; and land acquisition for future stations. Testing of new hoses has been going on all week and is to be completed soon; so far great results in a few hoses failing. Also mentioned was the new recruit class (2301) to take place on March 27, 2023. Chief Herrman expects the new class to be completed in 4 weeks. Graduation and pinning ceremony to take place on April 21, 2023, at Magnolia's First Baptist Church.

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

Chief Hevey reported that Waller-Harris ESD 200 is not ready to act on mutual aid agreement yet.

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

Chief Naumann provided an update on surplus generators; they have been posted up for auction online; the bid closes on 3/10.

**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.**

Commissioner McDonald brought up a complaint he received from a female firefighter reassigned to a new station; however, she preferred the previous one as it was closer to her home. Chief Hevey responded the reassignment was for safety reasons. In addition, the station relocated to would allow living quarters separate from the male firefighters.

- After returning from Closed Session, the Board addressed item 24.

**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.**

The board approved by general consensus to engage services for appraisals and surveying done by Alliance Realty and Weisser Engineering, respectively.

**25. To review and act on scheduling District meetings.**

The next Regular Meeting is scheduled as follows:

Thursday, March 9, 2023, at 3:30 p.m.

**26. Adjournment.**

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 6:31 p.m



Commissioner Larry Smith  
President



Commissioner Jeffrey Cunningham  
Assistant Secretary / Treasurer

