



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 ♦ www.magnoliaesd.org ♦ mvfd@magnoliafire.org



DATE: February 09, 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 09, 2023 at 3:33 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call Meeting to order

At 3:33 p.m., Commissioner Smith called to order the Regular Meeting of the Montgomery County Emergency Services District #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 |
| 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 Chief of Operations Gary Pangarakis; Assistant Chief of Administration Chuck Grant; Division Chief of Training Jason Herrman; 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 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. 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; 2 minutes for items not on the agenda; or 1 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 Comment item has concluded are subject to removal from the meeting and premises under Texas law after receiving reasonable warning from the presiding officer.

Paul Gregory addressed the Board regarding property tax exemptions, asking the Board to consider granting a Residential Homestead Exemption, noting that he had brought up the issue back in July 2022.

The Board agreed to address item 25 before item 4.

25. 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, including engagement of realtor(s)/broker(s).

Ron Brown and Bryan Roberts from MHW addressed the board with a short presentation of their services. They work in Commercial Real Estate and would like to work with the ESD in obtaining property for future projects. They are to look into finding 2-2.5 acre lots for future developments for the EDS.

Assistant Chief of Administration Chuck Grant reported the following: he is in communication with a number of property owners and brokers, also working on securing property; the current status of Stations 183 and 187; Station 183 has permits that have been started on, but has had a major leak under the driveway which consumed approximately 85,000 gallons of water back in December; the norm, once the leak is fixed, is expected to be between 10,000 and 15,000 gallons a month; Station 187 has water and sewer projects completed, except for water well; Lone star Lane will be repaired by end of February or early March.

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).

Upon a motion duly made by Commissioner Smith and seconded by Commissioner McDonald, the Board unanimously approved the following Minutes of the District's Regular Meetings as Presented: January 12, 2023 and January 26, 2023. The motion carried.

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.

Mr. Ricardo Martinez from Martinez Architects addressed the board regarding current projects: They have sent in permits to the city and have received the 1st round of comments on Station 183; nothing outstanding other than having to delay submitting forms for sprinkler system. Station 183, no change in 2nd round of documents submitted. Station 187 is behind with water issues; documents sent out February 2nd, 2023 but have received no reply as of yet. They are still awaiting on two more permits to move forward.

Assistant Chief of Administration Chuck Grant made note of station 182 having had a water line survey for the well completed. Currently working on designing facility for station 186; pond needs to be drained and water line to be located. He also mentioned some material needed for the re-platting of the multiple lots at Station 182.

Before moving onto next item, Ms. Eloise Roberson addressed the board in regards to invoices for construction which needed approval for consideration. The board reviewed the invoices as presented and gave unanimous consent to pay invoices by means of loan proceeds.

The Board discussed items #13, #14, #15, #16, #18, #20 and #22 out of order.

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

No Action Required.

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

Business Manager Eloise Roberson noted that no request for amendment to the Budget is presented today but that some material being reviewed may require a revision at a later meeting.

Ms. Roberson also noted that our fuel cost were less than in the past; 12-16% less than in the month of December and Office Supplies moved to a different cost center, line item #1800.

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

Ryan Fortner from the Revenue Management Services presented his monthly sales tax report, noting that ESD 10 has experienced the highest two-month sales tax totals ever received during the first two months of 2023; January 2023 also reflected a total of 4,096 taxpayers, which is the highest in the District's history, an 8% increase in taxpayers compared to January 2022; the report is currently not reflecting new developments, and will be updated at end of February.

14. To review and act on public outreach and communications, including reports from consultants and District Committees on same.

Ross Winkler with Winkler Public Relations reported: he's recently coordinated communications with Community Impact news; he's working with Training Captain Chris Thorton with regards to the publication of Magnolia 360 covering November 1st – February 28th which is scheduled to go out in March with a new publication going out quarterly; he's developing an email with a survey to go out to the department requesting suggestions as to what to include in the newsletter, such as incidents, announcements, photos. Chief Hevey noted that he would like to add in the recent Blood Drive which is happening at station 181. Mr. Winkler replied that he is already working on having it added.

15. To review and act on engagement of District legal counsel.

Larry Smith and Eloise Roberson to work on and finalize documents for RFQ.

No action taken.

16. To review and act on 2023 ad valorem tax exemptions.

John Peeler advised that he has sent documents to the Shah group in order to have them review his calculations with regard to exemption estimates. He reminded the Board that ESD 10 currently does not grant a General Homestead exemption and reviewed estimates using last years's values as a reference.

He noted that the Appraisal District has requested that taxing entities submit the exemptions by March 1st in order to have them included in the estimate of values prepared in May, though the deadline to adopt exemptions is later in the year.

The Board chose to review the material with potential action at the next meeting.

17. To receive a report from Municipal Information Services regarding engagement of services for to study growth, revenue, demographics and related information for long term planning.

Will be present in 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 fire apparatus having been ordered and is waiting on vendor's 3 week notice to be able to check unit, no update as of yet.

The matter of ordering protective clothing was discussed. There are funds already allocated for such purchase. Per Chief Herrman, there is a price increase on the gear that will take effect on March 1st. Chief Hevey requested they start the purchase process by collecting sizes.

Ms. Roberson presented information on invoices and checks to be presented at a subsequent meeting: Debt service to be paid, \$ 27.65 loan payoff from old loan included in payments to be made. Mention of a loan payment due in March for \$ 209.272.

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 Hevey advised that Chief Grant is working with a 3rd party vendor to replace and install iPads in the trucks, whom is to stop by next week.

Commissioner Smith requested we have IT consultants review his ESD email's security, as there have been spam emails going around.

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

Chief Hevey provided a verbal summary of his written report, including: new ladder truck request as current ladder truck has an air leak which has an estimate of \$5,000-\$6,000; new ladder truck to begin the design process at the end of March, followed by tanker design; 24 applicants to take the PAT exam which will take place on the 24th and 25th of February, written exam to come afterwards. Looking to accept 13 applicants.

At the request of the Board, MHW commercial real estate team will look into available land for purchase in the Northeast area of the District towards Egypt. Chief Grant is also looking into possible rentals in the area to expand coverage.

21. To review and act on mutual aid agreements.

No Action Taken

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

Chief Herrman seeking board approval to post following items up for auction: generators(8) all stations have been upgraded to standby generators, fans(2) updated to battery powered units; 3D printer, Lone Star College has shown interest in acquiring printer as has a school in Tomball. All units to be posted "sold as is".

Board gave general consent approval to post items for auction.

23. To review and take action to solicit proposals for human resources services.

Commissioner Smith proposed a budget of 50K for scope of work.

24. 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.

Chief Hevey made note of the current process of Fulltime Firefighters and Community Risk Reduction applicants.

Introduced the newly hired Assistant Office Manager, Joanna Padilla.

The Board agreed to enter into Closed Session at 4:49 p.m. on the following agenda items:

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 agreed to enter into Closed Session at 4:49 p.m. agenda item.

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

The Board agreed to enter into Closed Session at 4:49 p.m. 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 agreed to enter into Closed Session at 4:49 p.m. on 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 agreed to enter into Closed Session at 4:49 p.m. on agenda item.


The Board reconvened open session at 5:57 p.m.

26. To review and act on scheduling District meetings.


Regular Meeting on February 23, 2023 at 3:30 p.m.

27. Adjournment.

There being no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 5:58 p.m.

X 

Commissioner Larry Smith
President

X 

Commissioner Jeffrey Cunningham
Assistant Secretary / Treasurer

