



Montgomery County ESD No. 10

Magnolia Fire Department

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DATE: August 24, 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, August 24, 2023, at 3:45 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call meeting to order.

At 3:45 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.

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 Logistics & Planning August Naumann; Division Chief of Training Jason Herrman; Battalion Chief Jeffrey Jackson; Captain of Community Risk Reduction Bryan Perry; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; District Legal counsel John Peeler of Coveler & Peeler, PC; Dennis and Ross Winker of Winkler Public Relations; Angela Zacharias from Organizology LLC; Joe Mark Robinson of Robinson Group Realtors; 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 Smith 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.

A member of the public, Leshia Roberts, presented questions to the Board regarding the District's payroll process. Commissioner Smith requested she send her questions directly to him so that he can provide further clarification.

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

No further action was taken.

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

No further action was taken.

The Board moved to address Item #6 and 22 jointly.

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 Chuck Grant informed the Board that all current construction projects are on track:

- Station 183's interior finishes, such as cabinets, are being completed.
- The Logistics Center is currently having concrete poured, and plans to have work done on the well by the end of September are in place.
- Station 182 and Martinez Architects LP are working together on creating multiple fire station iterations.

22. 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) and acquisition financing.

Joe Mark Robinson will be providing an update on the Coe Loop and Patricia Lane properties in the next two weeks.

The Board moved to address Item #11.

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

No further action was taken.

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

Eloise Roberson presented the General Ledger. Eloise requested Commissioner Smith sign a missed check from the previous meeting. She also requested guidance from the Board in regard to paying the auditor's (abip) outstanding invoices. Abip has not responded or provided the requested corrected invoices, in which they currently state are for "Retainer." The Board advised to pay once invoices have been corrected.

Commissioner McDonald made a motion to pay the District Bills, seconded by Commissioner Cunningham. The motion was passed.

John Peeler presented an invoice to be paid for a scheduled mediation in the LDF roof matter for \$3,125.00. Commissioner McDonald made a motion to pay the invoice, seconded by Commissioner Cunningham. The motion passed.

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

No further action was taken.

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

No further action was taken.

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

Ross Winkler presented on the following:

- Community Impact to attend the graduation for class 23-02 on August 25, 2023.
- In talks with Commissioner Clifton and Captain Bryan Perry regarding the Public Outreach event for the new ladder truck arrival.
- Working alongside the Districts legal counsel to help disseminate tax rate information to the public.
- Sharing the Fire Marshalls' information alongside Burn Ban Posts through socials.

16. 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.

Assistant Chief Grant provided information on equipment:

- Final drafts are being reviewed for the next fire truck being ordered. Quotes received for a new ladder truck are higher than expected at \$2.3 Million.
- Specifications for 3 new engines are also being prepared. A 'sample truck' from Brownsville will be stopping by the station for the design committee to look over.

17. 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.

No further action was taken.

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

Fire Chief Hevey presented on the following:

- Alongside the 28 Full-time firefighters who have been hired this year, there have also been numerous promotions within the department.
- Having had a fully staffed crew with the available apparatus on hand, the Department was able to assist in saving about 7-9 homes in a recent fire. The Fire Marshall has been grateful for the assistance we have provided them. During that same fire, Chief Hevey thanked the neighbors who did their best to also provide assistance, using their hoses and providing support.
- Station 183 will be reopened soon and house a full-time team. Pending remodels of other stations cannot come soon enough as stations are running out of room to house full-time staff.
- Thanked Captain Perry for great communication across social media in regards to the Burn Ban.
- There are a number of apparatus that are out of service and need maintenance. High turnaround times for repairs are due to disruptions in the supply chain for parts.
- Chief Hevey would ideally have one or two apparatuses replaced per year for the next ten years. The availability of adequate funds are the main factors delaying new purchases.

19. To review and act on mutual aid agreements.

No further action was taken.

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

Chief Hevey reported: talks to sell a surplus ladder truck to another ESD are ongoing; a tanker truck that was recently sold and towed away brought in about \$30,000.00.

21. 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 is working alongside the District's HR consultant in revising the Handbook. Items being worked on, reworked and added on include DE&I (Diversity, Equity, and Inclusion) and Discipline Policies.

Angela Zacharias stated that she has been working on understanding the workings of the Department before recommending any changes to the Handbook as well as to payroll. She has also received numerous calls and emails from staff regarding the current pay scales.

Chief Hevey noted that the different pay scales between "legacy" firefighters hired from Magnolia Volunteer Fire Department and more recent hires were always planned. Division Chief Hermann expressed concern about the differences in pay scales, noting large differences in pay for Lieutenants hired at different times. Chief Hevey said that these were being reviewed and reminded the Board that the difference in scales was intended to be fair to the employees and sustainable for the District, noting that changes may be recommended to the Board.

The Board agreed to enter into Closed Session at 4:51 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.
8. To meet in Closed Session pursuant to Government Code §551.072 to deliberate regarding real estate matters.
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.
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 re-convened Open Session at 5:44 p.m.

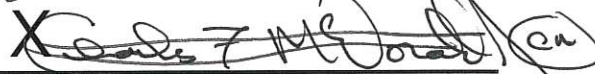
23. To review and act on scheduling District meetings.

July 7, 2023, at 3:30 pm

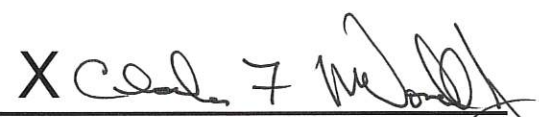
July 21, 2023, at 3:30 pm

24. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 5:47 pm



Commissioner Larry Smith
President



Commissioner Charles McDonald
Vice President