



Montgomery County ESD No. 10

Magnolia Fire Department

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DATE: November 1, 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 Wednesday, November 1, 2023, at 3:30 p.m. inside the boundaries of the District.

AGENDA ITEM:

1. Call meeting to order.

At 3:30 p.m., Commissioner McDonald 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
Laurie Clifton	Board Member	Present

4 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; Community and Risk Reduction Captain Bryan Perry; Assistant Office Manager Joanna Padilla; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Dennis Winkler of Winkler Public Relations; District human resources consultant 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 McDonald 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.

No Public Comments Received.

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

There were no presentations at this time.

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

The Board reviewed the Minutes for the following meetings: October 4, 2023, October 18, 2023, and the Special Meeting on October 24, 2023. Commissioner McDonald made a motion to approve the minutes for October 4th and 24th as written and to have the minutes for October 18th approved as amended. Commissioner Clifton seconded the motion to approve, and the motion was passed.

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 of Administration Chuck Grant provided updates to current station projects. Station 183 is having flooring and other finish work completed and still has a move-in date before Thanksgiving.

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 at this time.

12. 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.

Business Manager Eloise Roberson presented to the Board the Title and Deeds for the recently purchased properties on Coe Loop and Patricia Lane.

13. 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 for review and informed the Board of the financial quarterly audit, from July 1st – September 30th, by the Shah Group, which is available for review online. Items to note:

- Rent was received from the Cheer Center.
- A payment of \$143.50 was made to Epcor in order to have gas provided for the newly purchased building.
- \$517 in cash donations were collected from the Haunted House and will be used for the Christmas toy drive.
- The expected Debt Service for the property on Honea Egypt and Dobbin and 2978, which is to begin on December 1st for \$330,420.17 was received.
- The schedule of payments for the properties on Coe Loop and Patricia Lane was also received. The first payment is due to be paid on April 25, 2024 for a total of \$315,159.76.

A motion was made by Commissioner McDonald to pay the District Bills, and was seconded by Commissioner Clifton. The motion was approved.

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

Eloise Roberson presented to the Board the three health benefit plans as recommended by the committee created for open enrollment. An estimated \$1.2 million is what the District would spend on medical if all or the majority of the enrollments elect the highest premium. There is currently \$1.6 million that has been budgeted for medical coverage for 2024, which means medical coverage will be under budget. The three medical plans are as follows:

- United Healthcare PPO plan with the District covering 100% Employee / 75% Eligible Dependents and a \$250 Deductible. Monthly Cost of \$104,410.34 and an Annual Cost of \$1,252,924.08 is estimated assuming all are enrolled in this plan.
- United Healthcare PPO plan with the District covering 100% Employee / 90% Eligible Dependents and a

\$750 Deductible. Monthly Cost of \$94,883.91 and an Annual Cost of \$1,138,606.92 is estimated assuming all are enrolled in this plan.

- Kelsey-Seybold HMO plan with the District covering 100% Employee / 90% Eligible Dependents and a \$0 Deductible. Monthly Cost of \$26,889.32 and an Annual Cost of \$322,671.84 is estimated assuming all are enrolled in this plan.
- 100% Employee / 100% Eligible Dependents for both Dental and Vision. Monthly Cost of \$12,472.36 and an Annual Cost of \$149,668.32 is estimated assuming all are enrolled in both plans.

After discussions, Commissioner Cunningham and Commissioner Smith both agreed with the three benefit plans as were presented. Commissioner Clifton would like to make changes to some of the benefit plans; the plan with a \$250 deductible to have coverage for employees and dependents at 100%/75%, the \$750 deductible to have coverage for employees and dependents at 100%/75%, and the \$0 deductible to have coverage for employees and dependents at 100%/75% or 90%.

House Bill 2171 which requires the District to offer health insurance plans to employees that have, or are retiring, and who are at least 55 years of age. It is up to the Board to decide if the District will pay or just offer said plans. To cover an individual under said plan will amount to an additional \$762.12 or about \$8,000 a year. According to Chief Chuck Grant, there are currently 7 members that qualify, and he predicts 3 or 4 to possibly take a deal if offered. Commissioner Clifton, would rather focus on the budget and active firefighters than focus on possibly funding or offering plans under this bill.

The Board decided to table making a decision on this item until the next Board Meeting.

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

Eloise Roberson informed the Board that the next Sales Tax deposit will be made on either Thursday or Friday on account of the upcoming Holiday. No further action was taken at this time.

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

Dennis Winkler informed the Board that Ross Winkler's absence is due to being on leave as he and his wife had just had a child. Also mentioned was news on recent property closures and their announcements being covered by local media.

17. 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 noncapital items and expenses.

Chief Chuck Grant informed the Board of travelling on the 15th to Omaha. There pre-construction on the tower which was approved at the previous meeting will be taking place. Once that is completed and the final cost is received construction is set to begin, which will be within the 500 day building window.

18. 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 Chuck Grant informed the Board that he is working with Matt Potter to finalize his full-time employment with the District. Eloise Roberson has also sent out the contract of employment to the Districts legal counsel for review.

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

Fire Chief Hevey presented on the following:

- Station 183 had a pickup truck run into the newly installed gate. Had the gate not been installed, the truck would have possibly struck the EMS trailer on site.
- Interviews for five applicants were completed recently for the Volunteer Rehab position. All five applicants have had a conditional offer of employment sent and a meeting is to be scheduled to set expectations.

- Chief Hevey along with Chief Pangarakis visited the Plantersville VFD this past Monday. They learned that they are provided funding by Grimes County, \$40,000.00 a year. Another meeting is planned in early January

20. To review and act on payroll procedures and policies, including implementation of services for same.

Eloise Roberson informed the Board of advancements made with Paycor. Documents have been signed and sent, a sandbox is being created by Paycor and testing will soon begin.

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

Metro Fire will be providing the District with an appraisal on Ladder 181. Once received, the appraisal will be used as a reference when placing the apparatus into surplus auction on the Govdeals website. No inventory worthy of providing assistance to Plantersville VFD has been identified.

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, fire suppression staff, executive staff and Fire Chief.

District human resources consultant Angela Zacharias stated that the internal payroll audit is reported to have been completed. She stated that the 3% COLA adjustments and those who were promoted did not receive proper compensation. Part of her current research is looking into the multiple suppression ranks and their pay schedule, including their 3% COLA raises. She is recommending the resolution be adjusting rates moving forward and to consider back pay.

23. To review and act on insurance matters: including employee health insurance benefits and policies related to HB 471 coverage for line of duty injuries.

Legal counsel David Manley is currently researching House Bill 471 and its possible effects within the ESD. The bill requires up to 1-year of workers' compensation while injured in the line of duty, as well as temporary leave after the initial year. However, the bill does not state how much of the costs will be split and how much employers have to pay. The Board decided to table this item until the next meeting.

24. To review and act on administrative policies and procedures.

Eloise Roberson recommended that once a determination has been made on HB 2171, she recommends there be a policy created and implemented in the District's handbook. No further action was taken.

The Board agreed to enter into Closed Session at 4:53 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.

Commissioner Cunningham had to excuse himself from the meeting at 6:64 pm

The Board re-convened Open Session at 7:09 p.m.

The Board reopened Item # 20

By general consent, it was decided that all Lieutenants make a minimum of \$30.19 and anyone not making that amount will receive back pay.

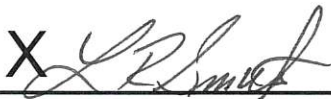
By general consent, the Board decided to adopt a new pay scale with qualifications needed in order to be promoted be adopted as written, effective January 1, 2024.

11. To review and act on scheduling District meetings.

November 15, 2023, at 3:30 PM

12. Adjournment.

With no further business to come before the Board, the Board unanimously agreed to adjourn the meeting at 7:13 pm.

X 

Commissioner Larry Smith
President

X 

Commissioner Charles McDonald
Vice President