



## Montgomery County ESD No. 10 Magnolia Fire Department

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**DATE:** February 19th, 2025

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, February 19th, 2025, at 3:30 p.m. inside the boundaries of the District.

### **AGENDA ITEM:**

#### **1. Call meeting to order.**

At 3:30 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
Dr. Todd Stephens	Board Member	Present

#### ***4 Commissioners were present, thus constituting a quorum.***

Also present were Fire Chief Terry Colburn; Business Manager Eloise Roberson; Assistant Chief of Operations Gary Pangarakis; Division Chief of Logistics & Planning August Naumann; Assistant Chief Jason Herrman; Battalion Chief of Training Chris Thornton; Captain of Community Risk Reduction Bryan Perry; Office Manager Rhonda Reinholz; Assistant Office Manager Joanna Padilla; District Legal counsel Krystine Ramon of Coveler & Peeler, PC; Randall Parr, CPA; District human resources consultant Angela Zacharias from Organizology LLC; Ryan Fortner from Revenue Management Services; Joe Mark from R Group Realtors; Montgomery County Constable Deputy Phil Epperson; and other Department Officers and Staff.

President Larry Smith introduced the newest board member, Dr. Todd Stephens.

#### **3. To administer the Oath of Office to newly appointed and re-appointed District Commissioners.**

Department legal counsel Krystine Ramon as a notary administered the re-appointments and Oaths of Office for Larry Smith and Jeffrey Cunningham and the Oath of Office to the newly appointed board member, Dr. Todd Stephens. **No further action was taken.**

#### **4. 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.**

Rachel Steele from the City of Magnolia and Christina Miller from ABHR had comments regarding sales tax, water access, and improvements to discuss. They requested that further discussion take place regarding their requests.

**No further action was taken.**

## 5. To Elect Board Officers.

After discussions, Commissioner Cunningham motioned to retain the current elected board officers, which is Larry Smith as President, Charles McDonald as Vice-President, Kelly Violette as Treasurer/Secretary, Jeff Cunningham as Assistant Treasurer/Secretary and Todd Stephens as Commissioner. Commissioner McDonald seconded the motion, which was **approved unanimously, 4 to 0.**

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

Fire Chief Terry Colburn promoted several members of the Department: Corey Seay to Lieutenant, Jason Herrman to Assistant Chief of Administration, and Cliff Langton to Assistant Chief. These promotions coincided with the announcement of Assistant Chief Gary Pangarakis's retirement.

Fire Chief Terry Colburn presented several members with the Lifesaving Award during the promotions ceremony: Tyler Hanson, Ian Whitla, and Brandon Cliett. This award was given in recognition of their heroic actions during a recent motor vehicle accident, where a person trapped in a burning vehicle was rescued. **No further action was taken.**

## 7. To approve the Minutes of prior meeting(s).

After reviewing the minutes of the prior meeting, Commissioner McDonald motioned to approve the minutes of January 8<sup>th</sup> and January 29<sup>th</sup>, which Commissioner Cunningham seconded. **The motion was approved 4 to 0.**

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

Assistant Chief Jason Herrman provided updates to current construction projects.

- Station 182
  - The temporary Station 182 building has had its sprinkler system installed, with the alarm system pending county approvals.
  - Phones and internet are pending installation.
  - The current building delivery date is the end of March.
- Station 186
  - An estimate of \$25,000 was provided for the installation of a sprinkler and alarm system into the mobile unit.
  - Projects on Station 186 are on hold pending the updated budget.
- Consolidated Communications will soon begin installing new department phones.

Business Manager Eloise Roberson presented multiple invoices from Martinez Architects for the Logistics building and Station 182, amounting to \$104,998.38.

**No further action was taken.**

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

**No action was taken at this time.**

## 10. To review and act on real estate matters, including but not limited to purchase, sale, lease, utilities, encumbrances, easements, resolutions, and other matters related to real property transactions, including engagement of realtor(s)/broker(s) and acquisition financing.

**No action was taken at this time.**

## 11. To address financial matters, including depositories, audits, Investment Policy and investments, financial

**reports, tax reports, and to pay District bills.**

Business Manager Eloise Roberson presented the general ledger and bills to be approved for payment. After further review, Commissioner McDonald motioned to approve the payment of the district bills. Commissioner Stephens seconded the motion, **which was approved 4 to 0.**

Department legal counsel Krystine Ramon presented the investment policy for the board to review and adopt. Commissioner Cunningham motioned to continue using the investment policy adopted in May 2020, which Commissioner McDonald seconded. **The motion was approved 4 to 0.**

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

District CPA Randall Parr continues to update the District budget. A balance report was presented for board review. Mr. Parr recommended speaking with MVFD leaders about possibly keeping it open alongside the ESD.

**No further action was taken.**

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

Ryan Fortner from Revenue Management Services presented their sales tax reporting for February 2025. A total of \$1,131,023.73 was collected, which set a new record compared to previous years. A new portal will also be available on his website, allowing easy access to reports and data.

**No further action was taken.**

**14. 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.**

Department legal counsel Krystine Ramon provided updates on the recent apparatus loan, including revised information with corrected dates.

Eloise Roberson informed the board of reviewing and signing documents for updated banking cards.

**No further action was taken.**

**15. To review and act on information technology ("IT") matters, including engagement of consultants.**

Fire Chief Terry Colburn informed the board that the scope of work for the department's IT services is currently being revised. Once completed, an RFQ will be sent out for bids. The Department's current contract with SHAPE Integrations ends on March 21, and a request will be made to extend it on a month-to-month basis.

**No further action was taken.**

**16. To review, discuss, and take action on Cyber Security Insurance Policy.**

Fire Chief Terry Colburn noted that the revisions to the Cyber Security Insurance Policy have been completed, submitted, and received. The new quote has been reduced to a third of the original cost. After further discussion, Commissioner McDonald motioned to go forward with the Cowbell Cyber Security contract, which Commissioner Cunningham seconded. **The motion was approved 4 to 0.**

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

Fire Chief Terry Colburn presented his report on current operations:

- Call volume has increased from previous years.
- The four new engines were put into service last week. The engines went to separate stations: Station 181, Station 184, Station 186, and Station 187.
- The Department is continuing to assist the local schools with fire drills.

No further action was taken.

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

No action was taken at this time.

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

No action was taken at this time.

20. To review and act on employment/personnel issues, including policies, handbooks, procedures, hiring, firing, 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 requested updates on HB471 pertaining to employee benefits. Business Manager Eloise Roberson and Office Manager Rhonda Reinholz provided the requested information.

No further action was taken.

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

No action was taken at this time.

**The board moved to address item # 26**

26. To review and act on scheduling District meetings and items to be added to meeting agendas.

March 5, 2025, at 3:30 pm.

**The Board agreed to enter into Closed Session at 4:50 p.m. on the following agenda items:**

22. 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.
23. 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 re-convened Open Session at 7:14 p.m.**

27. Adjournment.

With no further business to discuss, the Board unanimously agreed to adjourn the meeting at 7:15 p.m.