



Montgomery County ESD No. 10 Magnolia Fire Department

18215 Buddy Riley ♦ Magnolia, Texas 77354
Office (281) 356-3288 ♦ Facsimile (281) 356-1572
magnoliafire.org ♦ magnoliaesd.org ♦ mfd@magnoliafire.org



DATE: May 21st, 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, May 21st, 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
Kelly Violette	Secretary / Treasurer	Present
Jeffrey Cunningham	Assistant Secretary / Treasurer	Present
Dr. Todd Stephens	Board Member	Present

5 Commissioners were present, thus constituting a quorum. Commissioner Violette arrived at 4:11 pm.

Also present were Fire Chief Terry Colburn; Assistant Chief Jason Herrman; Captain of Emergency Preparedness Bryan Perry; Administrative Assistant 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; Employee benefits consultant Tom Newby VFIS of Texas; Montgomery County Constable Deputy Eric Gray; and other Department Officers and Staff.

- 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 were received.

The Board agreed to enter into Closed Session at 3:34 p.m. on the following agenda items:

- 10. 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 chose not to enter Closed session on the following agenda items:

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

12. 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.
13. 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 reconvened the Open Session at 4:18 p.m.

4. To designate the Montgomery County Tax Assessor-Collector's Office to prepare the District's New Revenue Tax Rate and related tax rate calculations for 2025, and to authorize District counsel to publish the necessary 2025 Tax Rate setting notices.

Legal Counsel Krystine Ramon informed the Board that it was time to designate a certified Tax Assessor to prepare the tax rates. She also requested that the Board authorize their district legal counsel to publish the necessary notices for setting the 2025 Tax Rate. **After further discussion, Commissioner McDonald motioned to designate the Montgomery County Tax Assessor's Collector's office to prepare the District's new revenue tax rate and related tax rate calculations for 2025 and authorize the District's legal counsel to publish the required 2025 Tax Rate setting notices. The motion was seconded by Commissioner Cunningham and approved with a vote of 5 to 0.**

5. To approve a resolution to ratify on ongoing engagement of delinquent tax collection counsel and to impose penalties under Tax Code sections 33.07, 33.08, and 33.11 to fund delinquent tax collection legal fees.

District legal counsel Krystine Ramon informed the Board of the current contracted services with Linebarger Goggan Blair & Sampson, LLP, which collect delinquent taxes. **After further discussion, Commissioner McDonald motioned to continue services with Linebarger Goggan Blair & Sampson, LLP. Commissioner Violette seconded the motion, which was approved 5 to 0.**

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

Ryan Fortner from Revenue Management Services presented his monthly sales tax findings. For May 2025, a total of **\$1,012,777.07** was received in local sales tax, which reflects an **8%** increase over May 2024. The department is currently on track to meet the approved budget. The department will soon begin receiving revenue from the recently opened Lowe's. Mr. Fortner will conduct a manual review of vendors to ensure that no revenue is overlooked.

No further action was taken.

7. 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.

District legal counsel Krystine Ramon presented a breakdown of the loan proposals she received for the Mid-mount apparatus. Ms. Ramon received proposals from Community Leasing, First Financial Bank, Frost Bank, Texas Regional Bank and Trustmark Bank. District CPA Randall Parr recommended the lowest proposal from Trustmark, which features a 3.89% interest rate and semi-annual payments over ten years as a pledged debt. **After further discussion, Commissioner McDonald motioned to approve the recommended loan schedule from Trustmark Bank, which features a 3.89% interest rate for ten years, semi-annual payments, and a debt pledge. The motion was seconded by Commissioner Violette and approved 5 to 0.**

Randy Parr also presented district bills for review and approval. **After further review, Commissioner Violette motioned to approve paying the district bills, which Commissioner McDonald seconded. The motion was approved 5 to 0.**

8. To review, discuss, and take any necessary action regarding a SAFER Grant.

Fire Chief Terry Colburn provided the board with additional information on the SAFER Grant. The purpose of the grant is to support the Department in hiring and retaining firefighters by providing funding for a period of three years. After this, the Department will be responsible for all costs associated with retaining the hired firefighters. Chief Colburn also requested approval for payment to the grant writer who is assisting with this project.

After further discussion, Commissioner McDonald made a motion to approve the Department's pursuit of the grant and to authorize payment for the grant writer. Commissioner Violette seconded the motion, which was approved 5 to 0.

9. To review, discuss, and act on accident and sickness policy for the District.

District Human Resources Consultant Angela Zacharias, along with VFIS Employee Benefits Consultant Tom Newby, presented updates on accident and sickness policies.

After further discussion, Commissioner McDonald motioned to cancel the District's current Accident and Sickness plan at the end of the month and to replace it with the new HB 471-compliant disability policy. Commissioner Violette seconded the motion, and it was approved 5 to 0.

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

June 11, 2025, at 3:30 pm.

15. Adjournment.

With no further business to discuss, the Board unanimously agreed to adjourn the meeting at 5:17 p.m.