



Montgomery County ESD No. 10 Magnolia Fire Department

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DATE: August 20th, 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, August 20th, 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 - (3:44 PM Arrival)
Dr. Todd Stephens	Board Member	Present

4 Commissioners were present, thus constituting a quorum.

Also present were Fire Chief Terry Colburn; Assistant Chief Jason Herrman; Division Chief of Logistics Chris Thornton; 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; Joseph Ellis from McCall Gibson Swedlund Barfoot Ellis PLLC; 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.

- 4. To receive a presentation from McCall Gibson Swedlund Barfoot Ellis PLLC and take any necessary action.**

Joseph Ellis from *McCall Gibson Swedlund Barfoot Ellis PLLC* addressed the board and presented their auditing proposal for the fiscal year ending September 30, 2025.

After further discussion, Commissioner McDonald motioned to accept the auditing proposal from McCall Gibson Swedlund Barfoot Ellis PLLC and to terminate the District's contract with Brooks Watson CPA, which Commissioner Violette seconded. The motion was approved 4 to 0.

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

Ryan Fortner from Revenue Management Services presented his sales tax findings for the District for August

2025. For August, the District collected \$966,875.03, representing a 6% increase over the previous year. The recently opened Lowe's store has yet to begin remitting its earnings, but it is expected to see its portion in the following month. The District has successfully collected 89.34% of its budgeted amount. Ryan also requested approval of a letter presented requesting authorization to inquire and request sales tax information from the Comptrollers.

After further review, Commissioner McDonald made a motion to approve Ryan Fortner as a representative of the District to speak with the Texas Comptroller on behalf of the District, which was seconded by Commissioner Violette. The motion was approved 4 to 0.

6. To receive a report from the District Bookkeeper.

No action was taken.

7. To receive and approve financial matters, including depositories, audits, Investment Policy, tax reports, and investments, including approval of District expenses and bills, and financial transfers.

District CPA Randall Parr presented bills for review and approval.

After further review, Commissioner Violette made a motion to approve payment of the district bills. Commissioner McDonald seconded the motion, which was approved unanimously, 4 to 0.

8. 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.

No action was taken.

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

No action was taken.

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

No action was taken.

11. 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.

No action was taken.

The Board agreed to enter into Closed Session at 4:13 p.m. on the following agenda items:

11. 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 reconvened the Open Session at 4:50 p.m.

The Board chose not to enter Closed session on the following agenda items:

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

13. 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 moved to address Item # 14

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

September 10, 2025, at 3:30 pm

September 24, 2025, at 3:30 pm

15. Adjournment.

With no further business to discuss, the Board unanimously agreed to adjourn the meeting at 5:01 p.m.