



Montgomery County ESD No. 10 Magnolia Fire Department

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DATE: May 13, 2026

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 13th, 2026, 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 officers 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	Vice Secretary/Treasurer	Present
Dr. Todd Stephens	Board Member	Present

5 Commissioners were present, thus constituting a quorum.

Also present were Fire Chief Terry Colburn; Assistant Chief Jason Herrman; District Legal Counsel Krystine Ramon of Coveler & Peeler, PC; Randall Parr, CPA; Ryan Fortner from Revenue Management Services; 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 is subject to removal from the meeting and premises under Texas law after receiving a reasonable warning from the presiding officer.**

Fire Chief Terry Colburn presented Firefighter Max Brush with a special commendation for exemplary service while off duty. Two Battalion Chiefs will receive the Firefighter of the Year award: David Farley and Roosevelt Lozano.

No public comments were received.

- 4. To canvas the results of the District's election held on May 2, 2026, and enter such Orders and take such other action as may be necessary on the matter.**

Commissioner McDonald motioned to approve the canvassing order for the May 2, 2026, sales tax election, which received 4,769 votes for and 2,214 against, and the affirmative vote of the majority of votes cast at the election. Commissioner Violette seconded the motion, which was approved 5 to 0.

Commissioner Cunningham motioned to approve by order imposing a local sales and use tax in MCESD No. 10. Commissioner McDonald seconded the motion, which was approved 5 to 0.

- 5. To review and approve prior meeting minutes.**

Minutes from previous board meetings were presented for review and approval. This item was tabled until the next board meeting.

No action was taken.

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

Mr. Fortner presented his sales tax report for April 2026. There are over 2,000 permits applicable for new sales tax. The District has received an average of \$9,358,417 a year.

No action was taken.

7. To receive a report from the District Bookkeeper.

District CPA Randy Parr presented his financial report for April 2026. Current Department funds are as follows:

Checking Accounts: \$1,139,434

Investment Accounts: \$21,564,619

Total Cash: \$22,704,053

April operating expenses are at 54% of the budget. Debt payments were reviewed, with 80% of debt service payments having been expended for the 2026 Fiscal year.

No further action was taken.

8. 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 Randy Parr presented a check run totaling \$117,653.05 for board review and approval.

After further review, Commissioner Violette motioned to approve the payment of the district bills. Commissioner McDonald seconded the motion, which was approved 5 to 0.

9. To review, discuss and take action on VFD status and approval to conduct annual audits.

Chief Herrman informed the Board that the VFD accounts have officially been closed as of January 2026. Priscella Encalade with PE-CPA is working on the VFD's financial audits for 2021 and 2022. A request was made to assist in funding the closeout of audits for PE CPA PLLC, totaling \$16,000, including audits for 2025 and 2026 and tax returns.

Commissioner Violette motioned to approve not to exceed \$16,000 to assist in closing out the audits for 2025 and 2026. Commissioner Stephens seconded the motion, and it was approved 5 to 0.

10. To review and approve any District budget amendments for 2026.

No action was taken at this time.

11. To designate the Montgomery County Tax Assessor-Collector's Office to prepare the District's No New Revenue Tax Rate and related tax rate calculations for 2026, and to authorize District counsel to publish the necessary 2026 Tax Rate setting notices.

Commissioner McDonald motioned to approve designating the Montgomery County Tax-Assessor's Collector's office to prepare the District's No New Revenue and related tax calculations for 2026, and to authorize legal counsel to publish the necessary 2026 tax rate setting notices. Commissioner Stephens seconded the motion, and it was approved 5 to 0.

12. To approve a resolution to ratify an 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.

No action was taken at this time; the item was tabled until the following board meeting.

13. 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 presented documents from SLI for Station 186. The Board discussed the possibility of moving to a design-build from a construction manager-at-risk approach. Further possible cost savings were discussed. There has been no engagement initiated at this time.

TxDOT and a hydrologist have been working on Station 182.

No 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.

No action was taken.

15. To review and approve MOU with Magnolia ISD.

Commissioner McDonald motioned to approve and move forward with the MOU with Magnolia ISD. Commissioner Stephens seconded the motion, and it was approved 5 to 0.

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

Fire Chief Terry Colburn reported the following:

- 714 total runs, 35 incidents, 434 EMS calls, 235 good intent calls,
- Sales tax election information passed, presenting the demographics of the voting turnout. Early voting had the highest turnout. The measure passed by 68%.
- Phase II training is beginning with new hires.
- Two new battalion chief trucks will soon be in service.
- John Hall retired after 23 years of service.
- Working on applying for another SAFER Grant for four-person staffing.
- 12 different PR events took place, and the Facebook account's following has risen. A marketing group meeting is planned for next week.

No further action was taken.

The Board agreed to enter Closed Session at 5:11 p.m. on the following agenda item(s): 19

19. 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 chose not to enter into closed session on the following items:

17. 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.

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

The Board reconvened Open Session at 5:50 p.m.

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.

Commissioner McDonald motioned to approve a 4% pay increase for Fire Chief Colburn. The motion was seconded by Commissioner Violette and approved 5 to 0.

21. 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.

Commissioner Violette motioned to approve the lease extension for Station 182 at \$5,500 per month for 2 6-month terms. Commissioner McDonald seconded the motion, which was approved 5 to 0.

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

June 17, 2026, at 3:30 p.m. – Regular Meeting

23. Adjournment.

With no further business to discuss, the Board unanimously agreed to adjourn the meeting at 5:55 p.m.