

# HARRIS COUNTY EMERGENCY SERVICES DISTRICT #28



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## HARRIS COUNTY EMERGENCY SERVICES DISTRICT No. 28 MINUTES OF BOARD OF COMMISSIONERS MEETING

November 21, 2022

### Members in Attendance:

Mike Jenkins, President  
Ken Koenig, Treasurer

Dan Dronberger, V. P.  
Shirley Jauma, Secretary

### Others in Attendance:

Fred Windisch, Fire Chief  
Dana Schmanski, Office Manager  
Ira Coveler, Attorney

### Public:

Stephen Morris

### Excused Members:

Erika Smiley, Asst. Sec/Treasurer

### **Call to order, roll call and establishment of a quorum.**

Mike Jenkins called to order the November 21, 2022, ESD No. 28 Board Meeting starting at 5:00 p.m., with a quorum.

### **To receive public comment.**

No public.

### **To approve the Minutes of prior meeting.**

Mike Jenkins asked if there were any additions or corrections to the minutes from the October 17, 2022, Regular Meeting minutes.

Dan Dronberger made a motion to accept the October 17, 2022, Regular Meeting minutes as written. Ken Koenig seconded the motion with unanimous approval of the board.

**To receive a financial report from the District Treasurer and to pay District bills, including approval of commissioner fees.**

Ken Koenig reviewed the report on Profit and Loss Budget Performance with Percentages for the month of October 2022.

Bank balances in our various accounts as of October 31, 2022:

Checking Account: Beginning balance of \$16,527.65, with deposits totaling \$1,569,265.84 (which includes an interest deposit of \$25.45); and checks and debits totaling \$1,573,275.99, for an ending balance of \$12,517.50.

Money Market Account: Beginning balance of \$14,662.35, with an interest deposit of \$5.16; for an ending balance of \$14,667.51.

Sales Tax Money Market Account: Beginning balance of \$250,262.59, with an interest deposit of \$243.41, for an ending balance of \$250,506.00.

Texas CLASS Account: Beginning balance of \$5,191,611.64, with an interest deposit of \$12,560.72; and debits totaling \$1,345,000.00, for an ending balance of \$3,859,172.36.

We have (9) bills to pay this month as follows:

Coveler & Peeler	\$1,416.95	October Legal Fees
Harris County Appraisal District	\$7,646.00	Quarter 1 Assessment
Harris County ESD 7	\$16,885.59	Center Point Tower Cost Split CFD, CCFD, KFD, SFD
HDL Companies	\$9,730.00	Sales Tax-Retainer Nov Dec Jan Commissions Aug Sept Oct
McCall Gibson Swedlund Barfoot PLLC	\$200.00	Basic Plus Standard PFIA Training Seminar – K Koenig
Prime ITS, Inc	\$504.00	Office 365 & M365 Agreement 11/1/22
PVFA	\$300,000.00	November Draw

Safe D	\$1,100.00	Annual District Renewal
Harris County Appraisal District	\$707.82	Penalty and Interest for 2nd Qtr

Harris County Appraisal District check to be held, letter written to request waiver of penalty and interest for 2<sup>nd</sup> quarter.

Dan Dronberger made a motion to send letter of waiver for Penalty and Interest Charges. Shirley Jauma seconded the motion with unanimous approval of the board.

Dan Dronberger made a motion to approve the financials and checks written. Shirley Jauma seconded the motion with unanimous approval of the board.

**To review and take action on the payment of operations funding pursuant to year 2022 budget and service agreement with the Ponderosa Volunteer Fire Department.**

FCW – requesting the November Draw in the amount of \$300,000.00.

Dan Dronberger made a motion to approve the November Draw in the amount of \$300,000.00. Shirley Jauma seconded the motion with unanimous approval of the board.

**To receive a report from the Ponderosa Fire Department (“Department”).**

Fire Responses – October 2022 – 221 Responses

**Major Fires:**

- 10/17/22 – Garage fire North Forest; sparks from welding/cutting metal in garage
- 10/18/22 – Garage Fire Northview, plumber using torch for repairs
- 10/28/22 – 910 Cypress Station, balcony, most likely discarded smoking materials
- 10/28/22 – House, Pine Oak Forest, unattended candle
- 10/31/22 – 1755 FM1960, used vehicle sale lot, building; electrical

Average Responses – 233

Average EMS – 115

Big fire Friday night at 200 Hollow Tree, suspected arson. Workers Compensation claim for one of our District Chiefs. Smoke inhalation: went by ambulance to Houston Northwest Hospital, released to follow up with a pulmonologist.

Next draw will be the final for the year, advance for insurance premiums due in January.

**To review, discuss and take action regarding the purchase of capital equipment including apparatus.**

New engine inspection on November 15<sup>th</sup> and 16th, 2022.

**To review, discuss and take action regarding adding District information to the trucks and apparatus owned by the district.**

FCW – Will follow up with deputy chief.

**To review, discuss and take action to remodel Station 63 dorms to accommodate personnel.**

FCW –doors ordered. Everything will be there before they begin construction. Discussion held by the board.

**To review, discuss and take action related to sales tax collections and SAFE-D legislative efforts.**

FCW – Safe D is working on legislative efforts, may be a time when they may ask for funding. They are having a webinar.

Ira Coveler – this Legislative Session will be quite aggressive. In years past the MUD's have tried to get the Sales Tax from the ESD's. This year TML will push to get the sales tax of from the ESD's. Basically, they are trying to get the ESD's sales tax that have land that is undeveloped. You are probably safe because your district is built out. Discussion held by the Board.

**To review, discuss and take action to schedule Joint Budget Meeting December 13, 2022.**

FCW - dinner at 5:30 for joint meeting. Spouses are welcome and we will do a workshop agenda.

**To review, discuss and take action to enroll board members in SAFE-D conference.**

DMS – I have received notifications that Mike, Shirley and Ken will attend the Conference.

**To review, discuss and take action to hire GTT to test current preemption of traffic signals.**

FCW - this is the short story as we need to do some data analysis for the county. Our portion for the entire project will be one fifth of \$15,500.00 payable date to be determined. All five agencies have agreed to the study. Requesting a motion to engage GTT to move forward with the study.

Ken Koenig made a motion to engage GTT to move forward with the study. Shirley Jauma seconded the motion with unanimous approval of the board.

**To review, discuss and take action on revised TECC Agreement.**

Ira Coveler – the ESD’s themselves were not revised. In terms of how the committee can vote was revised. For example, no one party can veto a vote/recommendation. You must have four parties to vote, and majority will determine whether it is approved. Financially the outcome will not change. This will formalize the agreement. Discussion held by the board.

Shirley Jauma made a motion to accept the TECC Agreement. Ken Koenig seconded the motion with unanimous approval of the board.

**To review and take action on the ratification of continuing contract(s) with private law firm(s) pursuant to §6.30 of the Tax Code for the collection of delinquent District ad valorem property taxes and providing for the payment of up to 20% of the delinquent taxes, penalties, and interest which are collected by the attorney under said Contract.**

**To discuss and take action on the imposition of additional penalty on delinquent taxes pursuant to §33.07 of the Tax Code and adoption of a Resolution regarding same for taxes.**

**To discuss and take action on the imposition of additional penalty on delinquent taxes to defray costs of collection by the District's delinquent tax attorney, pursuant to §33.08 of the Tax Code and adoption of a Resolution regarding same.**

**To discuss and take action on the imposition of early additional penalty for collection costs for taxes imposed on personal property on delinquent taxes pursuant to §33.11 of the Tax Code and adoption of a Resolution regarding same.**

Ira Coveler - Every year we hire Linebarger Goggan Blair & Sampson, LLP, as the private law firm to handle our delinquent taxes for residential and commercial property owners. The motion includes last four agenda items.

Dan Dronberger made a motion to contract with Linebarger Goggan Blair & Sampson, LLP., for the collection of delinquent District ad valorem property taxes and providing for the payment of up to 20% of the delinquent taxes, penalties, and interest which are collected by the attorney under said contract. Ken Koenig seconded the motion with unanimous approval of the board.

Vote: Yes: 4 No: 0.

**To meet in Closed Session pursuant to Government Code §551.071 to consult with legal counsel.**

No Closed Session

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

No Closed Session

**To set meeting date for December 19, 2022, regular meeting.**

### **Adjournment**

Dan Dronberger made a motion to adjourn at 5:46 PM. Shirley Jauma seconded the motion with unanimous approval of the board.



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Shirley Jauma, Secretary