

# HARRIS COUNTY EMERGENCY SERVICES DISTRICT #28



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

November 20, 2023

### Members in Attendance:

Mike Jenkins, President  
Ken Koenig, Treasurer  
Erika Smiley, Asst. Sec/Treasurer

Dan Dronberger, V. P.  
Shirley Jauma, Secretary

### Others in Attendance:

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

### Public:

No Public

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

Mike Jenkins called to order the November 20, 2023, 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 16, 2023, Regular Meeting minutes.

Shirley Jauma made a motion to accept the October 16, 2023, Regular Meeting minutes as written. Dan Dronberger 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 31, 2023.

Bank balances in our various accounts as of October 31, 2023:

Checking Account: Beginning balance of \$9,218.19, with deposits totaling \$595,787.25 (which includes an interest deposit of \$27.79); and checks and debits totaling \$596,922.42; for an ending balance of \$8,083.02.

Money Market Account: Beginning balance of \$10,064.01, with an interest deposit totaling \$9.40; for an ending balance of \$10,073.41.

Sales Tax Money Market Account: Beginning balance of \$250,257.07, with an interest deposit of \$640.19; for an ending balance of \$251,897.25.

Texas CLASS Account: Beginning balance of \$6,721,396.04, with an interest deposit of \$31,090.29 and checks and debits totaling \$324,000.00 for an ending balance of \$6,428,486.33.

We have (13) bills to pay this month as follows:

Coveler & Peeler	\$336.23	October Legal Fees
Erika Smiley	\$571.29	VCOS Expenses
HDL	\$1,500.00	Quarterly Retainer Nov, Dec, Jan
LDF Construction	\$4,590.00	Addition: 5 Desks and Lockers at Station 63
Lyn Jenkins	\$1,000.00	Newsletter Preparation
Mike Jenkins	\$228.01	VCOS Expenses
Municipal Emergency Services	\$290,916.19	SCBA Equipment Replacement

ProCoats, Inc	\$11,350.00	Station 62 Bi-Fold Doors Painted
Reliable Fire Protection (replacement check)	\$2,760.00	Remove and replace sprinkler heads
Safe-D	\$1,100.00	Safe-D Membership renewal
Texas Mutual Insurance	\$4,400.00	Workers' Compensation for Board Members
PVFA	1,000,000.00	3 New Engines Second Payment
PVFA	\$400,000.00	November Draw

**To review and take action on the payment of operations funding pursuant to year 2022 and the 2023 budget and service agreement with the Ponderosa Volunteer Fire Department.**

FCW – requesting November Draw not to exceed \$400,000.00. Next month we will have an insurance prepay for January insurance premiums.

Shirley Jauma made a motion to approve the financials, checks written, and November Draw in the amount of \$400,000.00. Dan Dronberger seconded the motion with unanimous approval of the board. Erika Smiley abstains from the motion.

**To receive a report from the Ponderosa Fire Department (“Department”).**  
Fire Responses – October 2023 – 187 Responses

**Major Fires:**

10/01 Butte Creek Apartments, clothes dryer fire.

10/02 Inverness Forest apartments, bathroom exhaust fan.

10/06 505 Cypress Station, Civilian death, One smoke inhalation transported, total loss. The cause of fire undetermined at this time.

10/15 2402 Bammelwood, smoldering clothes on floor; Fire Marshal is reason for the longer scene time.

Avg Responses – 214

Avg EMS Responses – 99

Christmas Party – December 8, 2023. Social at 6:00 pm, 7:00 pm dinner, followed by awards and 8:30pm Casino Night will begin.

SCBA Equipment - received, identified, and logged by serial number. Two to three weeks before placed in service.

E-Hydraulic tools – everything is here, one of our firefighters is building shelves on the trucks for placement.

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

FCW – Nothing new to report.

**To review, discuss and take action regarding Houston Housing Authority.**

Ira – reviewed with the board the issues with billing Houston Housing authority. The problem is the HHH and churches are no different from a taxing authority perspective. We don't have a way to legally isolate them. Discussion held by the board. No action. FCW – Bettencourt is addressing to stop them from this process.

**To review, discuss and take action regarding imposing fees for excessive False Alarms.**

FCW - Fire Alarms - We received a check from CSL Plasm. Total since July 6<sup>th</sup> year to date \$33,312.00, this comes off the monthly draw amount.

**To review, discuss and take action regarding Care's Act-Employee Retention Tax Credit Refund.**

DMS – currently the IRS has requested a Moratorium. Nothing to be processed until after January 1, 2024. Innovation Refunds has requested their legal team to refile the 941X for the additional tax refund due of \$170,000.00 from second quarter of 2020.

**To review, discuss and take action regarding Station 61 Generator**

FCW – almost complete. Minor things only.

**To review, discuss and take action regarding Safe D conference, February 22-24, 2024.**

DMS – Hotel booked for Mike Jenkins, Ken Koenig and Shirley Jauma. Erika will book her own room. All are registered for the Safe-D Conference.

**To review, discuss and take action on newsletter development.**

FCW – we have drawn up the contract with Lyn Jenkins to prepare the Newsletter. We have an estimate from Alpha Graphics for \$5,400.00 for quantity of 6,900, 6 pages printed on 11X17 2 sided pages.

Ken Koenig made a motion to accept the contract to pay Lyn Jenkins for Newsletter preparation. Dan Dronberger seconded the motion with unanimous approval of the board. Ken Koenig signed the contract.

**To review, discuss and take action to replace bay fixtures with LED Lighting**  
FCW – came in today.

**To review, discuss and take action to paint Station 62 front bay doors.**

FCW – when the painter arrived, he talked to T Spitzenberger, ProCoats recommended we paint all doors at the same time. It will cost much less because they will already have all the tools necessary to complete the job.

Dan Dronberger made a motion to paint all bi-fold doors at Station 62. Ken Koenig seconded the motion with unanimous approval of the board.

**To review and take action on the ratification of a continuing Contract with a private law firm 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.**

Ken Koenig made a motion of continuing contract with Private law firm as detailed above. Shirley Jauma seconded the motion with unanimous approval of the board.

**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.**

Ken Koenig made a motion on the imposition of additional penalty on delinquent taxes as detailed above. Shirley Jauma seconded the motion with unanimous approval of the board.

**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.**

Ken Koenig made a motion on the imposition of additional penalty on delinquent taxes to defray costs of collection as stated above. Shirley Jauma seconded the motion with unanimous approval of the board.

**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.**

Ken Koenig made a motion on the imposition of early additional penalty for collection cost for taxes imposed as stated above. Shirley Jauma seconded the motion with unanimous approval of the board.

**To review, discuss and take action for PVFA considering the purchase of additional training tools.**

FCW - Training module Flaim and another product for virtual reality firefighting using Care's Act refunds. Quote includes a 10% discount of \$76,000.00 off list price of the basic fire extinguisher training simulation for actual cost of \$68,481.00. PVFA will order and request funding from ESD No. 28. Ken K - it gives the guys basic training fighting fire and what it will be like.

FCW - Also includes 3 years of warranty. To be booked as an asset on the PVFA balance sheet.

Discussion held by the board.

**To review, discuss and take action regarding imposing fees for services as permitted by Texas Health & Safety Code §775.040.**

See Above

**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 11, 2023, Joint Meeting and December 18<sup>th</sup> Regular Meeting held at 17061 Rolling Creek Drive, Houston, TX 77090.**

**Adjournment**

Erika Smiley made a motion to adjourn at 6:04 PM. Dan Dronberger seconded the motion with unanimous approval of the board.

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Shirley Jauma, Secretary