

MINUTES
SPECIAL MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
OCTOBER 4, 2023

In accordance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, the Board of Commissioners of Bexar County Emergency Services District No. 5 had a SPECIAL MEETING at 7120 E. 6th Street, Somerset, TX 78069 on OCTOBER 4, 2023 immediately following the Bexar County ESD5 Fire and Rescue Board of Directors meeting scheduled for 6:00 pm.

- 1) Call the Bexar County Emergency Services District 5 meeting to order and establish a quorum.**

Meeting was called to order at 6:10 pm and a quorum was established. Board members in attendance were Herschel Postert, Howard Dalros, Andrew Flores, Becky Schneider, and Robert Pierce.

- 2) Invocation: Pledge of Allegiance to the American Flag.**

Pledge recited.

- 3) Review and approval of the minutes for the Regular Meeting on September 21, 2023**

Motion by Commissioner Schneider to accept the minutes as presented. Seconded by Commissioner Pierce. Motion carried.

- 4) Action items:**

- a) Discussion with action taken as appropriate regarding the future fire station on Montgomery Road, including any action necessary regarding financing, bid process, status of platting, water drilling issues, resolutions that may be required, and any other matters related thereto including hiring AGCM to act as the owner's representative for the project**

Ryan Rosborough and Mark Price were present from AGCM to talk about what they do. They explained they can be as hands on as the district requests but their main focus is to be the representative for the owner during the build. Any issues will be immediately reported to the District to discuss a solution. Ryan said they would like to be involved as soon as possible including the bidding process. Commissioner Dalros asked about the fees. Ryan said it depends on how involved the district wants them but an average would be about 3% of the job. Commissioner Dalros asked them to send a sample contract for review by legal and there may be a special meeting to get them hired. No action taken.

The Bexar County Emergency Services District No. 5 reserves the right to adjourn into closed session at any time during the course of the meeting to discuss any of the matters listed above should such action be necessary as authorized by the Texas Open Meetings Act, Texas Government Code 551.071 (Consultation with Attorney), 551.074 (Personnel Matters) or 551.087 (Economic Development) and any other provision under Texas Law that permits this governmental body to discuss a matter in a closed session. Action, if any, will be taken in open session.

The Bexar County Emergency Services District No. 5 is committed to compliance with the Americans with Disabilities Act. Reasonable modification and equal access to communications will be provided upon request. Requests for accommodation or interpretive services at meetings should be made 48 hours prior to this meeting. Please contact Bexar County Emergency Services District No. 5 at 830-429-7119.

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- b) Discussion and possible action regarding the purchase of land for a future fire station in the Luckey Rd / Pearsall Rd / IH35 area, including appraisals, environmental surveys, Resolution, and any other matters related thereto**

There was a discussion about possible hazardous materials since it was formerly the site of a trucking company. Commissioner Schneider wants to make sure it is not in a flood zone. Chief said it was not and the chance of hazardous materials was minimal. Commissioner Dalros said the property has electricity, 2 septic tanks, and water. Chief said he would like to see a 2 bay station with quarters for the ESD board to have their meetings.

Motion by Commissioner Dalros to approve the purchase of the property for \$425,000. Seconded by Commissioner Pierce. Motion carried.

This item was also taken in Executive Session.

- c) Personnel issues: Annual evaluation of Fire Chief Gary Estep and action taken as necessary on compensation issues**

This item was taken in Executive Session.

- d) Discussion and possible action regarding the District's Investment Policy**

Motion by Commissioner Dalros to approve the District's Investment Policy as presented. Seconded by Commissioner Schneider. Motion carried.

Meeting was called into Executive Session at 6:52 pm for items 4b and 4c citing Texas Government Code 551.071 consultation with attorney.

Meeting resumed in Open Session at 7:47 pm.

Item 4b – Motion by Commissioner Dalros to approve the resolution for the purchase of the land at 17581 IH35 South, Atascosa, TX 78002. Seconded by Commissioner Schneider. Motion carried.

Item 4c – Motion by Commissioner Dalros to approve an increase in salary for Chief Estep of \$120,000 annually. Seconded by Commissioner Pierce. Vote 2 in favor (Dalros, Pierce), 2 against (Flores, Schneider), one abstained (Postert). Motion failed.

Motion by Commissioner Flores to approve an increase in salary for Chief Estep of \$115,000 annually. Seconded by Commissioner Schneider. Vote 2 in favor (Flores, Schneider), 2 opposed (Dalros, Pierce), one abstained (Postert). Motion failed.

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Motion by Commissioner Postert to approve an increase in salary for Chief Estep of \$117,500 annually. Seconded by Commissioner Schneider. Motion withdrawn by Commissioner Postert.

Motion by Commissioner Postert to approve an increase in salary for Chief Estep of \$120,000 annually. Seconded by Commissioner Pierce. Vote 3 in favor (Postert, Dalros, Pierce) 2 against (Flores, Schneider). Motion carried.

5) Adjourn

Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Pierce. Motion carried. Meeting adjourned at 7:57 pm.

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