

**MINUTES**  
**PUBLIC HEARING AND REGULAR MEETING**  
**BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5**  
**AUGUST 25, 2022**

**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 conducted a PUBLIC HEARING followed by a REGULAR MEETING at 7120 E. 6<sup>th</sup> Street, Somerset, TX 78069 on August 25, 2022 at 6:00 pm.**

**PUBLIC HEARING**

**Public Hearing regarding the proposed 2022 Tax Rate of 0.10 per \$100 of property valuation as noticed in the Express News on 8/18/2022 as well as on the District's website [www.bexarcountyescd5.com](http://www.bexarcountyescd5.com).**

- A) Citizens to be heard. Members of the public are encouraged to attend the hearings and express their views.**

*There were no citizens to speak.*

**CLOSE PUBLIC HEARING AND BEGIN REGULAR MEETING**

*Public Hearing concluded at 6:05 pm.*

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

*Meeting was called to order at 6:05 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) Citizens to be heard: This item will be open for a maximum of 30 minutes with 3 minutes per speaker. (If there are more than 10 speakers, each will be given 2 minutes.)**

*There were no citizens to speak.*

- 4) The Board will hear a brief report from Rudy Rodriguez with R4 Strategies, and take action, if appropriate (This item may be taken in Executive Session. Action, if any, will be taken in Open Session)**

*Rudy Rodriguez was not in attendance. It was noted that 2 Commissioners are meeting with him monthly for a status report.*

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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**5) The Board will hear a brief report from the General Manager**

*Commissioner Postert asked about the Desk Manual. Commissioner Pierce said it was still a work in progress. General Manager also presented the board with insurance renewal proposals from other companies and the current agent was clearly a better deal. GM will renew the policies as is noting that Lytle VFD will no longer be included in ESD's policies.*

**6) Consent Agenda:**

**a) Minutes from the Budget Workshops on July 18, 2022 and August 11, 2022 and the Regular Meeting on July 21, 2022**

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

**b) Review and approval of financials**

*Motion by Commissioner Dalros to accept the financials as presented. Seconded by Commissioner Pierce. Motion carried.*

**7) Reports, presentations, and funding requests with action taken as appropriate:**

*(Reports should include: Financial reports (revenue and expenditures), Run Reports, Training Reports and Hours, Volunteer Hours)*

**a) Bexar County ESD 5 Fire and Rescue**

*Chief Estep said he would make his report in the Fire Rescue meeting following.*

**b) Lytle Volunteer Fire Dept.**

*Chief Dear had his new Skeeter brush truck present that several of the Commissioners went to look at. Chief Dear said it was not yet in service because it still needed the necessary equipment on it. Monthly paperwork submitted showed 67 calls for the month of July with an average response time of 7:15.*

**8) Action items: Consider, discuss, and action as appropriate.**

**a) Discussion and action to adopt the 2023 Tax Rate and Resolution regarding the same**

*Commissioner Pierce read aloud the Resolution to adopt a 10-cent rate per \$100 of property valuation for the 2022 Tax Year. Motion by Commissioner Schneider to approve the Resolution as presented. Seconded by Commissioner Dalros. Motion carried. Vote: Postert – aye; Dalros – aye; Flores – aye; Schneider – aye; Pierce- aye.*

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- b) Discussion with action taken as appropriate regarding the future fire station in the Montgomery Road area, including but not limited to bid process, financing, conveyance of the real property to Bexar County, including resolutions, if any, and any other matter related thereto.**

*Commissioner Postert read from the County Commissioner's agenda regarding the item where the ESD5 conveys the property back to Bexar County. He said the next step is for the Fire Rescue to purchase the property. No action taken.*

- c) Personnel issues: Including but not limited to hiring, terminations, discipline, suspensions, and compensation, and any other related matters including action, if appropriate, on a revised administrative sick leave / vacation policy and annual evaluation for Fire Chief, as well as other employees**

*This item was taken in Executive Session.*

- d) Discussion and possible action regarding opening a safe deposit box at Texas Community Bank for the purpose of off-site record keeping in the form of a hard drive and determine signers for the box**

*Motion by Commissioner Schneider to open a safe deposit box at Texas Community Bank for the purpose of off-site record keeping with Sheila Staggs, Sylvia Garza, and Commissioner Robert Pierce as the authorized users / signers on the accounts. Seconded by Commissioner Dalros. Motion carried.*

- e) Discussion and possible action regarding the litigation with the City of San Antonio in reference to Cause No. 2019-CI-26125 and Cause No. 2020-CI-24975**

*No action on this item.*

- f) Discussion regarding service provider contracts (Lytle VFD & FR), with action taken as appropriate**

*This item was taken in Executive Session.*

*Meeting was called into Executive Session at 6:28 pm for items 8c and 8f citing Texas Government Code 551.071 Consultation with Attorney and 551.074 Personnel Matters.*

*Meeting resumed in Open Session at 7:24 pm.*

*Item 8c – No action taken. It was noted that Commissioners Flores and Dalros will do the Chief's evaluation and Commissioners Pierce and Schneider will do the General*

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*Manager's evaluation. Evaluations will be brought back to the board for review.*

*Item 8f – No action taken. The board will hold a workshop on 8/31/22 at 6:00 pm to work on amendments to the service provider contracts.*

#### **9) Adjourn**

*Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Pierce. Motion carried. Meeting adjourned at 7:25 pm.*

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