

MINUTES
REGULAR MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
JULY 19, 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 REGULAR MEETING at 7120 E. 6th Street, Somerset, TX 78069 on JULY 19, 2023 immediately following the meeting of the Board of Directors for Bexar County ESD 5 Fire and Rescue 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 6:22 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.

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.)

Troy Cole – stated he would like to file a grievance for an incident that took place 7/18/2023 where he was handed a pre-typed letter of resignation and says he was pressured into signing it. He said he would like to rescind that resignation.

Clint from AGCM - gave a quick presentation saying they are the owner's rep on construction projects. He left his business cards and brochures.

Deborah Verstuff – said she feels like exit interviews should include 1 board member. She is concerned for her grandchild's insurance and would like to know a deadline when they will know if Troy Cole will remain employed or not.

The Board did notify Troy that there is a grievance policy in place and they would be provided all the information after the meeting.

4) Presentation of appreciation plaque to Art Martinez DeVara

Commissioner Postert presented Art with a plaque of appreciation for his work with the legislation.

5) Report, if any, from the General Manager

Nothing to report.

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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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- 6) **The Board will hear a brief report on government affairs / legislative updates**
Commissioner Dalros encouraged the board to look over the list from the Association on items they will be focusing on for the next 2 years.
- 7) **Consent Agenda:**
- a) **Review and approval of the minutes for the Regular Meeting on June 15, 2023, the budget workshop on June 22, 2023, and the Special Meetings on June 28, 2023 and July 13, 2023**
Motion by Commissioner Schneider to accept the minutes as presented. Seconded by Commissioner Pierce. Motion carried.
 - b) **Review and approval of financials**
Motion by Commissioner Flores to accept the financials as presented. Seconded by Commissioner Dalros. Motion carried.
- 8) **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**
Nothing further to report.
 - b) **Lytle Volunteer Fire Dept.**
Chief Roger Garcia was present to give his report. He gave Commissioner Dalros the run report showing there are 2 – 3 firefighters responding to each call. He reported 35 calls last month in district with an average response time of 7:36.
- 9) **Action items: Consider, discuss, and action as appropriate**
- a) **Discussion with action taken as appropriate regarding the future fire station in the Montgomery Road area, including any action necessary regarding financing, bid process, status of platting, water drilling issues, and any other matters related thereto**
This was discussed in the Fire Rescue meeting and nothing further was needed.
 - b) **Personnel issues: Including but not limited to hiring, terminations, discipline, suspensions, and compensation, and any other related matters, including annual evaluations (Sheila Staggs – July; Sylvia Garza – August; and Chief Estep – September)**
Commissioner Postert tasked Commissioners Schneider and Pierce with doing

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Sheila's evaluation and Commissioners Dalros and Flores with doing Chief's evaluation. Sheila has already done Sylvia's evaluation.

This item was taken into Executive Session.

- c) **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**
This item was taken in Executive Session.

- d) **Discussion and possible action, if needed, regarding the process of setting the District's tax rate**
There was no action needed on this item.

- e) **Discussion and possible action to adopt purchasing procedures set forth by auditor, Robert Carter.**
Commissioner Postert talked about reviewing spending limits with the auditor every 2 years or so. He also would like the board to think about setting a monetary limit for items that may be budgeted for but are not routine, higher dollar items.
No action was taken.

- f) **Discussion and possible action regarding the possibility of retaining the Law Office of Art Martinez DeVara in regards to future financing, grants, working with developers, and other related matters**
Commissioner Postert said Art Martinez may be able to help with grants, USDA loans, and he has contacts with several developers. Commissioner Dalros suggested Art work up a proposal to bring back to the board. No action taken.

Meeting was called into Executive Session at 6:53 pm for items 9b and 9c citing Texas Government Code 551.071 and 551.074.

Meeting resumed in Open Session at 7:36 pm.

No action taken. Staff was directed to send the grievance procedure and form to Troy Cole.

10) Adjourn

Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Dalros. Motion carried. Meeting adjourned at 7:38 pm.

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