

MINUTES  
SPECIAL MEETING

APPROVED

**BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5  
FEBRUARY 10, 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 had a SPECIAL MEETING at 7120 E. 6<sup>th</sup> Street, Somerset, TX 78069 on FEBRUARY 10, 2022 at 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 6:02 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) **There will be a brief presentation from Art Martinez DeVara from the office of County Commissioner, Pct. 1, Rebecca Clay Flores**

*Art Martinez was not present. It was noted that there will be a meeting tomorrow, February 11<sup>th</sup>, with Commissioner Clay-Flores, Art Martinez, and David Smith to see if the ESD can give the Montgomery Road land back to the county and have the Fire and Rescue buy it from the county instead.*

- 4) **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**

*Commissioner Dalros said the platting is still in progress. He said the City of San Antonio had asked for some changes. The engineers are supposed to meet with the city and he hopes that meeting has already taken place. Commissioner Dalros also asked if water could be diverted and was told no. He is going to try to set up a meeting to find out why that can't be done. He said that would take care of all the other issues. No action taken.*

- b) **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**

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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*Legal Counsel, Woody Wilson, said the case is at the 4<sup>th</sup> Court of Appeals waiting on an opinion. This item was then taken into Executive Session.*

*Meeting was called into Executive Session at 6:09 pm citing Texas Government Code 551.071 Consultation with Attorney.*

*Meeting resumed in Open Session at 6:20 pm.*

**c) Discussion with action, if necessary, regarding presentation at the annual Safe-D Conference**

*Commissioner Postert told the Board members that Safe-D is giving them an hour to talk about the lawsuit with the City of San Antonio regarding annexations at the Safe-D Conference. He will introduce the board at the conference. No action taken.*

**d) Discussion with action taken, if needed, regarding purchase of property in the area of Hwy 90 and 211**

*Commissioner Postert asked Commissioners Dalros and Pierce to go look at the land between Jungman and Mecklar to determine if the location would be good for a station. Commissioner Postert said it is 3-4 miles from the Medina County line. The board also talked about buying a piece of land to sell at a profit. The opinion from Legal Counsel was that they could do that. The board talked about buying it with cash, no lien. Commissioner Schneider suggested the board wait until they get a recommendation from Dalros and Pierce after they have gone out to the location. No action taken.*

**5) Adjourn**

*Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Dalros. Motion carried. Meeting adjourned at 6:34 pm.*

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