

MINUTES
REGULAR MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
AUGUST 17, 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 AUGUST 17, 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 7:21 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) Report, if any, from the General Manager**
GM stated she would like to ask for a \$1 raise for the administrative assistant during the personnel issues item.
- 5) The Board will hear a brief report on government affairs / legislative updates**
Commissioner Dalros talked about the list that the Association has put out regarding items they will be focused on for the next 2 years. Art Martinez gave a brief overview on some of the items to look out for. No action taken but this item will be added to a special meeting agenda scheduled for next week on 8/24/2023.
- 6) Consent Agenda:**
 - a) Review and approval of the minutes for the Regular Meeting on July 19, 2023, the and the Special Meetings on August 1, 2023 and August 10, 2023**
Motion by Commissioner Schneider to accept the minutes as presented. Seconded by Commissioner Pierce. Motion carried.

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.

MINUTES
REGULAR MEETING
BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5
AUGUST 17, 2023

b) Review and approval of financials

Motion by Commissioner Pierce to accept the financials as presented. Seconded by Commissioner Flores. 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 talked about opting out of Social Security and increasing the retirement contribution from 6% to 7% with a 2 to 1 match. He said the payroll should have about \$500k remaining at the end of the fiscal year which will more than cover the additional cost (which is estimated to be \$125k annually). No action taken.

b) Lytle Volunteer Fire Dept.

Chief Roger Garcia was present and gave an update on his department's training saying the whole department will soon be TCFP certified.

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

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

Commissioner Dalros talked about the property moving through the process and about asking for a variance on the platting. He said Art Martinez would be instrumental in this because he has all the county contacts. No action on this item.

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)

This item was taken in Executive Session.

c) Discussion and action taken to adopt the District's 2023-2024 budget

Motion by Commissioner Dalros to adopt the District's 2023-2024 budget. Seconded by Commissioner Flores. Motion carried.

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MINUTES
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AUGUST 17, 2023

- d) **Discussion and possible action to increase the Accident and Sickness coverage to \$100,000 in lieu of \$50,000 for an annual increase of approximately \$2,000.**

Motion by Commissioner Pierce to approve the increase effective on the renewal date of 9/22/2023. Seconded by Commissioner Dalros. Motion carried.

- e) **Discussion and possible action regarding a District Policy Manual**

Informational item only. GM will work on manual and bring back to the board for review and approval.

- f) **Discussion and possible action to retain the law firm of Luke Bailey, Clark Hill, and any other professional services needed to opt out of Social Security**

Motion by Commissioner Dalros to adopt the Resolution as submitted and as read aloud by Commissioner Pierce to allow Sanchez and Wilson, PLLC to hire other services as needed to opt out of Social Security. Seconded by Commissioner Schneider. Motion carried.

- g) **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**

Motion by Commissioner Schneider to hire the Law Office of Art Martinez DeVara as proposed. Seconded by Commissioner Pierce. Motion carried.

Meeting was called into Executive Session at 8:05 pm for item 8b.

Meeting resumed in Open Session at 8:25 pm.

8b – Motion by Commissioner Pierce to approve item 8b as discussed in Executive Session. Seconded by Commissioner Schneider. Motion carried.

9) **Adjourn**

Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Dalros. Motion carried. Meeting adjourned at 8:27 pm.

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