

**MINUTES**  
**PUBLIC HEARING AND REGULAR MEETING**  
**BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5**  
**SEPTEMBER 19, 2024**

**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 PUBLIC HEARING and REGULAR MEETING at 7120 E. 6<sup>th</sup> Street, Somerset, TX 78069 on SEPTEMBER 19, 2024 at 6:00 pm.**

**PUBLIC HEARING**

- 1) Public Hearing regarding the proposed 2024 Tax Rate of 0.10 per \$100 of property valuation as noticed in the Express News on 8/29/2024 as well as on the District's website [www.bexarcountyesd5.com](http://www.bexarcountyesd5.com). Citizens wishing to speak will be given 3 minutes each.**  
*The public hearing was called to order at 6:04 pm. There were no citizens to speak.*
- 2) Conclude the Public Hearing**  
*The public hearing concluded at 6:07 pm.*
- 3) Call the Bexar County Emergency Services District 5 meeting to order and establish a quorum.**  
*The meeting was called to order at 6:07 pm and a quorum was established. Board members in attendance were Herschel Postert, Howard Dalros, Becky Schneider, and Robert Pierce. Andrew Flores was absent.*
- 4) Invocation: Pledge of Allegiance to the American Flag.**  
*Pledge recited.*
- 5) 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.*
- 6) Report on the ESD Association meeting, with action taken, if necessary**  
*Commissioner Dalros said the Association picked 19:21 Consultants for the insurance pool. He said the ESDs now have to opportunity to choose them for health insurance. He would like to schedule a meeting with them after October 1<sup>st</sup>. No action taken.*
- 7) Report from Art Martinez de Vara on legislative topics and local matters, with action taken, if necessary**  
*Art Martinez reported that the Amicus Brief was successful and the Texas Supreme Court has*

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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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*taken up the matter. They had some questions, so Art is filing an amended brief. No further action needed.*

**8) Report from the General Manager, with action taken, if necessary**

*Nothing reported.*

**9) Report from investment officer, Commissioner Pierce, with action taken, if needed.**

*Commissioner Pierce reported the investments are going well and he has authorized some transfers to cover payroll. No action taken.*

**10) Consent Agenda:**

**a) Review and approval of the minutes for the Regular Meeting on August 15, 2024 and the Special Meeting on September 16, 2024**

*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.*

**11) 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**

*Asst. Chief Esparza said he would give the report in the Fire Rescue meeting following.*

**b) Lytle Volunteer Fire Dept.**

*Vanessa Lopez was present to give her report. She said the Skeeter brush truck is out of service. There are 9 firefighters taking their Driver Operator / Aerial certifications. She reported a response time of 8 minutes and 15 seconds for out of district calls. She was given the service provider contract for her board to approve and sign. She was told to return it once signed with a current inventory.*

**12) Action items:**

**Re: Future fire station on Montgomery Road:**

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- a) **Construction progress report from AGCM, with action taken as necessary, for continued progress on the project**

*Mark Price of AGCM said they are continuing to meet once a week with the architect and contractor. He said the rock is being installed and rough in plumbing and electrical has been done. Mark said they are beginning the prep work for the driveways. Estimated completion, he said, possibly December. No action needed.*

**Re: Future fire station at IH35 and Luckey Road**

- b) **Discussion and possible action regarding environmental surveys, clean up, shredding, requests for qualifications and request for proposals, construction methods and any other matters related thereto**

*Commissioner Dalros said three architects responded to the RFQ and they were rated by him, Mark Price of AGCM, and Chief Estep. They chose Beatty Palmer but are not choosing a second. If Beatty Palmer does not agree to a contract, they will start the process over.*

*Motion by Commissioner Schneider to approve moving forward with contract negotiations with Beatty Palmer as the architect. Seconded by Commissioner Pierce. Motion carried.*

**Re: Future fire station at 9310 Mechler Lane:**

- c) **Discussion and action taken as necessary regarding environmental surveys, endangered species study, appraisals, clean up, and any other related matters**

*Legal Counsel, Woody Wilson, said there were no endangered species found. No action needed.*

- d) **Discussion and possible action for an agricultural lease agreement with Michael Echtle**

*This item was taken in Executive Session.*

*Meeting was called into Executive Session at 6:25 pm citing Texas Government Code*

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*551.071 Consultation with Attorney.*

*Meeting resumed in Open Session at 6:42 pm.*

*Motion by Commissioner Pierce to have Legal Counsel prepare a lease as discussed in Executive Session and have Herschel Postert sign and execute the document.*

*Seconded by Commissioner Schneider. Motion carried.*

#### **Other items:**

**e) Discuss and consider a adopting a tax rate for 2024 of .10 cents per \$100 of property valuation**

*Motion by Commissioner Pierce to adopt the tax rate for 2024 of 10 cents per \$100 of property valuation which is effectively an increase of 1.54%. Seconded by Commissioner Scheider. Motion carried with Commissioners Postert, Dalros, Schneider, and Pierce in favor; none opposed; and Flores absent.*

**f) Discussion and possible action regarding EMS service**

*Asst. Chief Esparza said Acadian did renew their contract with the county. Commissioner Postert asked if the hospitals will contract directly. Art Martinez said he would check into that. No action taken.*

**g) Discussion and action to approve the amendments to the policies & procedures manual regarding spending authority and procedures**

*The board reviewed the proposed changes as follows:*

- *General Manager has spending authority up to \$3,500, but also has authority to pay bills, or make purchases for previously budgeted items presented in the course of business.*
- *Fire Chief has spending authority up to \$5,000, but also has authority up to \$10,000 for previously budgeted items. Fire Chief is responsible for maintaining the Bexar County ESD 5 Fire and Rescue Budget.*
- *Board President has spending authority up to \$15,000*
- *Board President along with a second board member has spending authority up to \$25,000.*
- *All expenditures are reviewed and ratified by the board at the next regularly scheduled meeting.*
- *Policies will apply to both the ESD Board of Commissioners and the Fire Rescue Board of Directors.*

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*Motion by Commissioner Pierce to approve the amendment to the Policies and Procedures Manual as presented. Seconded by Commissioner Dalros. Motion carried.*

- h) Personnel issues: Including but not limited to hiring, terminations, discipline, suspensions, compensation, employee evaluations, Fire Chief evaluation, and any other related matters**

*No action taken.*

**12) Adjourn**

*Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Dalros. Motion carried. Meeting adjourned at 6:58 pm.*

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