

**MINUTES**  
**REGULAR MEETING**  
**BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5**  
**APRIL 18, 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 REGULAR MEETING at 7120 E. 6<sup>th</sup> Street, Somerset, TX 78069 on APRIL 18, 2024 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 6:34 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 on the ESD Association meeting, with action taken, if necessary**

*Commissioner Dalros said the Association continues to work on setting up a health insurance pool. They plan on meeting with 3 agents before finalizing it.*

*Commissioner Dalros said the Association will have Art and Rudy meeting with representatives to work on upcoming bills. No action taken.*

- 5) Report from Art Martinez de Vara on legislative topics and local matters, with action taken, if necessary**

*Art Martinez DeVara was not present.*

- 6) Report from Chris Herrera from the Office of Emergency Management**

*Chris Herrera was not present.*

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

*Commissioner Pierce reported that the ESD has earned over \$90k in interest with Texas Regional Bank since the start of this fiscal year. He reported the Money Market has over \$230k in it and the Charles*

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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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*Schwab investment account has over \$1 million dollars. He also noted that he has finished his training and certificates are on file. No action taken.*

**8) Consent Agenda:**

- a) Review and approval of the minutes for the Regular Meeting on March 21, 2024 and the Special Meeting on April 11, 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.*

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

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

*Report given in the Fire Rescue meeting. Nothing further.*

- b) Lytle Volunteer Fire Dept. (follow up on training certificates and funding request from the March meeting)**

*Motion by Commissioner Schneider to give Lytle VFD \$3500 for a portion of the ESO program they purchased. Seconded by Commissioner Flores. Motion carried.*

*Matt Dear was present for the report. He submitted some training certificates for Chief Roger Garcia and Assistant Chief Logan Medina. He also reported 37 calls for the month of March.*

**10) Action items:**

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

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

*Derek Bird and Mark Price were present for the report. They reported that brush has been cleared, there are trailers on site, and the footprint of the building has been laid out. They also reminded the board that all progress is recorded on Procure and all can access it. They are meeting with the contractors bi-weekly on Tuesdays.*

*Commissioner Postert said the road will be maintained by the County.*

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**b) Possible ground breaking ceremony**

*The board decided on Friday, May 24<sup>th</sup> at 10:00 am.*

**c) Discuss and consider reimbursement to FR for amount spent from FR budget on this project since 10/1/2023**

*Motion by Commissioner Dalso to approve reimbursing Fire Rescue for the amount presented on the list of expenses (\$36,145.08). Seconded by Commissioner Pierce. Motion carried.*

**d) LK Travis contract and any amendment thereto.**

*Motion by Commissioner Dalros to amend the contract to include increased engineer expenses. Seconded by Commissioner Schneider. Motion carried.*

*Motion by Commissioner Dalros to approve the fee for the civil engineer of \$7400. Seconded by Commissioner Pierce. Motion carried.*

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

**e) Discussion and possible action regarding environmental surveys, clean up, shredding, and any other matters related thereto**

*Chief Estep explained that there have been several calls to Tiger Sanitation to have the dumpster removed.*

*Motion by Commissioner Schneider to authorize Chief to work with Legal Counsel to take legal action to have the dumpster removed from the site or a fee of \$100 a day will be charged. Seconded by Commissioner Dalros. Motion carried.*

*Commissioner Postert would like the same vendor that previously cleared the site to continue for \$450. No action taken.*

**f) Status of a sign at the property, with action, if needed**

*Chief Estep said he would order the sign, when needed. No action taken.*

**g) Retention of architects and other professionals for the design and construction of a fire station.**

*Motion by Commissioner Dalros to give Chief the authority to begin the process of looking for an architect by use of RFQ and consult with AGCM. Seconded by Commissioner Schneider. Motion carried.*

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**Other items:**

- h) Personnel issues: Including but not limited to complaints by employees related to their employment and/or hiring, terminations, discipline, suspensions, and compensation, and any other related matters**

*HP asked if this needed to be in Executive Session – Chief said it was not necessary*

*Chief – wanted to discuss being pulled away from ESD5/F&R duties when he participates in Texas Fire Chiefs Association and Safe-D. Chief briefed Board on actual time spent performing duties as TFCA State ESD Director and the fact that it was not actually taking him away from performing duties as ESD 5 Chief. As TCFP head of Department 20 CE hours must be completed every year and he would be attending these conferences regardless of membership on TFCA board. Chief's Membership on Safe-D board has not been determined yet by Safe-D. No action necessary.*

- i) Discussion and possible action regarding the procedures for checking the suggestion boxes**

*The board discussed a better way to get suggestions from employees. It was suggested that an email be set up that will go to Herschel Postert as president of the board. No action taken.*

- j) Update from Counsel regarding possible action to forgive the tax debt on the building owned by Somerset VFD**

*No action taken on this item. Legal Counsel advised against waiving the tax debt or interest.*

- k) Update, if any, on land from Galm Realty for future fire station(s)**

*This item was taken in Executive Session.*

*Meeting was called into Executive Session at 7:30 pm on item 10k citing Texas Government Code 551.071 Consultation with Attorney.*

*Meeting resumed in Open Session at 7:49 pm.*

*Item 10k – Motion by Commissioner Dalros to have Galm Realty move forward on the property as discussed in Executive Session. Seconded by Commissioner Flores. Motion carried with Commissioner Schneider abstaining.*

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*Galm Realty needs to wait to sign contract until the lawsuit is completed. Had presentation on properties for the board*

- l) Discussion and possible action to construct a carport at Station 150**  
*No action taken.*
  
- m) Discussion and possible action regarding future PIDs in the District 5 area**  
*There was a discussion about a possible PID in the area of Hwy 90 / Montgomery Road. Commissioner Postert suggested quick action. No action taken.*
  
- n) Update from the meeting of the Southwest Partnership on March 26, 2024, with action taken, if needed**  
*Commissioner Postert said he has been going to the meetings and he is now the Secretary / Treasurer. No action taken.*

**11) Adjourn**

*Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Pierce. Motion carried. Meeting adjourned at 7:57 pm.*

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