Hays County Emergency Services District No. 5
Kyle Fire Department Station 1 (Miller-Whitaker) - 210 W. Moore St. - Kyle, Texas 78640
June 26, 2013 – 4:30 p.m.
Regular Meeting Minutes

1. The meeting was called to order at 4:30 p.m. and quorum established with Commissioners Mike Fulton, Eric Holen, Susan Meckel, Beth Smith and Paul Terry present.
2. Public comments on agenda items or other topics related to HCESD No. 5 were offered by Hays County Commissioner Ray Whisenant who expressed his appreciation for the work we do.
3. Minutes of previous meeting from May 22, 2013 were read. Motion was made by Mike Fulton, seconded by Paul Terry to accept the minutes as presented. Motion passed with Mike Fulton, Eric Holen, Beth Smith and Paul Terry voting "aye". Susan Meckel was absent from the May 22, 2013 meeting so abstained. (4 – 0 - 1 abstention)
4. The Treasurer's report was presented by Eric Holen (see attached). Treasurer Holen noted that the training program incurred costs of refunds for students not able to complete program from previous training coordinator Kolls. No action required.
5. The Kyle Fire Department Report was presented by Interim Chief Huckaby (see attached).
   - Chief Huckaby reported that 21 of 25 students from Hays CISD completed their class after much assistance to cover curriculum and requirements that were lacking under former training coordinator Kolls. (Four students were pulled from the program by Hays CISD due to academic performance issues.)
   - Chief reported that the current telecommunications system is inadequate and requested a future agenda item to consider upgrades and/or changes to telecommunications and IT systems.
6. Discussion was held on the hiring process for the permanent Fire Chief, with Chief Huckaby giving an overview of the hiring committee process, and Paul Terry commending Chief Huckaby and Mo for their assistance in the process. The District entered into Closed Meeting on this agenda item pursuant to Section 551.074 of the Texas Government Code at 5:06 p.m. to discuss final candidates and recommendations from the hiring committee. No action was taken in the Closed Meeting. The ESD BOD reconvened into an Open Meeting at 6:28 p.m. Mike Fulton made a motion to extend an offer of employment to Kyle Taylor to be effective August 5, 2013 contingent on a favorable background check and references. Motion was seconded by Paul Terry. Discussion was held and Eric Holen proposed an amendment, accepted by Mike Fulton, to allow the BOD to enter into negotiations with the applicant. Amended motion was seconded by Paul Terry. Discussion was held and Eric Holen asked that the record reflect that Kyle Taylor was the only final candidate present at the HCESD5 BOD meeting and when asked, Mr. Taylor stated that no one had requested that he attend the meeting. Motion passed unanimously. (5-0)
   - Note – Item 6 was re-opened for brief discussion after agenda item 8, and Beth Smith wanted the record to show that Kyle Taylor was the top choice recommendation of the entire hiring board.
7. Motion was made by Eric Holen to table discussion with possible action on adopting and implementing an investment policy with possible action to establish an account with TexPool to invest local funds in investments that provides for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act until the next Regular Meeting Agenda. Motion was seconded by Mike Fulton. Motion passed unanimously. (5-0)
8. Discussion was held on the annual statement of policy compliance. Existing ESD policies were provided to BOD for review. Motion was made by Beth Smith, seconded by Mike Fulton, to review the policies now and on an annual basis every June, with the knowledge that they (policies) may be amended in the interim with an agenda action item. In discussion, Eric Holen offered a friendly amendment to clarify that the BOD has performed the review of the District policies for FY 2012-2013. Friendly amendment was accepted by Beth Smith and seconded by Mike Fulton. Motion passed unanimously. (5-0)
   - Note-statement of compliance was signed by all BOD members, dated June 26, 2013.
9. Updates and Recommendations from the Long-term Structural and Operational Committee with discussion and possible action on items listed as follows:
   a. Discussion was held on procedures to implement Sales and Use Tax collection in Hays County Emergency Services District No. 5 with discussion and action on matters related to same. Chief Huckaby advised that the committee should request a meeting with the City of Kyle, and that he will provide an MOU to begin negotiations. Motion was made by Beth Smith, seconded by Susan Meckel, directing Chief Huckaby to draft an MOU that mimics HCESD8's contract for sales tax collection. Motion was withdrawn after discussion, and another motion was made by Paul Terry, seconded by Mike Fulton, that based on the City's actions not acting in good faith that the ESD BOD should call on Chief Huckaby to move forward with calling an election for sales and use tax collection. After additional discussion, Mike Fulton offered an amendment without citing that the City is not acting in good faith. Motion was restated by Paul Terry, seconded by Mike Fulton, to move forward taking actions on procedures to implement sales and use tax

collection. Commissioners Fulton, Holen, Smith and Terry voted "aye". Commissioner Meckel voted "nay". Motion passed (4-1)

b. No discussion or action was taken on setting future meeting dates of the Committee.

10. Discussion was held on organization and structure of District operations, emergency services provision by District, and long- and short-term planning related to same, including reorganization of debt, ownership, and related matters of real and personal property of District and KFD as follows:

a. Discussion was held regarding deeds to existing properties, and Beth Smith will clarify any existing conditions on property uses that may have been included with the deed to Station 4, and will be submitting deeds to Mr. Kyle. Motion was made by Mike Fulton, seconded by Beth Smith to move forward with other deeds currently prepared with Mr. Kyle to transfer to the ESD. Motion passed unanimously. (5-0)

b. Ongoing long-term planning including expansion of facilities, EMS planning, equipment and property acquisition – no discussion or action taken.

c. Discussion was held on proposed MOU with City of Kyle regarding potential future sales tax revenue. Motion was made by Mike Fulton to direct Chief to get an MOU to the City. Motion was withdrawn and new motion made by Mike Fulton, seconded by Beth Smith, to get MOU prepared for the BOD President to present informally to the City to begin negotiations, with Beth Smith and Chief Huckaby entering negotiation discussions. Motion passed unanimously. (5-0)

d. Discussion was held on disposal of outdated and surplus equipment, including potential MOU or other agreement with City of Kyle on Engine 22 and command vehicle, and included concerns that the City has not responded to emails, or as discussed in joint workshop held May 13, 2013. Motion was made by Paul Terry, seconded by Mike Fulton, that if the City agrees to swap vehicles we move forward with the swap. Motion passed unanimously. (5-0)

e. Discussion was held on vehicle insurance coverage currently under City of Kyle policy, and the ESD has not received an MOU from the City as discussed in the joint workshop of May 13, 2013. Eric Holen asked staff to approach TML for vehicle insurance quotes to include in the FY 2013-2014 budget if needed.

f. No discussion or action required on proposed MOU/contract with City of Kyle regarding facilities use of Station 2. MOU has not been received from the City as discussed in a joint workshop held May 13, 2013.

g. No discussion or action was held on Station 4 property use; including receipt of bids for proposals on use of property. No action required.

11. Eric Holen updated the BOD on the ongoing process to receive bids and/or authorize and implement forensic or other appropriate audit. Answers have been submitted back to vendor who requested clarification, and Commissioner Holen will add the agenda item at a future date when needed. No action required.

12. Discussion or updates on old business – no discussion required.

13. Discussion with possible action on training programs:

a. Fire Cadet and EMT Training programs – no discussion or action taken.

b. Other internal and external training programs – Chief Huckaby has contacted schools and is currently suspending recruitment of new cadets until new permanent Fire Chief is hired and can give direction on the future of the program. The Department is still working with existing recruits. No action required.

14. Discussion with possible action on matters relating to personnel. The District reserves the right to enter into Closed Meeting on this agenda item pursuant to Section 551.074 of the Texas Government Code.

15. Discussion was held on the fiscal year 2014 budget; a budget workshop will be held at 6:00 p.m. after the next Regular Business Meeting on July 24, 2013.

16. The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Susan Meckel, Secretary
HCESD No. 5