Hays County Emergency Services District No. 5 (HCESD5)
Kyle Fire Department Station 1 (Miller-Whitaker) - 210 W. Moore St. - Kyle, Texas 78640
July 24, 2013
Regular Meeting - 4:30 p.m.
Budget Workshop– 6:00 p.m.
Co-located Communications Center Executive Board Status Meeting – 6:30 p.m.
Final Minutes
(Cannot remove "draft" watermark – these are "Final")

Regular Meeting Minutes

1. The Regular Meeting of the HCESD5 meeting was called to order at 4:30 p.m. and quorum was established with commissioners Mike Fulton, Eric Holen, Susan Meckel and Beth Smith present. Commissioner Paul Terry was absent. ESD legal counsel Ken Campbell was present. Kyle City Councilman Chad Benninghoff was in attendance.

2. No public comments were made.

3. -Minutes of the Regular Meeting of June 26, 2013 were read with motion to accept by Mike Fulton, seconded by Eric Holen. Motion passed. (4-0-1 absent)
-Minutes of the Special Meeting of July 9, 2013 were tabled by a motion from Susan Meckel, seconded by Mike Fulton, pending a quorum of officers that were present at the July 9 meeting to approve those minutes.
-Minutes of the Special Meeting of July 12, 2013 were read with motion to accept by Mike Fulton, seconded by Eric Holen. Motion passed. (4-0-1 absent)
-Susan Meckel noted that the agenda incorrectly stated that minutes from May 22, 2013 were listed for approval, but that was a carryover from the previous months agenda and those minutes had already been approved.

4. The Treasurer's Report was presented by Eric Holen. No action required.

5. The Kyle Fire Department Report was presented by Chief Huckaby who noted this would be his last report as Interim Chief and Chief Kyle Taylor would be assuming the fulltime position beginning August 5, 2013.

6. Commissioner Holen noted that the ESD had previously adopted an Investment Policy in 2011 and motioned that the agenda item for discussion and 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 be tabled and removed from future agendas. Motion was seconded by Mike Fulton. No discussion was held. Motion passed. (4-0-1 absent)

7. No updates or recommendations were offered from the Long-term Structural and Operational Committee, which had not met since the last Regular Meeting of HCESD5.

a. The Committee is awaiting the commencement of Chief Taylor's employment and guidance to set future meeting dates. Mike Fulton requested that the Committee look at the status of the scholarship funds and consider a plan on the use of the scholarship program funds.

b. No discussion or recommendations were made by the Committee on procedures to implement Sales and Use Tax collection in HCESD5.

8. -Beth Smith read the caption for agenda item 8 for discussion and action on ordering an election for November 5, 2013 on the adoption of a Sales and Use Tax in Hays County Emergency Services District No. 5 at a rate of one and one-half percent (1.5%) or other appropriate rate as allowed by law; and authorizing District officials, including the District's attorney and District's Fire Chief to take all actions and execute necessary documents to conduct said election; authorizing the District to provide notice related to same and to enter into necessary agreements for the conduct of same; exclude any

areas in the District currently at the two percent maximum locals sales and use tax, including, but not limited to the City of Kyle, the City of Mountain City, the City of Uhland, the City of San Marcos and any other area in the District currently at two percent; discussion and action of matters related to same, including matters related to the adoption of the District's Sales and Use Tax.
-The HCESD5 BOD and Fire Chief convened into Executive Session with legal counsel at 5:03 p.m. to discuss the item. No action was taken in Executive Session. Executive Session concluded at 5:45 p.m. and the HCESD5 reconvened into Open Session at 5:46 p.m.
-Beth Smith opened and combined Agenda Items 8 and 9 relating to ordering of an election on adoption of a Sales and Use Tax in HCESD 5 and contracting with Hays County Elections Administrator or other authority to conduct the election November 5 2013. Motion was made by Mike Fulton to authorize Resolution No. 07-24-13-08 ordering an election for November 5, 2013 on the adoption of a Sales and Use Tax in Hays County Emergency Services District No. 5 at a rate of one-half percent (0.5%) as allowed by law; and authorizing District officials, including the District's attorney and District's Fire Chief to take all actions and execute necessary documents to conduct said election; authorizing the District to provide notice related to same and to enter into necessary agreements for the conduct of same; exclude any areas in the District currently at the two percent maximum local sales and use tax, including, but not limited to the City of Kyle, the City of Mountain City, the City of Uhland, the City of San Marcos and any other area in the District currently at two percent; and take action of matters related to same, including matters related to the adoption of the District's Sales and Use Tax; and to authorize the Fire Chief to contract with Hays County Elections Administrator or other appropriate authority to conduct said Sales and Use Tax election for November 5, 2013. Motion was seconded by Susan Meckel and passed. (4-0-1 absent) Beth Smith signed Resolution 07-24-13-08.

9. See Item no. 8 above regarding action on contracting with Hays County Elections Administrator or other appropriate authority to conduct said Sales and Use Tax election for November 5, 2013.

10. Discussion and possible action 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. The District reserves the right to enter into Closed Meeting on this agenda item pursuant to Section 551, Texas Government Code was held as follows:

a. No action taken on insurance needs and proposals for HCESD No. 5 dba Kyle Fire Department.

b. No action on ongoing long-term planning including expansion of facilities, EMS planning, equipment and property acquisition.

c. No action required on disposal of outdated and surplus equipment, including proposed MOU or other agreement with City of Kyle on Engine 22 and command vehicle. Chief Huckaby stated that the titles had been signed and transaction completed with City of Kyle for even trade to allow HCESD5 to retain Engine 22 and HCESD5 granted ownership of command vehicle to the City of Kyle for use by the police department.

d. **(10 d,e,f) -** Items **10.d** on insurance coverage currently under City of Kyle Policy; **10.e**. MOU with City of Kyle regarding potential future sales tax revenue; and **10.f.**on facilities use of Station 2, were combined as follows: Motion was made by Susan Meckel to decline to enter into the Interlocal Agreement for the Allocation of Sales Tax Revenue, Rent, and other Financial Consideration as presented by the Kyle City Council, however continue to work towards a solution which will include sales tax use and collection by the HCESD No. 5 for sustainability of

emergency protection and response services. Motion was seconded by Beth Smith. Motion passed. (4-0-1 absent)

e. See Item 10.d. above.

f. See Item 10.d. above.

Note: After action taken on Agenda Items 10 d,e,and f, HCESD5 adjourned into a Budget workshop at 6:06 p.m. then into the Co-Located Call Center Meeting at 6:30 p.m. The Co-Call Center Meeting was adjourned at 7:04 p.m. and HCESD5 reconvened into Open Meeting at 7:04 p.m. to conclude agenda items of the Regular Meeting agenda. (See minutes of Budget Workshop and Co-Located Call Center Meetings below.)

g. In compliance with updated legislative requirements passed in 2013 pertaining to signatory authority with addition of BOD Secretary to accounts, Beth Smith motioned to add Susan Meckel as a signatory on accounts effective September 1, 2013. Motion was seconded by Mike Fulton. Motion passed. (4-0-1 absent)

h. Discussion was held on need for increase to IT budget for FY 2014 and will consider possible options at the next Budget Workshop. No action required.

i. No discussion with or action to be taken on Station 4 property use, and item has been tabled until owner can be consulted. No action required.

11. Eric Holen reported that the original RFP for a forensic or other appropriate audit resulted in a no bid situation. Beth Smith motioned to hire Anna Swenson to perform an appropriate audit. In discussion Eric Holen offered an amendment and Beth Smith amended the motion to include filing of appropriate tax forms with the audit contingent on pricing per Ms. Swenson not to exceed $10,000.00. Motion passed. (4-0-1 absent).

12. Mike Fulton motioned to appoint Chief Taylor as the HCESD5 representative to the SMHCEMS Board of Directors. Motion was seconded by Beth Smith. Motion passed. (4-0-1 absent)

13. There was no discussion or updates on old business.

14. Discussion with possible action on training programs was held as follows:

a. Fire Cadet and EMT Training programs insurance coverage was discussed. Staff is checking on coverage limitations and/or requirements and will have information for the next Regular Meeting of the HCESD5. No action required.

b. Other internal and external training programs – no discussion or action taken.

15. Discussion with possible action on matters relating to personnel was held as follows:
-Beth Smith motioned to close the job posting for the Administrative Assistant position and develop a hiring process. Eric Holen seconded the motion. Motion passed. (4-0-1 absent).
-Mike Fulton motioned to create a hiring board consisting of two HCESD5 commissioners, Chief Taylor, and Molissa Endicott with full right to hire as soon as they (hiring committee) make a determination. Motion was seconded by Beth Smith. Motion passed. (4-0-1 absent)
-Mike Fulton made a motion to appoint Eric Holen and Susan Meckel to the hiring committee. Motion was seconded by Beth Smith. Motion passed. (4-0-1 absent)

-The District did not enter into Closed Meeting on this agenda item pursuant to Section 551.074 of the Texas Government Code.

16. Discussion on the fiscal year 2014 preliminary budget was held to set budget workshops and/or meeting sessions – a Budget Workshop to be followed by a Special Meeting will be held at Station 1 on Wednesday, August 14, 2013 at 6:30 p.m.

17. The HCESD5 Regular Meeting adjourned to a Budget Workshop at 6:06 p.m. (See Minutes below)

18. The HCESD5 adjourned from the Budget Workshop to the Co-Call Center Executive Meeting at 6:30 p.m. (See Minutes below)

19. The HCESD5 reconvened into the HCESD5 Regular Meeting at 7:04 p.m. and the Regular Meeting adjourned at 8:56 p.m.

Respectfully submitted,

Susan Meckel, Secretary
HCESD5

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Budget Workshop – 6:00 p.m.
Minutes

1. The Budget Workshop was called to order at 6:06 p.m. Quorum was established with commissioners Mike Fulton, Eric Holen, Susan Meckel and Beth Smith present. Commissioner Paul Terry was absent.

2. Discussion was held on preliminary budget for FY 2013-2014. No action required or taken during the workshop.

3. The Budget Workshop adjourned at 6:30 p.m. and HCESD5 convened into the Co-Call Center Executive Meeting.

Respectfully submitted,

Susan Meckel, Secretary
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Co-Call Center Executive Meeting – 6:30 p.m.
Minutes

1. The meeting was called to order at 6:30 p.m. Quorum was established with commissioners Mike Fulton, Eric Holen, Susan Meckel and Beth Smith present. Commissioner Paul Terry was absent. Members of other ESDs present were Steve Janda (HCESD6), Jim Hollis (HCESD8), and Jim Weatherford (HCESD8). Kharley Smith, Hays County Emergency Management Coordinator was also present.

2. Discussion was held to take nominations and elect 2 members from countywide ESD district BODs as representatives to the 911 Co Locate Call Center Executive Committee, for all ESDs. Jim Hollis and Steve Janda were elected.

3. The Co-Call Center Executive Meeting Adjourned and the HCESD5 reconvened into the Regular Meeting at 7:04 p.m.

Respectfully submitted,

Susan Meckel, Secretary
HCESD5

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