Hays County Emergency Services District No. 5
Kyle Fire Department Station 1 (Miller-Whitaker) - 210 W. Moore St. - Kyle, Texas 78640
January 27, 2016 – 6:30 p.m.
Regular Meeting

Minutes

1. The meeting was called to order at 6:45 p.m. and a quorum established with Commissioners Beth Smith, Eric Holen, and Susan Meckel present. Commissioners John Rodriguez, Jr. and Paul Terry were absent for the entirety of the meeting.

2. No public comments on agenda items or other topics related to HCESD No. 5 were offered.

3. Discussion was held on election of HCESD No. 5 BOD officers. Motion made by Susan Meckel to keep same slate of officers as currently in place with Beth Smith, President; John Rodriguez, Jr., Vice-President; Susan Meckel, Secretary; Eric Holen, Treasurer; Paul Terry, Assistant Treasure. Motion was seconded by Beth Smith. Motion passed (3 – 0 – 2 absent).

At this time, Board President Beth Smith's request to proceed to Agenda Item #9 was granted

9. Discussion was held on ordering an election for May 7, 2016 on adoption of a Sales and Use Tax in Hays County Emergency Services District No. 5 at a rate of one percent (1%) 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 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.

President Smith read aloud proposed HCESD No. 5 Resolution 01-26-16-01 (attached.) Motion made by Susan Meckel: "I, Susan Meckel, make a motion to adopt RESOLUTION 01-26-16-01. ordering an election for May 7, 2016 on adoption of a Sales and Use Tax in Hays County Emergency Services District No. 5 at a rate of one percent (1%) 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 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." Motion was seconded by Eric Holen.

A roll call for vote was taken on the proposed motion as follows:

Eric Holen – Aye
Susan Meckel – Aye
Beth Smith – Aye
John Rodriguez, Jr. – Absent
Paul Terry – Absent

Motion passed (3 – 0 – 2 absent).

10. No discussion, nor action required on contracting with Hays County Elections Administrator or other appropriate authority to conduct Sales and Use Tax election for May 7, 2016 as provisions for such were already contained within adopted Resolution 01-26-16-01.

11. Discussion was held on contract to engage professional services of election coordinator to perform all actions and execute necessary documents to conduct election for the adoption of a Sales and Use Tax in Hays County Emergency Services District No. 5. Motion made by Susan Meckel to enter into a contract with Clay Huckaby in the amount of $7,500.00 to act as an election administrator for consulting services regarding the Sales and Use Tax election. Motion was seconded by Eric Holen. Motion passed (3 – 0 – 2 absent).

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4. Minutes from previous Special Meeting of December 1, 2015 were read with motion made by Eric Holen to approve as submitted. Motion was seconded by Beth Smith. Motion passed (3 – 0 – 2 absent).

5. The Treasurer's Report was presented by Commissioner Holen. Discussion was held regarding the Treasurer's Report with no action taken.

6. Chief Taylor presented the Fire Department Report. Discussion was held with no action taken.

7. Discussion was held on updates and recommendations from the Long-term Structural and Operational Committee with no action taken.

8. Discussion was held on 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 the District. The District reserves the right to enter into Closed Meeting on this agenda item pursuant to Section 551, Texas Government Code. No action was taken at this time.

12. Discussion was held, with no action taken, on MOU or other appropriate agreement with City of Kyle on funding opportunities, including but not limited to collection of Sales and Use Tax.

13. No discussion or updates on old business.

14. Discussion was held 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. No action was taken at this time.

15. The next Regular meeting of the HCESD No. 5 will be held on Wednesday, February 24, 2016 at 6:30 p.m. in the Station #1 Training Room.

16. The meeting was adjourned at 7:41 p.m.

The ESD Board will announce it will go into Executive Session if necessary pursuant to Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition and real property, litigation,

and personnel matters as listed on the agenda. The Board may also announce it will go into Executive Session if necessary to receive advice from legal counsel regarding any item on this agenda. After discussion of any matters in executive session, any final action or vote taken will be in public by the Board. Board shall have the right at any time to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

FINAL