

**MEDINA COUNTY EMERGENCY SERVICE DISTRICT #1
PO BOX 1037
CASTROVILLE, TEXAS 78009**

MINUTES

WEDNESDAY, JUNE 9, 2021, 7:00PM

Meeting Location: Courtroom of the Medina County Sub Courthouse at Precinct 2, 8366 FM 471 S, Castroville, TX

I. OPEN MEETING:

1. CALL TO ORDER and ROLL CALL:

President Marvin Dziuk called the meeting to order at 7:01pm, and established a quorum with Board members Terry Beck, Michael Fisher, Pam Mathis, and Rodney Hitzfelder present. Administrative Coordinator Polly Edlund, Assistant Chief of Administration John Banning, Administrative Assistant of Finance Lori Stein, and Ronda McNew were present. Castroville VFD was represented by Lieutenant I Melanie Godwin, Firefighter Brian Anderwald, Assistant Chief Dan Thornley, and Board President Melissa Thornley. Mico VFD representation was Assistant Chief Ian Zabel, Captain Susan Tinsley, and Board President Linda Murphy. LaCoste VFD firefighter Jarrett Ferris and Allegiance Mobile Health representative Ramon Martinez were also in attendance.

1 – A. PLEDGE OF ALLEGIANCE and ANY SPECIAL GUESTS/RECOGNITION(S):

President Dziuk requested all in attendance to rise, face the United States flag and then the State of Texas flag and pledge their allegiance to each, respectively. President Dziuk thanked all for their loyal and patriotic participation.

2. CONCERNED CITIZEN COMMENTS:

President Dziuk moved this agenda item to after 5-A-1 to allow for comments after the TTA Team report.

3. CONSENT AGENDA - DISCUSSIONS & POSSIBLE RESOLUTIONS ON THE FOLLOWING:

Terry moved to accept, adopt, and approve all reports and to appropriate fund transfers within Consent Agenda Items 3-A-1, 3-A-2, 3-A-3, and 3-A-4. Michael seconded his motion which was approved with a 4-0 vote.

3 – A – 1. MINUTES, RESOLUTION OF ACCEPTANCE – (MAY):

3 – A – 2. ACCEPT FINANCIAL REPORTS (MAY) and APPROVAL FOR PAYING BILLS and APPROPRIATE FUND TRANSFERS:

3 – A – 3. SALES TAX REPORTS (MAY/YTD):

3 – A – 4. DISTRICT-WIDE FIRE and EMS RUN REPORTING and QUARTERLY FINANCIAL and OPERATIONAL REPORTS REQUIREMENTS:

3 – B. CONSENT AGENDA ITEMS PULLED OUT FOR DISCUSSION:

3 – B – 1. TREASURER'S REPORT – REVIEW and REWARD OF DEPOSITORY CONTRACTS:

Polly reported that three banks were solicited for RFPs. There were some concerns about the contractual wording in the agreement by the two current depository banks at the end of the May 2021 term. The two banks did not agree to renew the two-year extension of the agreement because of the existing wording in the agreement. 1) the contract did not allow for a renegotiation of the rates and 2) the contract wording was open-ended. MCESD1 wanted to hold the banks to their agreements until a new contract was put in place. Both banks were not in agreement with this arrangement stating the current contract could hold the bank to the contract with no end to the existing agreement. Furthermore, if the wording were not revised, they would refuse to submit proposals to this new RFP.

The banks asked that the contractual wording be revised to include a negotiation of terms at the end of the two-year period for the additional two-year term. Additionally, the new wording states that in the event the parties cannot reach an agreement during the negotiation process, there is a ninety-day period to allow MCESD1 to submit another RFP and perform their selection process and, in the event, required a change in banks, all is allowed within this ninety-day/three-month period. Following discussion about interest rates on Certificates of Deposit and Money Market accounts and bank fees, Pam moved to keep both bank depositories in place as they are currently, with the new agreement. Terry seconded her motion which was approved with a 4-0 vote.

3 – B – 2. INSURANCE – ANY INSURANCE ISSUES REPORTED/CLAIMS/ANNUAL RENEWALS/Worker's Comp. Issues:

Polly noted that the 2021-2022 Budget process was starting, and the Finance Committee needs information/direction regarding insurance for Station 15 – legal name on policy, number of firefighters on the roster, etcetera. No action was taken on this agenda item.

4. COMMITTEE/STAFF REPORTS - DISCUSSIONS and POSSIBLE RESOLUTIONS ON THE FOLLOWING:

4 – A. EMS COMMITTEE – Committee Updates:

4 – A – 1. EMS Committee Meeting and Allegiance Contract:

Polly stated that the EMS Committee is waiting for research on additional information and Medina County ESD#4's RFP to be completed before moving forward with a new contractual agreement for EMS Services. Following discussion, Terry moved to extend the current Allegiance Mobile Health EMS contract for an additional three months, July-September 2021, to allow MCESD1 to get all the research in place and make recommendations. Rodney seconded his motion which was approved with a 4-0 vote.

4 – B. FACILITIES and FINANCE COMMITTEE – STATION CONSTRUCTION IN PROGRESS – COMMITTEE UPDATES:

4 – B – 1. MCESD#1 NEW ADMINISTRATION OFFICE – County Building Proposal and Updates:

4 – B – 1 – a. Amendment to budget line item to fund office furniture at new Administrative Offices at County Building:

The MCESD#1 Staff viewed the new office space and recorded measurements for the new offices. John gathered pricing and is preparing cost estimates on needed purchases for the new offices. This agenda item was tabled until the July meeting since the office space occupancy is scheduled for September-October 2021.

4 – B – 1 – b. MCESD#1-Medina County Lease Agreement – Administration:

As noted in previous meetings, MCESD#1 does not have a written lease agreement from Medina County executed. It was reported at the April Board meeting that Medina County Judge Chris Schuchart was working on the written document. Action on the contract has also been delayed because his offices were closed due to funeral details for a family member of his Administrative Assistant. This agenda item was tabled to allow the Medina County Judge's office additional time to complete the document draft.

4 – B – 2. MCESD#1 Paris Street Station #10 Annex Project and Updates:

4 – B – 2 – a. Budgetary Needs – Phase II Release of Funds from Budgetary Status for Construction Phase:

President Dziuk reported that the demolition is complete, and the rocks removed. Materials needed to replace the efface are not currently available, so plywood was used to temporarily cover the area. Until a decision is made by the MCESD#1 Board regarding the ultimate purpose of Station 10 Annex, under the guidance of President Dziuk, John, Rodney, Castrovilla VFD Chief Rick Lair, and Allegiance EMS personnel, there will be no action taken. This agenda item was tabled.

4 – B – 2 – b. Paris Street Station 10 Annex Demolition Phase I – Project Update:

Anderwald Construction has completed their contracted portion of demolition project. The project scope summary was to remove rock façade on the front of the building between the garage doors, ensure garage doors remain functional, install plywood, if needed to ensure building security, remove an approximate 4-foot high, three-sided, retaining wall behind the building, removal of a chain link fence section and posts running behind the building on either side of the parking lot entry to the perimeter fence with the perimeter fence remaining intact, removal of all construction debris and demolished materials, and fill any holes/voids left in the ground due to demolition. Anderwald Construction coordinated with Fire and EMS crews to ensure response capability was not hindered and provided weekly progress updates. President Dziuk was very satisfied with the results, and the accounting department was instructed to pay the invoice.

4 – B – 3. MCESD#1 Rio Medina Station #15 – Project Updates, Budgetary Needs and Legal Agreement(s):

4 – B – 3 – a. Construction Updates, Change Orders, Monthly Draw Requests, and Financial/Budget Needs:

Rodney moved to accept and approve Draw Request #8 to Bartlett Cocke for \$304,335.35. Terry seconded his motion which was approved with a 4-0 vote. John reported that there were no change orders this month.

4 – B – 3 – b. Construction Add-Ons: Wiring, Communications, Alerting, PA, Data, Security – Status Update:

John presented a construction add-on, Request for Change Order (RCO0019), to the Board detailed as follows:
Vendor: Masters Electrical Services, Ltd.

Description:	Re-route electrical to new location of backflow vault	\$2,832
	Equipment and labor to trench and backfill	\$3,050
	Overhead and profit on electrical scope	\$ 142
	Total	\$5,994

John noted that Architect Debra Dockery's office was investigating these charges for this construction add-on, and he had no explanation/additional information at meeting time. Rodney moved to table this add-on change order request until Debra Dockery office investigates. Terry seconded his motion which was approved with a 4-0 vote.

4 – B – 3 – c. Apparatus Acquisition Update

John gave status updates on one of the trucks for Station 15; reporting that he sent out an email to the VFD Chiefs, VFD Board Presidents, Allegiance Mobile Health employees, Jorge De La Cerda and Patrick Bourcier, and MCESD#1 staff stating that Siddons is ready to conduct the pre-build meeting for the Skeeter Brush Truck. This meeting would require a day trip to Hillsboro, TX, with June 21st or June 28th as tentative dates. Contacted parties were asked to notify John if there was interest in attending. (The TTA Team was also notified of this pre-build meeting by the TTA Team liaison copied on the email.) Polly reported that Ryan Crady, Siddons-Martin’s representative, informed Staff that due to a microchip non-availability, the water tender and brush truck delivery could be delayed. The item was tabled.

4 – B – 3 – d. Apparatus Equipment, Specifications, Purchases, Funding Timelines – Status Updates:

The Apparatus Equipment purchasing amount was released from budget status (\$59,100) at the January 13th meeting. Since some of the equipment is currently being ordered and invoices require payment remitted, Rodney moved to approve the draw request from the Broadway Bank loan to be wired to Castroville State Bank to the bill-pay account to pay the invoices for the apparatus equipment. Michael Fisher seconded his motion which was approved with a 4-0 vote. Due to nationwide limited product availability, Rodney also instructed John that apparatus equipment needs to be ordered now.

4 – B – 3 – e. FF&E, Specifications, Purchasing, Funding Timelines – Status Update:

The FF&E purchasing funds were released from budget status (\$66,532) at the January 13th meeting. John has continued to purchase needed items for Station 15 and requested an approved draw release of \$12,102.85 for the purchases detailed below:

<i>Vendor</i>	<i>Description</i>	<i>Amount</i>
Amazon	11-mattresses @ \$179.99 each	\$1,979.89
Christian’s Furniture	11-recliners @ \$503.99 each	\$5,743.88
WalMart.com	mattress covers, headboards, night stands bed frames, weather alert radio, microwave, bedspreads	\$3,866.92
Wal-Mart	mop buckets	\$160.38
Amazon	mop heads, small trash cans, mop handles	\$261.96
Home Depot	32-gallon trash cans	<u>\$89.82</u>
	Total	\$12,102.85

Terry moved to approve the release of \$12,102.85 for purchase of the items detailed on the draw request application. Rodney seconded his motion which was approved with a 4-0 vote.

Budget Item Summary To-Date:

Draw #01	\$10,593.60
Draw #02	\$1,402.84
Draw #03	<u>\$12,102.85</u>
Total	\$24,099.29

4 – B – 3 – f. Phone and Internet Services RFQ – Station #15 – Status Update:

Previously, Staff placed an RFQ notice in the newspaper and solicited four companies for service; however, received no responses. Following discussion, the Board approved a time extension on the RFQ to Staff to solicit vendors to get responses for the RFQ to get pricing.

In May, Staff still has not received any responses to the phone and internet service RFQ; however, they will be working on this agenda item. Rodney gave John his connection/contact number to some phone and internet service providers. This agenda item was tabled since there are no updates to report.

4 – B – 4. Station #12 – Mico Station Projects – Committee Updates, Funding and Timelines:

4 – B – 4 – a. Well Project – Status Updates:

John reported that he did not have a chance to call on this situation in the past month; however, he will check on the well and sand filter on his next visit to Station 12. One of the Mico VFD representatives in attendance at the Board meeting, reported that everything seems to be working fine; however, was also unaware status of the sand filter installation or condition of the well. This agenda item was tabled.

4 – C. CAPITAL ITEMS – RELEASE OF FUNDS FROM BUDGETARY STATUS – Pending Purchases in Budget Status:
Since no current action is required on this item, the agenda item was tabled.

5. MASTER PLANNING/NEEDS ASSESSMENT/STRATEGIC PLANS/DISCUSSION and POSSIBLE ACTIONS:
5 – A. TEMPORARY TRANSITIONAL ADVISORY TEAM REPORT – Team’s Informational Liaison Report:

Informational Liaison general report from the TTA Team was included in the Board’s meeting folder for their information and review; however, the TTA Team presented and read the following recommendation/requests to the MCESD#1 Board:
As a result of the June 3rd meeting, the **TEMPORARY TRANSITIONAL ADVISORY TEAM**, in a completely unified statement, makes the following recommendations to the Board:

‘All current volunteer personnel within the District are to become employees of Medina County ESD1, all funding coming from the ESD, the current 501c3’s will remain for grants and donations/fund raising, and with the recommended name for the new entity to be ‘Medina County ESD1 Fire & Rescue (MCESD1 Fire & Rescue)’.

The **TEMPORARY TRANSITIONAL ADVISORY TEAM** knows entities must amend their by-laws to allow personnel to operate out of all stations without being in the ‘mutual aid’ situation/status. The Team recognizes the fact that all volunteer personnel will become employees of Medina County ESD1 Fire & Rescue. The Team realizes that volunteers are still a part of the respective entities until the contracts are amended/revise. The Team understands that when the contracts are amended/revise, the 501c3’s are not immediately dissolved. The Team acknowledges that individual stations would be named by their number, Station 10, Station 11, etc. knowing that all stations will be under the same umbrella, MCESD1 Fire & Rescue and common command structure under the new MCESD1 Fire Chief.

The **TEMPORARY TRANSITIONAL ADVISORY TEAM** asks for permission from the MCESD1 Board to publish their recruiting email address (mcesd1.recruiter@gmail.com) on social media sites and flyers. (Note: The Board notified the TTA Team they changed the email address to recruitment@mcesd1.com following their executive session.)

‘The **TEMPORARY TRANSITIONAL ADVISORY TEAM** recommends to the MCESD1 Board that all stations within MCESD1 be allowed to have fund raising privileges; allowing stations to purchase *wanted* equipment and have social events since MCESD1 takes care of all the station’s needs.’

The **TEMPORARY TRANSITIONAL ADVISORY TEAM** is in the process of reviewing and designing their recommended patch for the new entity and the result will be recommended to the ESD Board at their next meeting in July.

President Dziuk remarked that the recommendations are big, it is a big step for the MCESD#1 and much discussion required to address them. President Dziuk noted that legal help will be needed, as well as help of consultants, to help with any transition/action the Board may elect to take. President Dziuk further stated that any questions and concerns need to be put in an email and sent to Lori (admin@mcesd1.com) by June 28th. Lori will compile all concerns and questions to be addressed by the Board.

The ‘recruiting event’ is scheduled from 11:00am to 2:00pm on Saturday, June 26th at Station 15, MCESD1’s newest station, located at 135 Stone Loop, Castroville, east of Rio Medina on Potranco Road. Hotdogs, chips, and drinks will be served. The recruiting email address has been changed to recruitment@mcesd1.com.

2. CONCERNED CITIZEN COMMENTS:

This agenda item was moved to allow for citizen dialog on the TTA Team’s recommendations.

President Dziuk called on Linda Murphy, Mico VFD Board President, to speak. Ms. Murphy was concerned about the use of the word ‘employees’ in the first recommendation. She felt the statement should read as ‘All current volunteer personnel within the District are to become *volunteer* employees of Medina County ESD1...’ instead of ‘All current volunteer personnel within the District are to become employees of Medina County ESD1.’ Ms. Murphy also noted that she had numerous issues with legality of the generic terms.

President Dziuk thanked Ms. Murphy for her comments and concerns and asked her to send them to the Board via admin@mcesd1.com before the deadline.

President Dziuk then called on Melissa Thornley, Castroville VFD Board President, to speak. Ms. Thornley addressed the legal pitfalls of the status of the 501c3s and instructed all involved to use legal terms in communications, not generic terms. Ms. Thornley also voiced her concern about the ‘employees’ terminology used in the TTA Team statement.

President Dziuk thanked Ms. Thornley for her concerns and comments and requested that she forward them all to the Board at the admin@mcesd1.com email as well.

President Dziuk thanked Ms. Murphy and Ms. Thornley for coming to the meeting and stating their concerns. President Dziuk told both ladies and everyone in attendance to be assured that much research and legal consultation would take place before any action would be taken by the MCESD#1 Board.

II. EXECUTIVE SESSION – CLOSED MEETING:

The MCESD#1 Board of Commissioners will meet in closed executive session as authorized by Texas Government Code Chapter 551 under one or more of the following sections of Chapter 551, Texas Government Code: §§ Section 551.071 (*Consultation with Attorney*), 551.074 (*Personnel Matters*), and 551.087 (*Economic Development*).

Terry moved to meet in closed executive session under Texas Government Code 551 under the following sections: Section 551.071 (*Consultation with Attorney*), 551.074 (*Personnel Matters*), and 551.087 (*Economic Development*). His motion was seconded by Pam. Motion carried with a 4-0 vote. The Board went into executive session at 8:06pm.

A. Discussions and Deliberations related to Demographic Reports and Economic Development in the area, the impacts related to Fire and EMS and District's Master Planning; to include real property and/or future station planning and land acquisitions, internal District structures, District hiring procedures, staffing, and personnel matters.

CLOSED EXECUTIVE SESSION:

Terry moved to close the executive session. Pam seconded his motion which was approved with a 4-0 vote. The closed executive session concluded at 8:45pm.

The Board took a break to allow relocation within the Medina County Courtroom before reconvening in open session.

III. RECONVENE IN OPEN SESSION:

1. OPEN MEETING: CALL TO ORDER and ROLL CALL:

President Marvin Dziuk called the meeting back to order at 8:46pm, and established a quorum with Board members Terry Beck, Michael Fisher, Pam Mathis, and Rodney Hitzfelder present. Administrative Coordinator Polly Edlund, Assistant Chief of Administration John Banning, Administrative Assistant of Finance Lori Stein, and Ronda McNew were present. Castroville VFD was represented by Lieutenant I Melanie Godwin, Firefighter Brian Anderwald and Mico VFD representation was Assistant Chief Ian Zabel, Captain Susan Tinsley. Also, in attendance were LaCoste VFD firefighter Jarrett Ferris and Allegiance Mobile Health representative Ramon Martinez.

2. DISCUSSION and POSSIBLE ACTIONS FOLLOWING EXECUTIVE SESSION:

Terry moved to proceed on items as discussed in Executive Session. Michael seconded his motion which was approved with a 4-0 vote.

3 - A. DISCUSSION and POSSIBLE APPROVAL OF CONSULTANT SERVICES AGREEMENT WITH CASSI FIELDS – ESCI:

Terry moved to approve the consultant agreement as discussed in the Executive Session. Pam seconded his motion which was approved with a 4-0 vote.

3 - B. FUTURE STATION PLANNING, LAND ACQUISITION(S), DONATIONS, DEMOGRAPHIC REPORTS, ECONOMIC DEVELOPMENT, and OTHER – UPDATES:

This agenda item was tabled.

3 - C. DISTRICT/STATION NEEDS and PURCHASING UPDATES (REMINDER NEW BUDGET INFORMATION NEEDS, GRANTS, PURCHASES, ETC.):

Polly reminded all that the budget and budget capital needs items were due to the finance committee on June 1st; however, none have been submitted. Polly granted an extension to the departments until June 12th. The Finance Committee (Polly, John, Terry, and Pam) scheduled budget meetings for the end of June/early July launching the 2021-2022 budget process. Decisions on Station 15 and what is needed for Station 15 for the 2021-2022 fiscal year are part of the budget process and need approval by August 2021. Presently, Polly is gathering information from the Commissioners, TTA Team, and others to determine the station's budget needs that must be included in the one to five-year budget planning process. Mico VFD representation announced to the Board that June 12th is the date of the Mico Board's budget meeting and upon completion, their budget and capital needs items will be forwarded to Polly.

3 - D. DISCUSSION AND POSSIBLE APPROVAL OF DISTRICT SEAL:

In 2018 several MCESD1 seal designs were introduced to the Board; however, none were agreed upon or approved. Rodney requested the MCESD1 Seal agenda item be placed back on the agenda for discussion and approval. John submitted his seal design as an option, Commissioners who wished to submit other designs were requested to bring them to the Board meeting. John drafted a sample resolution wording to use to adopt the seal by resolution upon seal design approval. After reading the resolution with one edit, Pam moved to adopt the Resolution for the Official Seal.

*Where-as: The Medina County Services District 1 is a legal political subdivision, established by Texas Constitution, Article 3, Section 48-e, Health and Safety Code, Title 9, Subtitle B, Chapter 775, located in Medina County, Texas, and governed by five Commissioners duly appointed by the Medina County, Texas Commissioners Court, and Where-as: The District has a need and desire to establish an identity to distinguish itself, and Where-as: The District has a need and desire to create a seal to proudly affixed to all official stationary, documents, buildings, apparatus, apparel, and other appropriate items, and It is therefore, resolved, that the Commissioners of Medina County Emergency Services District 1, hereby establish and adopt this resolution creating a formal seal for the District to be identified and described as follows: The formal seal is circular, with the full color State of Texas seal at the core, encircled by a white field with an inner border of black, with the words "Medina County Emergency Services District 1" in gold letters and further encircled by a gold ring outlined in black. The seal originates with a circular shield or crest, signifying our charge to protect the public from fire and harm. The State of Texas Seal represents the great state we live in. The white ring signifies service, honor, compassion and loyalty to those we serve. The gold letters represent the District and how precious those that serve it are. The outer gold ring represents honor, unity, pride, and loyalty carried by all that serve. Be it also resolved: that the seal **may** be affixed to District stationery, formal documents, buildings, apparatus, apparel, and other appropriate items, incorporated into District approved insignia and may vary in color or format to include embossment plates or stamps.* Terry seconded her motion which was approved with a 4-0 vote.



4. OLD BUSINESS – DISCUSSION and POSSIBLE RESOLUTIONS ON THE FOLLOWING:

4 - A. NEW WEBSITE – FIRE CHIEF POSTING – RECRUITMENT POSSIBILITIES – Status Update:

The website is operational and can be searched/located using the web address MCESD1.com or MCESD1.net; both addresses direct searches to the website. The Fire Chief job announcement is posted and the new flyer/advertisement for the June 26th recruitment event was sent to the website administrator for site posting.

5. NEW BUSINESS - INTRODUCTION OF ANY NEW BUSINESS:

5 - A. COMMISSIONER STATUS – Resignation Letter from Commissioner Michael Fisher:

The Board regretfully accepted Michael Fisher's letter of resignation for health and personal reasons from the MCESD1 Board. Michael officially retires on June 30, 2021, and in the process of selling his house and moving to the Fort Worth area. President Dziuk thanked Michael for his service on the Board.

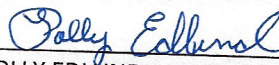
5 - B. SET NEXT MONTH'S MEETING(s) – July 7th (Corrected in Meeting July 14th):

The next proposed regular meeting of MCESD#1 will be at 7:00pm on Wednesday, July 14, 2021, the regular 2nd Wednesday in July, in the Courtroom of the Medina County Sub Courthouse at Precinct 2, 8366 FM 471 S, Castroville, TX. Exact date and time will be confirmed when the agenda is posted.

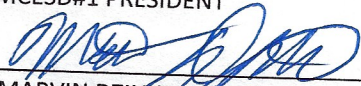
6. ADJOURN (MOTION):

Terry moved to adjourn the meeting. Pam seconded his motion which was approved with a 4-0 vote. President Marvin Dziuk adjourned the meeting at 8:56pm.

RESPECTFULLY SUBMITTED,


POLLY EDLUND

MCESD#1 PRESIDENT


MARVIN DZIUK