

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

PUBLIC MEETING MINUTES

WEDNESDAY, DECEMBER 13, 2023, 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 7:04pm, and established a quorum with Board Secretary Tom Page, Board Treasurer Terry Beck, and Board Assistant Treasurer Jenny Ferren present. Board Vice President Rodney Hitzfelder was absent. Fire Chief Clinton Cooke, Assistant Chief Sarah Windsor, Deputy Chief of Operations Jamie Esquivel, District Administrator Polly Edlund, Administrative Assistant Lori Stein, and Ronda McNew were also in attendance. Additional attendees were MCESD1 Lieutenant Ian Zabel and MCESD1 citizen Doris Jungman.

1 – A. PLEDGE OF ALLEGIANCE TO UNITED STATES AND TEXAS FLAGS:

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

1 – B. INVOCATION:

Chief Cooke led the assembly in prayer at the request of President Dziuk, giving thanks to God and asking for His guidance and protection for the Board and first responders especially during this holiday season.

1 – C. INTRODUCTION OF ANY SPECIAL GUEST(S)/RECOGNITIONS:

None.

2. CITIZEN COMMENTS:

None.

3. ADMINISTRATION - DISCUSSION and RESOLUTIONS/ACTIONS ON THE FOLLOWING:

3 – A. MINUTES, RESOLUTION of ACCEPTANCE – (November 8th)

Commissioner Page noted these amendments to the minutes:

Section 3-A: 'minutes as presented to the board' replacing 'presented in the TEAMS Folder'.

Section 3-C: 'year-end' instead of 'yearend'.

Section 4-A: 'around' to replace 'more around'.

Section 4-B: 'delivery' instead of 'delivered'.

Section 4-C: phrase 'however, still insured' removed the words 'however, still insured' and end sentence at word 'response.'

In the second sentence, remove the word 'however' and add a comma ', President Dziuk requested a list of all disposal items...'

Section 5-D: delete the extra word 'Response?' at the end of the first sentence.

Commissioner Page moved to accept Draft 2.1 of the minutes from the November 8, 2023, meeting as amended and presented to the board. Commissioner Ferren seconded his motion, the motion passed with a 3-0 vote.

3 – B. TREASURER'S REPORT - FINANCIAL REPORTS, APPROVAL FOR PAYING BILLS, and APPROPRIATE TRANSFERS:

Commissioner Beck moved to pay the bills and make the appropriate transfers. Commissioner Page seconded his motion, the motion passed with a 3-0 vote. District Administrator Edlund noted that the monthly financial report for November was in progress and would be added to the TEAMS folder upon completion of end of year journal entries.

A commissioner asked about the status of the reports from the District's investment officer and was informed that the reports had been emailed to the board by District Administrator Edlund. The December report was scheduled to arrive by the 15th and would be added to the monthly TEAMS folder by Friday.

Commissioner Beck moved to add District Administrator Edlund to the signature card at Security Service Federal Credit Union, along with President Dziuk, Commissioner Beck, and Commissioner Ferren who were already on the account. Commissioner Page seconded his motion, the motion was approved with a 3-0 vote.

District Administrator Edlund reported that the auditor sent the fraud letters for the 2022-2023 audit, to be completed by the members of the board, Fire Chief Cooke, and the District Administrator. Upon completion, Ms. Edlund will forward the documents to the auditor. District Administrator Edlund stated that the audit is projected to be completed by the end of January.

3 – C. SALES TAX REPORTS (November/YTD):

Chief Cooke noted that the district received the December monthly net deposit of \$188,382.86 for sales tax from the Comptroller. This net deposit amount was 16.05% more than the December 2022 monthly payment. The GASB year-end total for the fiscal year 2022-2023 was \$2,606,430.68 (December 2022 thru November 2023 with the accrual-based adjustments for October and November accounts receivables already figured into the calculation) which was 16.39% more than the previous fiscal year's total of \$2,239,336.21 for the same period December 2021 thru November 2022. This end of year sales tax total revenue for fiscal year 2022-2023 was 6.965% more than the budgeted amount of \$2,425,000.

3 – D. STATION 11 CIP DRAWS/YTD PROJECT UPDATE:

Commissioner Page moved to approve the third construction draw request on the CIP Station 11 project of \$449,663.50 to WR Griggs Construction Company. Commissioner Beck seconded his motion, the motion was approved with a 3-0 vote. Commissioner Page re-emphasized that since this draw deals with more stored material, the inventory needs to be closely monitored and verified.

3– E. CONTRACTUAL REVIEW COMMITTEE – ANY UPDATE:

Chief Cooke stated that the contractual review committee had individually reviewed each contract that the district has in place; however, the committee had not met collectively to prepare final recommendations. The agenda item was tabled.

3 – F. SALES TAX COMMITTEE UPDATE – Potential Sales Tax Agreement with City of LaCoste:

President Dziuk reported that the Mayor for the City of LaCoste had verbally agreed to a 50%-50% split of the sales tax, for the sales tax agreement. The next step will be to take this verbal agreement to the LaCoste City Council, and upon the Council's approval, the agreement will go to the attorneys for their legalese.

4. FIRE CHIEF'S REPORTS – DISCUSSIONS and ACTIONS ON THE FOLLOWING:

4 – A. FIRE CHIEF'S REPORT – PROJECT UPDATES:

Chief Cooke presented the Fire Chief's Report (November 2023 Report).

Items that Chief Cooke expanded on were:

- Medina County Emergency Services District 1 began accepting volunteer applications for the next training academy. Chief Cooke reported that currently there are twenty-one new volunteers. When asked by the board what generated the volume of applications, Chief Cooke stated that a social media post had gone out about the next training academy and the ESD paying for the TCFP fees, which generated interest.
- Chief Cooke also noted the programming and pairing of the Bluetooth link on the air packs with the new handheld radios had been completed, and provided for clearer, safer communications when deploying firefighters with breathing equipment.

Station 14 Project Update:

Chief Cooke reported speaking with the developer on multiple occasions and the lease documents are being prepared. Staff had been on site to begin establishing the needs to get Station 14 online as soon as possible. The current living structure, 3B mobile home, on premises, is in good condition and will not need many modifications. It was reported that a rock/base road is needed. To utilize the current slab in place, additional concrete is needed to widen and lengthen the slab to accommodate a 40'x 50' remodeled metal building for apparatus storage. It is expected that this facility will be in service for a minimum of three years and up to five years depending on the growth. The lease contract is going to be for one year, pending the purchase of the permanent property; at which time they will extend the lease.

The Board asked which apparatus were planned for station #14. Chief Cooke explained the plans for rotating apparatus: The old station #10 engine, believed to be once classified as a rescue, would be in station #14 as the engine. One new brush truck currently sitting at station #15 will be placed at station #14. The newly purchased engine will go to station #15. The ladder will go to station #10. Engine at station #11 will become the reserve engine.

4 – B. CONSTRUCTION PROJECT UPDATE - LACOSTE STATION 11 PROJECT NORTH OF RAILROAD:

Chief Cooke reported that as part of the building of the LaCoste station, the water and sewer were always planned to come from the city of LaCoste. During the design phase, there were conversations with the city of LaCoste from our architects. There was never a question whether they would provide such utilities and there was no permit required to begin construction. As MCESD1 moved forward to get this project off the ground, MCESD1 moved faster than the city was able to, and began their project prior to the city directing their requirements.

Once construction began, the city became focused on their requirements which had created at least one change order for the sewer line versus what was specified in the base bid. Additionally, the city requested a development agreement to be executed with the district so they could provide the utilities. Attorney Ken Campbell and the city of LaCoste's attorney are currently working to draft this agreement. There are still many discussions to take place with no final actions currently needed. There is an ongoing discussion about water rights within the development agreement that is still being evaluated and finalized. There were concerns about sales tax that came up as part of the development agreement and attorney Ken Campbell has ensured the city separated that request from the utility project. President Dziuk had begun the dialogue with the city based on prior authorization from the Board. Once the city approves the current option presented it will be brought back to the Board for approval. The easements for electrical had been executed and CPS is working to provide power to the site. Fees for this were paid at the beginning of the project.

Commissioner Beck and District Administrator Edlund spoke on CCN laws. A copy of a legal document detailing CCN rules was given to Chief Cooke by Commissioner Beck, for delivery to the ESD's attorney Ken Campbell.

4 – C. CONSIDER and APPROVE DISPOSAL of SURPLUS/SALVAGE and/or WORTHLESS INVENTORY:

At the November meeting, Chief Cooke stated that the District had apparatuses that are no longer useful for response. President Dziuk requested a list of all apparatus to be removed from the ESD's fleet and the proposed disposal methods. Chief Cooke presented the list and after reviewing the inventory list of apparatus, Commissioner Beck moved to dispose of the surplus/salvage inventory per Chief Cooke's recommendation. Commissioner Ferren seconded his motion, the motion was approved with a 3-0 vote. Chief Cooke further explained what the helping hands program was and how it works. He estimated the value of the disposed property to be approximately \$25,000.

1. Unit 101 is a Chevrolet Brush truck that was assigned to the LaCoste Station. This truck is not in mechanically good condition. Chief Cooke's recommendation is to declare the item salvage and dispose of the unit by listing it for sale with a clear description on Gov Deals public auction site.
2. Unit 102 is a 1989 Military Style truck assigned to the LaCoste Station. This truck had a mechanical failure of the back axle that could have resulted in a catastrophic event. It did cause the vehicle to lose control while enroute to a call and ended up down an embankment. This vehicle has not been repaired since that incident. Chief Cooke recommends designating the item as salvage and listing it for sale with clear description on Gov Deals auction site.
3. Unit 104 is a Military Style truck assigned to Mico Station. This vehicle is in mechanical working condition but no longer serves a purpose in our response model. Chief Cooke's recommendation is to declare the item surplus and transfer the item to the Texas Forest Service Helping Hands Program with D'Hanis VFD as the designated recipient.
4. Unit 105 is a 1997 International Pumper not currently assigned to any station. This unit has no equipment on it and serves no purpose in our response model. This unit is in mechanical working condition. Chief Cooke's recommendation is to declare the vehicle surplus and transfer the pumper to the Texas Forest Service Helping Hands Program.
5. Unit 109 is a 2004 Military Style truck assigned to the LaCoste Station. This vehicle is in mechanical working condition; however, no longer serves a purpose in our response model. Chief Cooke recommends declaring the item surplus and transferring the item to the Texas Forest Service Helping Hands Program.

(Texas A&M Forest Service, Helping Hands Program, Lufkin, TX 75904, 936-639-8100, helpinghands@tfs.tamu.edu)

5. NEW or UPCOMING DISTRICT DEVELOPMENT(S) - DISCUSSION and ACTIONS ON THE FOLLOWING:

Chief Cooke reported the city of Castroville had given notice of a proposed annexation of a 200+ acre parcel of land. North of Highway 90 E, North of the Chevrolet dealership (noted as the Fischer property).

6. OLD BUSINESS – DISCUSSION and ACTIONS ON THE FOLLOWING:

There are three ESD commissioners, the President, Vice-President, and Treasurer, with terms of office up for re-appointment and a phone call had been made to Jennifer at the County Judge's office requesting an agenda item to be placed on the December 11th Medina County Commissioners Court meeting agenda for the Court to re-appoint ESD1 board members. The same process that had been followed for the past 25+ years. County Judge Keith Lutz sent word back that a new county wide process was being discussed and voted on at the Medina County Commissioners court meeting on December 11th, which included a new application process. New ESD1 appointments would not be made until the Medina County Commissioners Court meeting on January 8th, 2024.

The afternoon of December 11th, an e-mail had been sent by the County Judge's office, to all ESDs, explaining the new process adopted by the County Commissioners at their December 11th meeting. All returning ESD Commissioners would be required to reapply for their current positions utilizing the newly adopted application process.

7. NEW BUSINESS – INTRODUCTION OF ANY NEW BUSINESS:

7 – A. MONTHLY MEETING – JANUARY:

President Dziuk directed Administrator Edlund to post an agenda for a special executive session meeting on Wednesday, December 20, 2023, with Attorney Ken Campbell. The next regular monthly meeting for January was tentatively set for January 10, 2024, at 7:00pm, following the County's meeting in which three ESD Commissioners would be appointed for the January 2024 terms of office. The exact date, time, and location will be confirmed when the agenda is posted.

7 – B. McNew Notice to Terminate Contract:

Ronda McNew submitted her letter of notice to District Administrator Edlund at the beginning of the ESD meeting expressing her intent to terminate her contract with Medina County ESD#1. President Dziuk informed the Board under new business and thanked Ronda for her loyal years of service to the District. Administrator Edlund explained that the contractual agreement included a sixty-day notice of termination and a transition period, and over the next sixty days she would work with Ms. McNew to get ESD materials returned to the district and train other staff to do the duties Ms. McNew handled.

7 – C. SAFE-D's 2024 Annual Conference:

SAFE-D's 2024 Annual Conference will be at the Irving Convention Center, 500 Las Colinas Blvd W, Irving, 75039, and Board Commissioners will travel on Wednesday, February 21 through Saturday, February 24, 2024. District Administrator Edlund had secured hotel reservations for all attendees at the Westin Hotel and would e-mail attendees with all necessary information.

8. ADJOURN:

Commissioner Beck moved to adjourn the meeting. Commissioner Page seconded his motion, and the motion passed with a 3-0 vote. President Dziuk adjourned the meeting at 8:44pm.

RESPECTFULLY SUBMITTED,



POLLY EDLUND, DISTRICT ADMINISTRATOR

MCESD1 PRESIDENT



MARVIN DZIUK