

Hays County ESD #4—Wimberley Fire Rescue
Meeting Minutes

For the Board of Commissioners Special Meeting Held on August 04, 2021

1. President Ron Spangenberg called the meeting to order at 8:36 a.m.
2. Commissioners present were Mr. Ron Spangenberg, Mr. Joe Pendleton, and Mr. Chuck Ware. Also present were Assistant Fire Chief Robbins, Executive Assistant Angel Robinson, and special guest Larry Coker. John White was absent. A quorum was present.
3. Public comment: No Public sign in. No Public comments
4. Public comment on agenda items; No Public comments
5. Recognize appointment of Mr. Larry Coker to ESD No.4 Board of Commissioners; President Spangenberg recognized Mr. Larry Coker, who was appointed by the Hays County Commissioners Court, will fulfill the unfulfilled term of Mr. Eddie Gumbert which expires on December 31, 2022. Mr. Coker was duly sworn in by Judge Andrew Cable and has completed required courses in Open Meeting and Open Record Acts. No further action at this time.
6. Discuss and consider election of officers;
President: Secretary Joe Pendleton opened discussion for nominations for President of ESD #4 Board of Commissioners. Mr. Chuck Ware nominated Mr. Ron Spangenberg as President of ESD No. 4's Board of Commissioners. The nomination was seconded by Mr. Larry Coker. Mr. Joe Pendleton confirmed the election of Mr. Ron Spangenberg as President of ESD #4 Board of Commissioners and turned the meeting back to President Spangenberg.
Vice President: President Spangenberg entertained a motion for District Vice President. Mr. Chuck Ware made a motion to nominate Mr. Johnny White for re-election as District Vice-President. Mr. Larry Coker seconded the motion. President Spangenberg moved that Mr. John White is appointed as District Vice-President by acclamation.
Secretary: President Spangenberg entertained a motion to elect a District Secretary. Mr. Chuck Ware made a motion to nominate Mr. Joe Pendleton for re-election as District Secretary. Mr. Larry Coker seconded the motion. President Spangenberg moved that Mr. Joe Pendleton is appointed as District Secretary by acclamation.
Treasurer: President Spangenberg entertained a motion to elect a District Treasurer for the Board of Commissioners. Mr. Joe Pendleton made a motion to nominate Mr. Chuck Ware for District Treasurer. Mr. Larry Coker seconded the motion. President Spangenberg moved that Mr. Chuck Ware is appointed as District Treasurer by acclamation.
Assistant Treasurer: President Spangenberg entertained a motion to elect a District Assistant Treasurer for the Board of Commissioners. Mr. Chuck Ware made a motion to nominate Mr. Joe Pendleton for District Assistant Treasurer. Mr. Larry Coker seconded the motion. President Spangenberg moved that Mr. Joe Pendleton is appointed as District Assistant Treasurer by acclamation. President Spangenberg closed the nominations.
7. Discuss and consider taking action regarding 2021-22 budget; President Spangenberg reported receiving the no-new-revenue-rate, voter-approval-rate and, di minimis rate from Carlton Law Firm. Currently the District's tax rate cap is 5 cents per \$100 property value (PV). The di minimis tax rate is the highest tax rate the District could adopt without a required election.

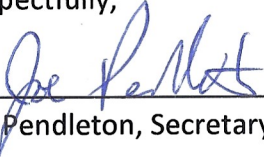
The no-new-revenue-rate is calculated at 4.464 cents on \$100 PV. The voter-approval-rate is 4.806 cents per \$100 PV. If the District had previous election approval in place for a 10-cent tax rate cap per \$100 property value this year, the District's tax rate could possibly be 6.2 cents per \$100 PV, which is the di minimis rate. However, the District's tax is capped at 5 cents per \$100 PV. President Spangenberg reported the Certified District Evaluation Value for FY 2020-2021 is \$3,197,408,157. Calculating at a 5 cents per \$100 PV, the District's anticipated maximum tax collection is \$1,598,704. President Spangenberg reviewed additional budget adjustments and sales and usage tax estimates. He stated this budget is still evolving and a proposed final budget will be presented at the 8:30 a.m., August 17 Special Called Board Meeting. Discussion occurred on salaries and benefits including 3 full-time captain positions. Assistant Chief Robbins proposed a re-organization of part-time schedules that support two 12-hour shifts per day or one 24-hour shift. This would provide three firefighters and one captain in-house arriving on scene to support 2-in-2-out rapid-fire response. Assistant Chief Robbins discussed the positive effects this re-organization would bring. Discussion also occurred on the Government Capital loan and payments for the Central Station Addition. Treasurer Ware asked that financial reporting track incoming sales and usage tax amounts against payments made with these taxes, on the loan. No action taken at this time.

8. Discuss and consider taking action regarding 2021 tax rate, including:
 - A. Establish proposed tax rate; President Spangenberg stated he would like to entertain a motion for a proposed tax rate of 5 cents per \$100 property value. Mr. Joe Pendleton made a motion to set a tax rate of 5 cents per \$100 property value. Mr. Chuck Ware seconded the motion. Record vote:
 - Mr. Larry Coker voted yea
 - Mr. Chuck Ware voted yea
 - Mr. Joe Pendleton voted yea
 - President Spangenberg abstained
 - Mr. John White was not present.
 - B. Taking record vote and scheduling public hearing; President Spangenberg stated he would like to entertain a motion to schedule a public hearing and adopt a tax rate on August 17, 2021, at 8:30 a.m. at 111 Green Acres Dr. Wimberley, TX 78676. Mr. Chuck Ware made a motion to schedule a public hearing and adopt a tax rate on August 17, 2021 at 8:30 a.m. Mr. Joe Pendleton seconded the motion. The motion passed unanimously.
 - C. Authorizing publication of "Notice of Public Hearing on Tax Increase" in the Wimberley View; and
 - D. Acknowledging and approving posting of Notice about 2021 Tax Rates and "Notice of Public Hearing on Tax Increase" to home page of District website. Mr. Chuck Ware made a motion to acknowledge and approve publication of Notice about 2021 Tax Rates and "Notice of Public Hearing on Tax Increase" in the Wimberley View and posting to the District's home page on its website. Mr. Larry Coker seconded the motion. The motion passed unanimously.
9. See supplemental agenda for election items;

- A. Discuss and consider approval of the Resolution Authorizing Secretary's Appointment of Agent to Perform Duties during Election Period; President Spangenberg stated he would like to entertain a motion to appoint Executive Assistant Angel Robinson as Secretary Agent to perform the duties set forth in section 31.123 of the election code in the District Election and to post on a bulletin board the posting of meetings. Mr. Chuck Ware made a motion to approve Executive Assistant Angel Robinson as Secretary Agent during the Election Period. Mr. Larry Coker seconded the motion. The motion passed unanimously.
 - B. Any other matters in connection with the District's November 2, 2021, election. No other matters were presented.
10. Discuss and consider approval of the final contract with G Creek Construction; President Spangenberg stated Carlton Law firm reviewed the final contract between ESD No. 4 and G Creek Construction. Added during legal review was Builder's Risk insurance at a cost of \$4,528, for a total of \$1,154,528. The contract is ready for execution at the time G Creek confirms the construction completion period. President Spangenberg stated he would entertain a motion to enter into an agreement with G Creek Construction in the amount of \$1,154,528, and, authorize President Spangenberg to enter into contract, on behalf of the District, with G Creek Construction. Mr. Joe Pendleton made a motion for ESD No.4 to enter into an agreement with G Creek Construction for the amount of \$1,154,528 and to authorize the Board's President, Mr. Ron Spangenberg to enter into and execute the construction contract between ESD No. 4 and G Creek Construction, to construct and complete the Central Station Addition project for the agreed upon amount of \$1,154,528. Mr. Chuck Ware seconded the motion. The motion passed unanimously.
11. Discuss and consider Government Capital's financing proposal, approval of Government Capital's resolution for financing, and authorizing signature authority to President Spangenberg and countersigning authority to Vice President White for execution of financing documents; President Spangenberg stated he would entertain a motion to approve a Resolution with Government Capital and to authorize President Spangenberg and Vice President White to execute the financing document(s) at a rate of 2.475% for a period of ten years. Mr. Larry Coker made a motion to approve execution of a Resolution between ESD No. 4 and Government Capital Corporation, regarding a promissory note and security agreement for the purpose of constructing a "Station Renovation/Addition", for ESD No. 4 to obtain a loan in the amount of \$600,000, financed at a rate of 2.475%, for a period of ten years, with annual payments of \$68,466.73. Mr. Chuck Ware seconded the motion. The motion passed unanimously.
12. Discuss and consider American Rescue Plan funding request to Hays County; President Spangenberg stated the District submitted a proposal package to Commissioner Lon Shell and the Hays County Assistant Auditor stating rationale to warrant receipt of funds from The American Rescue Plan funding being provided to Hays County, to provide a safe living space for staff. Should we receive any of those funds President Spangenberg recommended they be applied against the general fund balance carryover portion of construction costs; currently estimated to be in the amount of \$600,000. No further action taken at this time.

13. Discuss and consider seeking out a different retirement plan for eligible personnel; President Spangenberg shared that Texas County and District Retirement System is scheduled to provide plan and cost options the week of August 9, 2021. No further action taken at this time.
14. Discuss and consider the pursuit of land/property for future Fire Station(s); President Spangenberg reported no new activity on this item since the report at the July 27, 2021, meeting. No further action taken at this time.
15. Adjourned at 9:43am

Respectfully,



Joe Pendleton, Secretary