

**COMAL COUNTY**  
**EMERGENCY SERVICES DISTRICT #1**  
**BOARD OF COMMISSIONERS**  
**Board Meeting Minutes, January 19, 2017**

A Regular meeting of the ESD #1 Board was held at the Emergency Services Building at 353 Rodeo Drive, Spring Branch, Texas 78070 on Thursday, the 19<sup>th</sup> day of January, 2017.

**Discussion/Action Items:**

**1. Call meeting to order:**

Having been duly posted, the meeting was called to order at 4:00 p.m. by President John Scheffler. Commissioners Rhonda Zunker, Bill Gonser, Mark Schmalz and Harrell Hicks were present and a quorum was declared.

**Guests in attendance:**

- Commissioner Paul Graff – ESD4 President
- Mr. Larry Hull – Comal Trinity GCD Board of Directors
- Mr. Paul Nihill – BSBES Board Member (late arrival)
- Ms. Jo Zuercher – Bulverde-Spring Branch Fire & EMS.

**Workshop Agenda**

**Public Comment:** In accordance with the Texas Attorney General’s opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the Board of Commissioners. No formal action, discussion, deliberation, nor comment will be made by the Board of Commissioners. Citizens’ Comments are limited to 3 minutes per citizen.

**Discussion/Action items (continued)**

**2. Approve December 15, 2016 regular meeting minutes:** Commissioner Zunker moved and Commissioner Gonser seconded a motion to approve the minutes as presented. Motion carried,

**3. Welcome new board member, Mark Schmalz, and verify new appointments/re-appointments are properly certified:** Commissioners Schmalz and Gonser have been appropriately certified and “sworn in” as required. Commissioner Zunker has been appropriately certified but cannot be “sworn in” until the Treasurer’s Bond is received which will be during the week of January 23 – 27, 2017. Upon its receipt and approval by the Comal County Clerk, Commissioner Zunker will be “sworn in” and can resume the duties of Treasurer.

**4. Election of ESD1 officers for 2017:** A nomination was made by Commissioner Hicks to elect Commissioner Gonser as President for 2017 term. Nomination was seconded by Commissioner Schmalz. A second nomination of Commissioner Scheffler was made by Commissioner Zunker which died for lack of a second. Commissioners Hicks, Schmalz, and Gonser voted “aye”; Commissioners Zunker and Scheffler voted “nay”.

Commissioner Gonser nominated Commissioner Hicks for Vice-President. The nomination was seconded by Commissioner Zunker and the nominee was elected by verbal consent.

Commissioner Gonser nominated additional Commissioners to the following positions: Secretary – Commissioner Schmalz; Treasurer – Commissioner Zunker; Vice-Treasurer – Commissioner Scheffler. The nominations were seconded by Commissioner Hicks and, after discussion, the nominees were elected to designated position by verbal consent.

**5. Consider and approve bills/invoices to be paid:** Commissioner Zunker identified the following as due for payment: (Copies of bills/invoices are at Attachment *1-a thru 1-d*.)

a. Southside Bank – \$98,077.99 annual principal/interest payment for Station 2 (Indian Hills).

b. Denton Navarro Rocha Bernal Hyde & Zach, Attorney -- \$156.00 -- Additional fee for consult concerning ambulance fees in 2008 Document.

c. CNA Insurance -- \$725.00 – Treasurer’s Bond for \$145,000. (Approving increased cost/amount of Bond subject to increase in revenue.)

d. Harrell Hicks -- \$68.02 – reimbursement for Olympus digital voice recorder/ESD1 secretary’s use for meeting minutes.

Following discussion and explanation, Commissioner Schmalz moved and Commissioner Hicks seconded a motion to pay bills/invoices as presented. Motion approved.

**6. Review, consider and accept monthly financial reports from Commissioner Zunker:**

Commissioner Zunker presented the Financial Report as of January 19, 2017. Total on Deposit is \$2,021,551.27. Payments approved at this meeting will reduce the balance by \$99,027.01 leaving the amount on deposit as \$1,922,524.26. Commissioner Zunker also provided reports showing "Operating Account History" and "Property Tax remittances from Comal County". The 2017 Property Tax remittance, to date, is \$1,123,502. (Copies of reports are at Attachment 2-a thru 2-c). Commissioner Hicks moved and Commissioner Schmalz seconded a motion to approve the reports as presented. Motion passed

**7. Review and approve pre-authorization of \$170,000 automatic monthly payment to Service Provider (BSBES) in 2017 to be drawn on the District's regular operating account at Broadway Bank:**

Commissioners Gonser and Zunker discussed how this line item of the ESD1 Budget was implemented and operated. Commissioner Zunker moved we continue as currently disbursed. Commissioner Hicks seconded. Motion passed.

**8. Authorize change of signers on checking account at Broadway Bank:** Commissioner Zunker moved that a resolution be passed which authorizes signers on the Broadway Bank checking account be changed and new signers complete the forms. All members of ESD1 will need to sign new signature forms which Commissioner Zunker will return to Broadway Bank. Commissioner Schmalz will be added and former Commissioner Wilkens will be removed from the account. Commissioner Schmalz seconded and the motion was approved.

**9. Confirm depository relationship with Broadway Bank and confirm continuation of investment agreement for ESD1:** Commissioner Zunker explained the depository arrangement with Broadway Bank and the investment agreement. Copy of "Chapter 2256: Public Funds Investment" of "Government Code, Title 10, Chapter 2256" which requires such investment is Attachment 3. Motion made by Commissioner Zunker and seconded by Commissioner Schmalz to continue current depository relationship and agreement with Broadway Bank. Motion approved.

**10. Discuss, review and approve Treasurer Bond based on 2017 operating budget:**

Commissioner Zunker explained the increase in bond amount based on increase in 2017 budget amount. New cost is \$725.00 based upon \$145,000 Bond. Commissioner Hicks moved and Commission Schmalz seconded that bond and payment be approved based on increased amount of Bond as required by 2017 operating budget. Motion approved.

**11. Revisit 2017 Budget:** This item was not discussed and was “tabled” until February 2017 meeting. May also review 2016 Budget and expenditures at that time.

**12. Discuss ESD annual reporting (End of Year) requirements to the State of Texas and to the Commissioners of Comal County:** These requirements were outlined by Commissioners Zunker and Graff including the posting of an “official” mailing address of ESD1 (PO Box 126, Spring Branch, TX 78070). Commissioner Graff (ESD4) will make a combined report for ESD’s 1, 4, and 5 on January 26, 2007 to the Comal County Commissioners Court in New Braunfels, TX.

**13. Discuss and approve appointment of ESD1 representatives to serve on Board of Directors of BSBES for 2017:** Commissioner Gonser nominated Commissioner Hicks to serve on Board. Commissioner Schmalz seconded and appointment approved. Commissioner Gonser nominated Commissioner Schmalz for the second Board position and Commissioner Hicks seconded. The appointment was approved.

**14. Discuss and approve appointment of ESD1 representatives to serve on BSBES Council for 2017.** Commissioner Zunker nominated Commissioners Gonser and Scheffler to serve in this position. Commissioner Hicks seconded and the appointments were confirmed.

**15. Committee and Council reports:** There was no Council Meeting scheduled for January 2017.

**16. Discuss and approve committee assignments as currently known and established by board of Directors of BSBES and the BSBES Council:** Currently known committees and assignments were discussed and ESD1 Commissioners indicated desire to serve as shown at Attachment 4 of these minutes.

**17. Review status of ESD1’s offer to purchase Rodeo Drive facility and attorney’s response to question of ESD1’s equity in the building that may have originated from the forfeiture of ambulance billings under the 2008 service provider contract:** Response from attorney is shown at Attachment 5 and addresses question of legality of “forfeiture of ambulance billings” and not amount. The BSBES Board has retained a forensic auditor who may provide some future insight into ESD1’s equity based on those billings. In the interim, the BSBES Board has “tabled” any proposal for selling the building and has, thus, “tabled” ESD1’s concept of purchase.

**18. Information Item: Discuss March 2017 SAFE-D Conference attendance, agenda, and schedule:** All Commissioners indicated a desire to attend and requested Commissioner Zunker to register them as a group. Conference information and schedule is shown at Attach. 6. Commissioner Zunker will register the ESD1 participants as a group, pay fees via credit card and request reimbursement upon receipt of registration confirmation.

**19. Discuss agenda, time and date for next meeting:** The next regular meeting of ESD1 is scheduled for Thursday February 16, 2017 at 4:00 P.M

**20. Adjourn:** A motion was made by Commissioner Scheffler and seconded by Commissioner Schmalz to adjourn. Motion passed and meeting was adjourned at 5:07 P.M.

Harrell Hicks

Acting Secretary

Board Acceptance \_\_\_\_\_ 2016. \_\_\_\_\_, Harrell Hicks  
(Date) (Signature)

**Attachments:**

1. a. *Southside Bank invoice for annual payment of Station 2 mortgage*
  - b. *Denton Navarro Rocha Bernal Hyde & Zach, Attorney – Invoice*
  - c. *CNA email indicating an increase in cost of ESD1 Treasurer Bond*
  - d. *Reimbursement request for Digital Voice Recorder used with ESD1 meetings.*
2. a. *Financial Report dated January 19, 2017*
  - b. *CCESD#1 Operating Account History, January 2017*
  - c. *CCESD#1 Property Tax Remittances from Comal County through January 2017*
3. *Public Funds Investment/Title 10, Government Code (two pages 2a & 2b)*
4. *ESD#1 Emergency Services Council Committee Members for 2017*
5. *Emails relating to Ambulance Billings per 2008 Emergency Service Agreement (three pages: 5a, 5b, and 5c)*
6. *2017 SAFE-D Annual Conference Registration Information and Schedule (two pages 6a and 6b)*