

Minutes of Travis County Emergency Services District #3 October 22, 2007

Board President Bob Taylor called the Travis County Emergency Services District #3 (TCESD 3) Board of Commissioners' regular meeting to order at 7:03 p.m. A quorum was established. Attending were Commissioners David Luther, Bob Taylor, John Villanacci, Edd New, and Rick Coneway.

Fire department personnel present at the meeting included: Fire Chief Warren; Assistant Fire Chiefs Elliot and Wittig; Fire Marshal Lacey; District Chiefs Groman & Plumlee; Business Mgr. Miller; Captain Barfield; and PIO Warren. Also present was TCESD3 counsel, Ken Campbell.

Visitors included: Robert Ferguson, engineer for Travis County Mud District #4; Harry Savio of the Austin Home Builders Association; Matt Moore representing Stratus Properties; and Chris Werth of Centex Homes.

Attached to and incorporated into these Minutes is a copy of the official Agenda for the October 22, 2007 meeting.

Under Agenda Item 3: Commissioner Luther moved to approve the minutes of the September 24th and October 3rd meetings with Commissioner Villanacci seconding. The motion carried unanimously.

Under Agenda Item 4: At 7:08 p.m. President Taylor announced a withdrawal of the Board into Executive Session as authorized pursuant to Texas Government Code Section 551.071, et seq. Joining the Board were Ken Campbell, Fire Chief Warren, and Fire Marshall Lacey.

Under Agenda Item 5: At 8:15 p.m. President Taylor reconvened the general meeting. There was no action to be taken on matters discussed in Executive session.

Under Agenda Item 6: Harry Savio spoke against the proposed fire sprinkler amendment to the TCESD3 Fire Code, and asserted that it was not the intent of the legislature for ESD's to have the authority to set residential fire codes. He presented board members with a six-page written summary entitled *Why Fire Sprinklers Should Not Be Mandated in One- and Two-family Construction*.

Matt Moore requested the issue be tabled while questions such as how TCESD3 will learn of new construction, the legality of the ordinance, and the legal definition of "new construction" are addressed. He said Stratus Properties would not be opposed in situations where a house was a certain number of feet from a road or a fire hydrant.

Robert Ferguson said that Mud #4 is the master MUD of the Barton Creek Municipal Utility Districts (MUD's) but is not officially representing other MUD's.

Chris Werth asked for the issue to be tabled due to affordability issues – that people with high incomes would be the only ones to afford to buy houses in the district.

Fire Marshal Mike Lacey reported that a meeting of interested individuals took place on October 4th. He said there were four representatives of the water industry, two from Home Builders' Association,

one from Stratus Properties, three residential sprinkler installers and one representative from the Estates of Barton Creek Home Owners' Association. Issues addressed at this meeting included that of back-flow problems and the way in which additions would be categorized under the proposed amendment. He indicated that the District committed to a turnaround of five days and that the sprinkler installers confirmed the quoted prices. He mentioned that basic prices do not include off-site monitoring of alarms.

Robert Ferguson interjected with the comment that there are three options to be considered: houses with less than 3600 square feet, houses with more than 3600 square feet, and houses without adequate water supply.

Mr. Lacey noted that most of the objections and questions could be answered by an education process and that sprinkler systems actually use less water than a typical home's domestic water demand and therefore there would be no burden on the water system.

President Taylor reported that County Commissioner Daugherty had seen the presentation by Fire Marshall Lacey during a meeting between the three and that Commissioner Daugherty says the argument for the use of sprinklers is compelling. He said that Commissioner Daugherty wanted every opportunity for all interested parties to meet and speak and understand all aspects of the issue.

It was suggested that Fire Marshall Lacey arrange several meetings with separate groups – such as all the MUD's, homebuilders, and Homeowners' associations. Commissioner Luther suggested that people bring answers to the "what ifs".

Commissioner Coneway motioned to table the approval of the amendment until these actions had taken place. Commissioner Luther seconded the motion, which carried unanimously.

Under Agenda Item 7: Commissioner Villanacci moved to approve the Treasurer's Report. Commissioner Luther seconded the motion, which carried unanimously.

Under Agenda Item 8: Commissioner Coneway moved to approve the encumbrance of monies in the 2007 FY budget which had not been spent in the Dispatch and Communications and the Mackey Field areas (\$23,602 and \$212,787 respectively). Commissioner Luther seconded the motion, which carried unanimously.

Under Agenda Item 9: Assistant Chief Wittig presented a brief report on the Mackey Field Project.

Under Agenda Item 10: Fire Chief Warren presented the ESD Summary Report.

Under Agenda Item 11: There were no visitor comments other than those aforementioned.

Under Agenda Item 12: It was announced that the EMT-B Certification school would begin on October 23rd.

Under Agenda Item 13: President Taylor announced the next regular meeting would be held on November 26th 2007.

Under Agenda Item 14: There being no further business, Commissioner Coneway moved to adjourn the meeting at 9:45 p.m. with Commissioner Luther seconding. The motion carried unanimously.

Respectfully submitted,

Rick Coneway, Secretary
Board of Commissioners
(Minutes taken by Madeline Miller)

Approved by Board of Commissioners:

Representative Commissioner: _____ (Signature)

(Printed Name) _____

NOTICE IS HEREBY GIVEN that the Board of Commissioners of Travis County Emergency Services District No.3 will hold a regular board meeting at 7:00 p.m. on Monday, October 22, 2007 in the Community Room of Travis County ESD3 Station 2, located at 4111 Barton Creek Boulevard, Austin, Travis County, Texas. The subject of and matters to be considered at said meeting would include, among other business, the following:

1. Call to Order.
2. Roll Call and Establish Quorum.
3. Review and approve minutes of the September 24th and October 3rd meetings and/or hearings.
4. Executive Session to discuss matters with counsel as authorized pursuant to Texas Government Code Section 551.071, et seq.
5. Consider and take appropriate action on matters discussed in Executive Session.
6. Review report from Fire Marshall Lacey on input from working group of interested parties on residential sprinklers; discuss options and consider amending the District's fire code to require domestic water-based sprinklers for new residential construction.
7. Treasurer's Report.
8. Review and approve proposed encumbrances on 2008 budget.
9. Review contract status, financial forecast and schedule for the Mackey Field Project.
10. Fire Chief's ESD Summary Report.
11. Visitor or other Oak Hill Fire Department communications.
12. General announcements.
13. Announcement of future meeting dates of the Board of Emergency Service District #3 Commissioners.
14. Adjournment.

By: _____ Madeline Miller, Business Manager

NOTE: The Board of Commissioners reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), and 551.076 (Deliberations about Security Devices).

Travis County Emergency Services District Number 3 is committed to compliance with the Americans with Disabilities Act. Reasonable modification and equal access to communications will be provided upon request. Please call the District Administrative Office at 288-5534 for information. Hearing impaired or speech disabled persons equipped with telecommunication devices for the deaf may call the statewide Relay Program at 1-800-735-2988 or by dialing '711'. Visitor Communications are regular agenda items at monthly meetings of the Board of Commissioners of Travis County Emergency Services District Number 3. Visitors who wish to speak under Visitor's Communications must sign up before the meeting is called to order. Each person, organization or group wishing to address the Board will be allowed a maximum of three (3) minutes. Speakers may register in person at the posted location of the meeting, starting 30 minutes prior to the start of the meeting and using the form provided. The speaker will give his/her name, address, organizational affiliation, if any, and indicate the subject he/she intends to address. The Board welcomes citizen comment on any issue, but the Open Meetings Act prohibits any board action on issues not posted on the agenda.

The undersigned affirms and states that he/she posted or caused to be posted a true and correct copy of the foregoing notice at a place convenient to the public at the Travis County ESD3 Administrative Office, 4111 Barton Creek Boulevard, Travis County, Texas, a location within said Travis County Emergency Services District Number 3 at _____ . M. on October 18, 2007. _____ Megan Lundquist, Office Manager