

Minutes of November 18, 2024 Workshop  
KERR COUNTY EMERGENCY SERVICES DISTRICT 3

Kerr Country Emergency Services District 3 gave notice on November 6, 2024 that it would hold a workshop on Monday, November 18, 2024, at 6:00 P.M. at the Center Point VFD Station, 548 Kelly St., Center Point, TX to consider the following agenda:

1. Call to Order: The Commissioners of the Kerr Country Emergency Services District 3 met on Monday, November 18, 2024 at 6:00 P.M. at the Center Point VFD Station, 548 Kelly St., Center Point, TX. President Danny Langbein called the meeting to order at 6:00 P.M. Present were ESD3 Commissioners Danny Langbein, Jeff Mitchell, Amy Palmer, Kari Potter and Kathleen Vincent. Also present were CPVFD Chief Charles Holt; Sean Bayliss, CPVFD President; Tom Jones, Kerr County Commissioners' Court Pct. 1 - Elect; Rich Paces, Kerr County Commissioners' Court Pct. 2; Jeff Holt, Kerr County Commissioners' Court Pct. 3 - Elect; Don Harris, Kerr County Commissioners' Court Pct. 4; Maria Pruneda, Senator Pete Flores District Liaison; Chris Hughes, Kerr County ESD1 President; Glenn Trubee, Asst. Fire Chief/Fire Marshall of Lake Travis Fire Rescue.
2. Workshop to discuss items including, but not limited to: public safety issues related to ESDs, legal issues related to the role of ESDs, talk with local/state officials about ESD issues, implications of lithium battery storage facilities, role of a fire marshal.

Glenn Trubee, Asst. Fire Chief/Fire Marshal of Lake Travis Fire Rescue, opened with discussion with a review of NFPA Standards (National Fire Protection Association) adopted by the Texas Commission on Fire Protection. He specifically discussed NFPA 1 addressing fire and safety for the public and first responders as well as property protection and NFPA 1.01. He also discussed the Texas Health and Safety Code Chapter 775 Emergency Services Districts which authorizes Emergency Services Districts.

There was a general discussion about the role and authority of the State Fire Marshal and county fire marshals was discussed. The State Fire Marshal will come to inspect a facility if a complaint is filed regarding code compliance with NFPA 1 and 1.01.

There are pros and cons for a county adopting a fire code. It was discussed that Kerr County does not qualify to adopt a fire code because the population is under 250,000 population. It was noted that a fire code would not prevent a facility from being built, but it would require building be done to meet state fire code.

Workshop participants identified potential concerns about a lithium battery storage facility: environmental impact on air and aquifers were there to be an incident; containment and safety measures of the facility; ability of fire/ESD districts to have a voice in the discussion of a facility to ensure state building code standards for fire safety are met. Specifically, ESD3 and CPVFD raised the concerns of a proposed facility in their service area because of proposed facility proximity to the Guadalupe River and the potential for river/aquifer contamination were an incident to occur requiring fire suppression measures creating water run-off.

Possible measures to pursue were identified: formation of a 391 Commission; look at current TCEQ regulations related to public safety and welfare for applicable regulations related to such a facility; follow TEEX development of best practices regarding EV for fire departments; follow SAFE-D initiatives on this subject; maintain a dialogue with local/state officials and surrounding mutual aid fire departments regarding public safety standards and protection measures for firefighters and first responders as well as community safety; look at current/future permitting and enforcement procedures; work with ESD3 attorney to reach out to BESS with a letter

expressing identified concerns and possible measures to ensure public safety; further explore the potential for an ESD to hire a fire marshal.

Pct. 2 County Commissioner Rich Paces said that the Commissioners' Count would be holding a workshop on November 19, 2024 to discuss many of the same issues raised during this meeting tonight and consider forming a Chapter 391 Sub-Regional Planning Commission with Kendall County focused on BESS.

Because this was a workshop meeting no action was taken.

3. Adjourn:

The workshop adjourned at 7:20 P.M.

NOTE: Commissioners, if necessary, may go into closed executive session under Section 2 Article 6256-17 to meet with its attorney or to discuss matters related to real property or contracts. No session is currently planned.

Minutes approved by ESD 3 Commissioners.

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President