

# UPSHUR COUNTY EMERGENCY SERVICES DISTRICT NO. 1

JUNE 10, 2024

6:00 P.M.

## MINUTES

The regular meeting of the Upshur County Emergency Services District No. 1 Board of Commissioners was held on June 10, 2024, in the Upshur County Courtroom, Upshur County Courthouse, 150 E. Jefferson Street, Gilmer, Texas.

**The District considered and acted upon the following matters:**

- 1) **Call to order and establish quorum.** The meeting was called to order at 6:00 p.m. by Kenny Southwell and a quorum was present with Kenny Southwell, Scott Mischnick, Anthony Depaepe, Brian Jones, and Ray Cook being present.
- 2) **Public Comment.** Issues were mentioned to the Court regarding dispatching concerns with a recent incident.
- 3) **BUDGET DISCUSSION** Kenny Southwell gave a brief overview of some of the figures that they have received to be plugged into the proposed upcoming budget. Kenny Southwell stressed to the departments that they need to focus on recruitment of new members. He further announced that the Board will need input from the departments as to whether they would like the option of a retirement account for volunteers or a "paid for attendance" fund for the members. There was discussion regarding both options. The Board asked all of the departments to provide numbers to the Board as to how many active members each department has. There was discussion regarding the proposed accident policy and what will be required of the departments when there is an accident.
- 4) **Consent agenda items:**
  - A. **Minutes of the May 13, 2024 regular meeting; May 14, 2024 special meeting; and the May 31, 2024 strategic planning meeting.**
  - B. **Accounts Payable**
    1. **City of Gilmer (May Dispatching) \$ 3,000.00**
    2. **Terri Ross (May Bookkeeping/Clerical) \$ 750.00**
    3. **ETEX \$ 103.95**
    4. **Swepco (Draft) \$ 20.42**
    5. **Upshur Co. Appraisal District \$ 9,951.09**
    6. **City of Gilmer (3<sup>rd</sup> qtr) \$22,500.00**
    7. **City of Big Sandy (3<sup>rd</sup> qtr) \$ 8,750.00**
    8. **The Carlton Law Firm (Special Project) \$ 1,398.00**

- 9. The Carlton Law Firm (General) \$ 1,022.25
- 10. Gilmer National Bank (Glenwood note) \$20,259.12

**C. Pay rural fire departments for invoices submitted**

- 1. Bettie VFD \$ 688.40
- 2. East Mountain VFD \$ 1,644.37
- 3. Ewell VFD \$ 1,595.74
- 4. Harmony VFD \$ 281.73
- 5. Pleasant Grove VFD \$ 3,248.98
- 6. Pritchett VFD \$ 5,053.06
- 7. West Mountain VFD \$ 519.29

Scott Mischnick made a motion to approve consent agenda excluding items C4 and C6. Brian Jones made a second to that motion. Motion carried 5-0. Unanimous vote in favor.

Scott Mischnick made a statement to remind the departments that the invoices submitted need to be for the period reflected on the cover sheet as there were several departments that submitted invoices outside of that period reflected.

Scott Mischnick made a motion to pay C4 (Harmony VFD) as submitted minus the ETEX bill since it was past 60 days old. He further stated that this should be addressed as a separate agenda item according to policy. Brian Jones made a second to that motion. Motion carried 5-0. Unanimous vote in favor.

Scott Mischnick discussed the Pritchett VFD prepaid receipt of \$100.00 for fuel submitted for payment. This bill cannot be paid since it does not properly reflect how much was credited back to the prepaid amount. Motion made by Brian Jones with a second by Anthony Depaepe to pay Pritchett VFD in the amount of \$4,953.06. Motion carried 5-0. Unanimous vote in favor.

- 5) **Discuss and take action to approve the Upshur County ESD #1 Driving and Accident Policy.** Ray Cook made a motion with a second by Brian Jones to approve the Upshur County ESD #1 Driving and Accident Policy. Motion carried 5-0. Unanimous vote in favor.
- 6) **Discuss and take action to approve the final draft of the new ESD #1 response area map and vote to make new copies for all departments.** Brian Jones made a motion with a second by Ray Cook to approve the final draft of the new ESD #1 response area map and to purchase 2 maps per department (16 departments) at the cost of \$80.00/set which is \$1,280.00. Motion carried 5-0. Unanimous vote in favor.
- 7) **Discuss and take action to approve the new CPA.** Kenny Southwell made a motion to hire Karen Jacks as the new CPA for the ESD #1 to be paid monthly as billed while getting our

books transferred over in preparation of the new fiscal year at which time she will be paid at a contract amount when she submits her engagement letter. Brian Jones made a second to the motion. Motion carried 5-0. Unanimous vote in favor.

- 8) **Discuss and take action to approve the new Auditor.** Brian Jones made a motion to hire HMV (Heard, McElroy and Vestal) as the new Auditor firm for the ESD #1. Ray Cook made a second to the motion.

Kenny Southwell announced that they would not engage with us until they had an engagement letter which will probably be around November. Scott Mischnick had a question as to whether we should approve until such time as we had an engagement letter. Brian Jones informed the Board that they had talked with the firm and they do work closely with Karen Jacks. They wanted Ms. Jacks to start working on getting the books ready for them before they actually presented an engagement letter to begin October 1, 2024.

Brian Jones amended his motion to approve the future hiring of HMV (Heard, McElroy and Vestal) as the new Auditor firm for the ESD #1.

Brian Jones amended his amended motion to send a letter of intent to HMV (Heard, McElroy and Vestal) for future engagement. Scott Mischnick made a second to this motion. Ray Cook rescinded his original second to the first motion. Motion carried 5-0. Unanimous vote in favor.

- 9) **Discuss and take action on the purchase of a new primary radio frequency for Upshur County ESD #1.** Kenny Southwell announced that the ESD #1 has on radio frequency as a result of the expiration in April of 2022. In order to move forward, the ESD would need to start the licensing process of obtaining a new radio frequency. Ray Cook made a motion to approve an amount of up to \$1,600.00 for the coordination of a new frequency to replace the expired frequency that we currently are utilizing. There was discussion as to taking this expenditure out of the radio maintenance line item at the time of payment. Motion was seconded by Brian Jones. Motion carried 5-0. Unanimous vote in favor.

- 10) **Discuss and take action on the Construction of the Upshur County ESD #1 fire station in Harmony and accept the proposal from TCMC Construction at the do not exceed cost.** Motion by Scott Mischnick to accept the proposal from TCMC Construction to build the fire station on Jaguar Road at the do not exceed cost of \$550,978.46. Brian Jones made a second to this motion. Ray Cook had a question regarding the infrastructure that was pulled from the original bid. Kenny Southwell informed the Board that the infrastructure would still be there and that Harmony VFD had agreed to purchase the appliances. Ray Cook also questioned the additional \$100,000.00 that was not included in this year's budget for the build of the station. Kenny Southwell informed the Board that the next year's budget will include the additional funds needed to complete the station.

Scott Mischnick amended his motion to state that any overage of this year's budget will come out of next year's budget line item for the Harmony station. Ray Cook also suggested that there be a ground breaking ceremony. Motion carried 5-0. Unanimous vote in favor.

- 11) **Discuss and take action on the transfer of property from Harmony VFD to Upshur County ESD #1 for the construction of the new building.** Nicole Stanley informed the Board that all of the paperwork is ready to go to the attorney. Kenny Southwell needs a copy to be forwarded to our attorney for approval. No action needed.
- 12) **Discuss and take action to get the new 911 address for the new fire station and then contact all of the utility companies to begin the process of obtaining utilities (Upshur Rural Electric, Water system, CenterPoint Energy, phone/internet provider).** Motion by Ray Cook and second by Brian Jones to proceed in the action of getting a new 911 address for the new fire station and then to contact all of the utility companies to begin the process of obtaining utilities. Motion carried 5-0. Unanimous vote in favor.
- 13) **Discuss and take action to reschedule the July regular scheduled meeting.** Motion by Kenny Southwell and second by Scott Mischnick to reschedule the July regular scheduled meeting to July 15, 2024. Motion carried 5-0. Unanimous vote in favor.
- 14) **Discuss and take action to allow the fire departments to add UTV and/or trailers to their fleet and add to the ESD #1 insurance policy.** There was discussion regarding those UTVs and trailers bought by donation money should be paid for with the department funds. Anthony Depaepe made a motion that we allow side-by-sides and trailers with an approved policy in the future allowing it. Brian Jones made a motion to table this and have further discussion on our criteria for the trailers and UTVs. Ray Cook made a second to the motion. (Not a valid motion as there was already one on the floor). Motion failed for lack of second.
- 15) **Discuss and set a time and date for the next Strategic Planning meeting.** Motion by Kenny Southwell with a second by Scott Mischnick for the next Strategic Planning meeting to be set for June 24, 2024 at 5:00 p.m. Motion carried 5-0. Unanimous vote in favor.
- 16) **Discuss and consider adopting the tax and budget planning calendar for 2024 and authorize payment for tax process publications.** Pass this matter to the July meeting.
- 17) **Discuss and consider of the ESD website, accessibility, and posting requirements and take any related action.** No action.
- 18) **Discuss and take action on any insurance claim payouts to rural departments.**
  - A. West Mountain VFD (Draw #4) \$2,344.58Motion by Kenny Southwell with a second by Brian Jones to pay the fourth draw to West Mountain VFD in the amount of \$2,344.58. Motion carried 5-0. Unanimous vote in favor.
- 19) **Discuss and take action on any grant reimbursement requests submitted.** None.

- 20) **Discuss and take action on any budget amendments.** No action. Discuss this at the June 24<sup>th</sup> meeting.
- 21) **Discuss and take action on items to be considered for next month's agenda.** Active number of members from the Fire Chiefs on the June 24<sup>th</sup> meeting; Appointment of a Retention/Recruitment Committee for the June 24<sup>th</sup> meeting; Approve Gladewater Contract and approve payment on the July meeting agenda
- 22) **Adjournment.** Meeting adjourned at 8:05 p.m.

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Presiding Officer Signature  
Title: \_\_\_\_\_

Date: \_\_\_\_\_