

UPSHUR COUNTY EMERGENCY SERVICES DISTRICT NO. 1

OCTOBER 11, 2021

7:00 P.M.

MINUTES

The regular meeting of the Upshur County Emergency Services District No. 1 Board of Directors was held on October 11, 2021, at the Gilmer Fire Station, 120 Henderson, Gilmer, Texas.

- 1) **Open meeting.** The meeting was opened at 7:00 p.m. by Marc Nichols.
- 2) **Call to order.** Marc Nichols called the meeting to order. Prayer was led by Michael Kuza.
- 3) **Determine quorum present.** Marc Nichols determined a quorum was present with Michael Kuza, Gary Smith, David Tackett and Cloddie Henson being present.
- 4) **Read and approve the minutes from the Special meetings and Regular meeting held September 13, 2021.** Motion was made by Cloddie Henson and second by David Tackett to approve the minutes from the Special meetings and Regular meeting held September 13, 2021. Motion carried 5-0. Unanimous vote in favor.
- 5) **Public Comment.** Bubba DeBerry, III reported on the information received from their attendance of the SAFE-D conference. Chief Taylor with the Gilmer Fire Department reminded the departments of the pump tests to be conducted.
- 6) **Discuss and take action on the old engine and tanker located at the Glenwood VFD Fire Station.** No action taken.
- 7) **Discuss and take action on a policy regarding grant monies.** No action taken.
- 8) **Discuss and take action on grant reimbursement for Big Sandy.** No action taken.
- 9) **Pay first annual installment to the Thayer County Bank in the amount of \$92,015.53 for the new tankers.** Motion by Gary Smith and second by David Tackett to pay Thayer County Bank the amount of \$92,015.53 as the first annual installment for the new tankers. Motion carried 5-0. Unanimous vote in favor.
- 10) **Discuss and take action on contract with Lafayette Civic Committee for use of land and old Lafayette VFD building as a fire station.** Michael Kuza made a motion to execute the contract as attached with Lafayette Civic Committee for use of land and building as a fire substation. David Tackett seconded the motion. Motion carried 5-0. Unanimous vote in favor.

11) Pay the City of Gilmer for dispatching services for the month of September, 2021.

Motion by Cloddie Henson and second by David Tackett to pay the City of Gilmer for dispatching services for the month of September, 2021 in the amount of \$3,000.00. Motion carried 5-0. Unanimous vote in favor.

12) Pay bills for the Upshur County Emergency Services District as submitted and approved.

Motion was made by David Tackett and second by Gary Smith to pay the following bills as submitted. Motion carried 4-0 with Cloddie Henson abstaining.

Isaacs Wrecker	\$ 525.00
Lennis Design	\$ 1,058.00
SAFE-D	\$ 700.00
Cloddie Henson	\$ 101.17
Michael Kuza	\$ 18.97
ETEX Telephone	\$ 104.95
Penguin Management	\$ 5,856.00
Gilmer Mirror	\$ 241.50
Texas Municipal League	\$ 102.90
Thayer County Bank	\$ 92,015.53
Terri Ross (September Bookkeeping/Clerical)	\$ 750.00
VFIS	\$ 61,380.00

13) Pay bills for all individual fire departments excluding Bettie, Diana and Simpsonville as submitted and approved.

Motion by Michael Kuza and second by Gary Smith to pay the following bills to the rural fire departments as submitted and approved. Motion carried 5-0. Unanimous vote in favor.


Ewell VFD	\$ 2,621.76
Glenwood VFD	\$ 1,133.26
Harmony VFD	\$ 15,271.59
Pleasant Grove VFD	\$ 15,665.76
West Mountain VFD	\$ 11,569.19

Motion by Michael Kuza with a second by Cloddie Henson to pay Pritchett VFD bills in the amount of \$26,620.97. Motion carried 5-0. Unanimous vote in favor.

Motion by Michael Kuza with a second by David Tackett to pay West Mountain VFD bills in the amount of \$6,705.26. Motion carried 5-0. Unanimous vote in favor.

14) Pay bills for Bettie VFD as submitted and approved. Motion by David Tackett and second by Gary Smith to pay Bettie VFD bills in the amount of \$7,986.74. Motion carried 4-0 with Michael Kuza abstaining.

- 15) **Pay bills for Diana VFD as submitted and approved.** Motion by Michael Kuza and second by Cloddie Henson to pay Diana VFD bills in the amount of \$3,832.77. Motion carried 4-0 with David Tackett abstaining.
- 16) **Pay bills for Simpsonville VFD as submitted and approved.** No bills submitted.
- 17) **Take action on any insurance claim pay outs to rural departments.** No action taken.
- 18) **Discuss and take action on any grant reimbursement requests submitted.** Pritchett VFD submitted a request to be reimbursed in the amount of \$2,000.00 which is 10% of the grant awarded in the amount of \$20,000.00. West Mountain was awarded a grant in the amount of \$19,898.89 for fire rescue equipment.
- 19) **Budget Amendments.** None.
- 20) **Items to be considered for next month's agenda.** #6 and #8 above need to be considered at next month's agenda as well as loan payoffs and New Mountain bills.
- 21) **Adjournment.** Motion by Michael Kuza and second by Gary Smith to adjourn. Motion carried 5-0. Unanimous vote in favor.



Presiding Officer Signature
Title: President

Date: 11-12-2021

**CONTRACT FOR USE OF BUILDING AND PROPERTY BETWEEN THE
UPSHUR COUNTY EMERGENCY SERVICES DISTRICT NO.1 AND
LAFAYETTE CIVIC COMMITTEE.**

**THE STATE OF TEXAS
COUNTY OF UPSHUR**

1. Parties

That the parties to this agreement are the **UPSHUR COUNTY EMERGENCY SERVICES DISTRICT NO.1** hereinafter referred to as the “**ESD#1**”, and the **LAFAYETTE CIVIC COMMITTEE**, hereinafter referred to as the “**LCC**”. Said contract shall be in full force and effect from **AUGUST 1, 2021**, until such time either party cancels the contract. It is agreed that the **LCC** shall provide the **ESD#1** full access and control of said property known as **ABS A199 HAYS, MARY, TRACT 27, BLOCK 3, 375 ACRES & FIRE DEPARTMENT (Property ID 23944)** for the term of this contract.

2. Performance Standards

- A. The **ESD#1** shall ensure proper property maintenance and upkeep is maintained while in use by **ESD#1** or volunteer fire department of its choosing.
- B. The **ESD#1** further agrees to maintain operational firefighting equipment to stage in the existing fire station on site for response in **ESD#1** or as needed for mutual aid to others areas.
- C. The **ESD#1** will assign the building and property to the most appropriate volunteer fire department as it sees fit to operate out of this location.

3. Purchases and Property

- A. The LCC agrees that there will not be a purchase of the property or building and the LCC will maintain legal ownership unless otherwise deemed at a later time.
- B. Pursuant to Section 775.073(d), Texas Health & Safety Code, this Agreement, and other applicable law, all real or personal property purchased by the Department with District Funds may be assigned to the ESD#1 and/or titled in the ESD#1's name and/or both, but shall remain the sole property of the ESD#1, regardless of how titled. Any property that will be sold by the ESD#1 will follow Section 775.0735, Texas Health & Safety Code.

4. Dissolution

- A. In the event of dissolution of a volunteer fire department at this location, any equipment or property acquired with the funds provided by ESD#1 shall be immediately delivered to the ESD#1 or to such alternate location as the ESD#1 may reasonably direct.

5. Liabilities

- A. The ESD#1 accepts no legal responsibility and shall not be held legally responsible for any acts or omissions on the part of the Departments. The Department shall, in a satisfactory manner provide firefighting services as stated in contract with ESD#1.

6. Termination of Contract

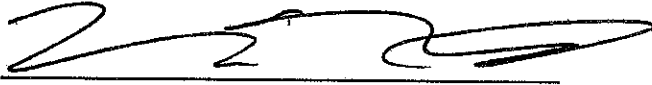
- A. The LCC or ESD#1 may cancel this contract at any time with a written 30 day notice to the other party without penalty.

7. Renewal of Contract

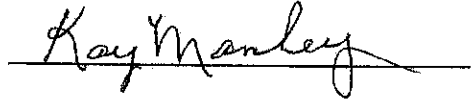
- A. This contract will be automatically renewed October 1st of each year until terminated by either party.

Upshur County Emergency Services District #1

Lafayette Civic Committee



President – Marc Nichols



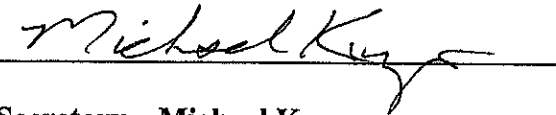
President - Kay Manley



Vice President – David Tackett

10-11-2021

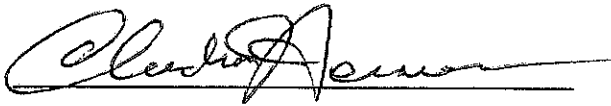
Date



Secretary – Michael Kuza



Treasurer – Gary Smith



Board Member – Cloddie Henson

10-11-21

Date



PRITCHETT VOLUNTEER FIRE DEPT.
1118 FM 1404
Big Sandy, TX 75755
TEL/FAX # 903-734-1575
pritchettvfd@yahoo.com

TO: ESD #1
DATE: September 26, 2021
RE: Grant Reimbursement

Attached you will find our Danko invoice, copy of the check and a copy of the awarded grant.

The grant awarded is in the amount of \$20,000.00.

We are requesting the ESD #1 reimburse Pritchett VFD, in the amount of \$2,000.00 which is the 10% allotted per the grant match program.

Paid \$ 2,000.00
10-11-21

