

# UPSHUR COUNTY EMERGENCY SERVICES DISTRICT NO. 1

FEBRUARY 21, 2022

7:00 P.M.

## MINUTES

The regular meeting of the Upshur County Emergency Services District No. 1 Board of Commissioners was held on February 21, 2022, in the Upshur County Courtroom, Upshur County Courthouse, 100 W. Tyler Street, Gilmer, Texas.

- 1) **Open meeting.** The meeting was opened at 7:01 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, Scott Mischnick, and Cloddie Henson being present.
- 4) **Read and approve the minutes from the Regular meeting held January 10, 2022.** Motion was made by Cloddie Henson and second by Michael Kuza to approve the minutes from the Regular meeting held January 10, 2022. Motion carried 4-0. Unanimous vote in favor.
- 5) **Public Comment.** Chief Taylor with the Gilmer Fire Department talked about the V-fire channel.
- 6) **Court will go into EXECUTIVE SESSION as authorized by VTCA 551.071 for consultation with its attorney.** (Court did not go into EXECUTIVE SESSION)
- 7) **The Court will reconvene into open session and take any action necessary as a result of Executive Session.** (Court did not go into EXECUTIVE SESSION)
- 8) **Discuss and take action on new station for Harmony VFD.** Motion by Michael Kuza with a second by Scott Mischnick to schedule a special meeting for Monday, February 28, 2022 at 7:00 p.m. at the Harmony fire station to discuss this matter. Motion carried 4-0. Unanimous vote in favor.
- 9) **Discuss and take action on the Lafayette station.** No action taken.
- 10) **Discuss and take action on contract with ESD #2.** Motion by Michael Kuza with a second by Scott Mischnick to execute the contract as read and submit to ESD #2 for consideration as well. Motion carried 4-0. Unanimous vote in favor. (Contract attached hereto)
- 11) **Discuss SAFE-D conference in February.** Scott Mischnick attended the conference and gave a brief summary of what he had learned.

**12) Discuss and take action regarding the Voyager credit card for fuel purchases.** Motion by Scott Mischnick and second by Cloddie Henson to postpone this matter until budget discussions. Motion carried 4-0. Unanimous vote in favor.

**13) Pay the City of Gilmer for dispatching services for the month of January, 2022.** Motion by Cloddie Henson and second by Michael Kuza to pay the City of Gilmer for dispatching services for the month of January, 2022 in the amount of \$3,000.00. Motion carried 4-0. Unanimous vote in favor.

**14) Pay bills for the Upshur County Emergency Services District as submitted and approved.** Motion was made by Michael Kuza and second by Cloddie Henson to pay the following bills as submitted. Motion carried 4-0. Unanimous vote in favor.

ETEX Telephone	\$ 104.95
Terri Ross (January Bookkeeping/Clerical)	\$ 750.00
Terri Ross (Reimbursement – Postage stamps)	\$ 58.00
SAFE-D (Membership renewal)	\$ 1,100.00
SAFE-D (Conference – registration)	\$ 295.00
VFIS	\$ 819.19

**15) Pay bills for the individual fire departments excluding Bettie, Glenwood, Pleasant Grove and Simpsonville as submitted and approved.** Motion by Michael Kuza and second by Scott Mischnick to pay the following bills to the rural fire departments as submitted and approved. Motion carried 4-0. Unanimous vote in favor.

East Mountain VFD	\$ 246.57
Ewell VFD	\$ 8,566.37
Harmony VFD	\$ 3,628.54
Pritchett VFD	\$ 1,950.35
West Mountain VFD	\$ 1,987.97

**16) Pay bills for Bettie VFD as submitted and approved.** Motion by Scott Mischnick and second by Cloddie Henson to pay Bettie VFD bills in the amount of \$1,472.09. Motion carried 3-0 with Michael Kuza abstaining.

**17) Pay bills for Glenwood VFD as submitted and approved.** Motion by Michael Kuza and second by Cloddie Henson to postpone paying Glenwood bills submitted until the Monday, February 28, 2022 meeting. Motion carried 4-0. Unanimous vote in favor.

**18) Pay bills for Pleasant Grove VFD as submitted and approved.** Motion by Michael Kuza and second by Cloddie Henson to pay Pleasant Grove VFD bills in the amount of \$2,486.23. Motion carried 3-0 with Scott Mischnick abstaining.

19) Pay bills for Simpsonville VFD as submitted and approved. Motion by Scott Mischnick and second by Michael Kuza to pay Simpsonville VFD in the amount of \$20,555.53. Motion carried 3-0 with Marc Nichols abstaining.

20) Take action on any insurance claim pay outs to rural departments. No action taken.

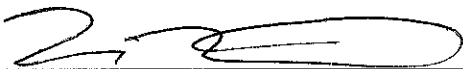
21) Discuss and take action on any grant reimbursement requests submitted. Motion by Cloddie Henson and second by Scott Mischnick to reimburse Harmony VFD in the amount of \$2,000.00 and Ewell VFD in the amount of \$1,666.28 which represents 10% of the amount spent by those departments for fire and rescue equipment. Motion carried 4-0. Unanimous vote in favor.

See copy of Grants attached hereto.

22) Budget Amendments. None

23) Items to be considered for next month's agenda. Reminder to fire departments to submit their drivers' licenses to the ESD.

24) Adjournment. Motion by Michael Kuza and second by Scott Mischnick to adjourn. Motion carried 4-0. Unanimous vote in favor.



Presiding Officer Signature

Title: President

Date: 3-14-2022

**CONTRACT FOR SERVICES BETWEEN THE UPSHUR COUNTY  
EMERGENCY SERVICES DISTRICT NO.1 AND UPSHUR  
COUNTY EMERGENCY SERVICES DISTRICT NO.2**

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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 "District 1", and the UPSHUR COUNTY EMERGENCY SERVICES DISTRICT NO.2, hereinafter referred to as the "District 2". Said contract shall be in full force and effect from October 1, 2021, until September 30, 2022.

**2. Performance Standards**

- A. District 1 will provide Mutual Aid to District 2 when called upon.
- B. District 2 will provide Mutual Aid to District 1 when called upon.
- C. Neither District 1 nor District 2 will require financial reimbursement unless the operational period of an incident meets the Texas Statewide Mutual Aid Agreement (Government Code Chapter 418)

**3. Purchases and Property**

- A. District 1 agrees to continue continuity of EDispatch system.
- B. District 2 agrees to reimburse District 1 for 30% of the annual billing for the EDispatch system. District 1 will Invoice District 2 for the charges and include a complete copy of the total invoice for reference.
- C. District 1 agrees to maintain continuity of the "Upshur County Fire" radio channel. District 1 will maintain the insurance policy for the radio infrastructure.
- D. District 2 agrees to reimburse District 1 for 30% of the annual insurance premium and any Insurance Claims, Repairs, or Service needed on the radio infrastructure.

CONTRACT FOR SERVICES BETWEEN THE UPSHUR COUNTY  
EMERGENCY SERVICES DISTRICT NO.1 AND UPSHUR  
COUNTY EMERGENCY SERVICES DISTRICT NO.2

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**5. Liabilities**

- A. District 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 herein.

SIGNED AND ENTERED into this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

UPSHUR COUNTY EMERGENCY  
SERVICES DISTRICT NO. 1

UPSHUR COUNTY EMERGENCY  
SERVICES DISTRICT NO. 2

\_\_\_\_\_  
Marcus Nichols, President

\_\_\_\_\_  
Gaston DeBerry, III, President

\_\_\_\_\_  
Mike Fennell, Vice-President

\_\_\_\_\_  
Michael Kuza, Secretary

\_\_\_\_\_  
Scott Mischnick, Asst. Secretary

\_\_\_\_\_  
Cloddie Henson, Member



**TEXAS A&M  
FOREST SERVICE**

October 13, 2021

Harmony Consolidated VFD Inc.  
PO BOX 1538  
GILMER, TX 75644

Case: 142  
County: UPSHUR  
VFDE-Doc#: E200441

Dear Chief,

Your application for cost-share assistance under the Rural Volunteer Fire Department Assistance Program (HB 2604) has been **APPROVED**. The following items are qualified for cost-share reimbursement:

<u>Item</u>	<u>Our Maximum Cost-share Payment</u> 90% of the actual cost, not to exceed
FIRE/RESCUE EQUIPMENT	\$20,000.00

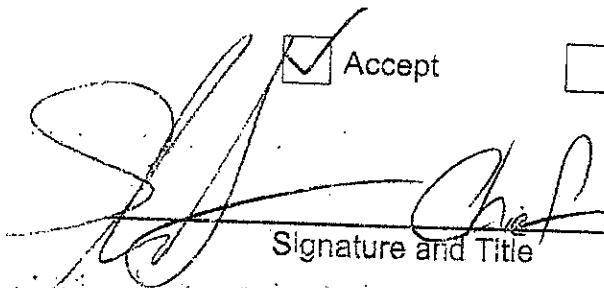
This grant will expire on April 13, 2022

The attached guidelines describe your obligations under this program. **Please indicate below whether you wish to accept or decline this cost-share grant, and return a signed copy to us within 14 days of receipt of this letter.**

Congratulations! Please contact us if you need additional information.

Accept

Decline

  
\_\_\_\_\_  
Signature and Title

10-14-21  
\_\_\_\_\_  
Date

Attachment: 1) Guidelines for Grant Assistance – Fire/Rescue Equipment



# Pro Forma Invoice

MES - Texas  
300 Century Plaza Dr.  
Suite C-160  
Houston, TX 77073

Date: 12/14/2021  
Order #: SO1542589  
Payment Method:  
Terms: Net 30  
PO #: Email or Attachment-Pro For...  
Sales Rep: Edwards, David  
Shipping Method: FedEx Ground  
Ship Complete: Yes

Bill To  
BILLING  
HARMONY VFD  
PO BOX 1638  
Gilmer TX 75644  
United States

Ship To  
Gilmer FD  
120 Henderson St.  
Gilmer TX 75644  
United States

Item #	Alt. Item #	Units	Description	Extended des...	QTY	Unit Price	Amount
X881202100530 3			Air-Pak X3 Pro SCBA (2019 Edition) with CGA Cylinder Connection, 2.22, Standard Harness with Parachute Buckles, Standard Belt with No Escape Rope, E-Z Flo Regulator with Standard Hose, No EBSS Accessory Hose, No Airline Connection, No Spora Harness Kit, Pak-Tracker, No Case, Packaged 1 SCBA Per Box (Black)		1	6,073.43	6,073.43
201216-22			AV3000 HT with Kevlar lining and 4-strap harness-Red, Medium		1	298.66	298.66
804840-01			CYL&VLV ASSY CARB,30MIN,2216		2	854.93	1,809.86
20223000-1			SC 358EWXT Combi - TOOL ONLY DEMO TOOL FROM DANNY CRAWFORD TRUCK STOCK		1	9,922.73	9,922.73
80-53-15			EWXT 9 Ah battery DEMO BATTERY FROM DANNY CRAWFORD TRUCK STOCK		1	609.16	609.16
90-53-21			EWXT Charger (110V) DEMO CHARGER FROM DANNY CRAWFORD TRUCK STOCK		1	413.77	413.77
80-121-01			CYL&VLV ASSY CARB,30MIN,4500		2	1,003.22	2,006.44
200MC XXX CUSTOM R B FABRICATIONS	200MC XXX		200MC XXX Custom R B FABRICATIONS SUPERSIZED GEAR BAG		5	97.00	485.00

Subtotal 21,718.94  
Shipping Cost (FedEx Ground) 350.00  
Total \$22,068.94

THANK YOU FOR THIS OPPORTUNITY TO SERVE THE HARMONY COMMUNITY VFD

This Order is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be re-calculated at the time of shipment to ensure they take into account the most current local tax information.

Check # 2946



SO1542589

HARMONY CONSOLIDATED V.F.D.

PO BOX 1638  
GILMER TX 75644

2946

88-561/1119

2-7-22

Date

Pay to the  
Order of

Municipal Emergency Services \$ 22,068.94

Twenty two thousand sixty eight & 94/100 Dollars



Security  
Features  
Details on  
Back.



GILMER  
NATIONAL  
BANK  
MEMBER F.D.I.C.  
P.O. BOX 480 (903) 643-6693  
GILMER, TEXAS 75644

For

Grant '21 TFS Equip.

MP

⑆⑆⑆⑆9056⑆⑆⑆⑆ 2946⑆⑆ 3788457⑆⑆



**UPSHUR COUNTY ESD #1 BOARD OF DIRECTORS**  
**EXPENSE SUMMARY FORM**  
 (INVOICES/RECEIPTS ATTACHED)

DATE: 2/5/2022

DEPARTMENT: Ewell Volunteer Fire Department

EXPENDATURE PERIOD (Start Date/End Date): 01/01/2022-01/31/2022

CATEGORY	DESCRIPTION	AMOUNT
<b>1 Fuel</b>		
	Diesel	\$0.00
	Gasoline	\$0.00
	Subtotal	\$0.00
<b>2 Insurance</b>		
	Property & Casualty (builkdings, vehicles & liability)	\$0.00
	Workman's Comp	\$0.00
	Other	\$0.00
	Subtotal	\$0.00
<b>3 Protective Clothing</b>		
		\$0.00
		\$0.00
		\$0.00
	Subtotal	\$0.00
<b>4 Equipment (New or Upgraded trucks, pumps, hose, radios, pagers, etc.)</b>		
	Fire Teck-hoses & nozzles & lights	\$1,335.53
	Dalmatian-SCBA	\$330.75
		\$0.00
		\$0.00
	Subtotal	\$1,666.28
<b>5 Equipment Maintenance</b>		
		\$0.00
		\$0.00
		\$0.00
		\$0.00
	Subtotal	\$0.00
<b>6 Property Maintenance</b>		
		\$0.00
		\$0.00
		\$0.00
	Subtotal	\$0.00

**7 Utilities**

Electric	\$0.00	
Gas (Natural or Propane)	\$0.00	
Water	\$0.00	
Phone (Including Internet)	\$0.00	
Pager Service	\$0.00	
Other	Trash	\$0.00
Subtotal		\$0.00

**8 Dues & Training**

	\$0.00	
	\$0.00	
	\$0.00	
Subtotal		\$0.00

**9 Loan Payment**

Building or Property	\$0.00	
Equipment or Trucks	\$0.00	
Subtotal		\$0.00

**10 Other (Does not fit in any other category)**

	\$0.00	
	\$0.00	
	\$0.00	
Subtotal		\$0.00

**TOTAL SUBMITTED FOR THIS PERIOD: \$1,666.28**

**TWO SIGNATURES REQUIRED:**

**SIGNATURE OF PERSON SUBMITTING FORM:**

*Renny Neighbors*

**SIGNATURE OF DEPARTMENT OFFICER:**

*John [unclear]*

**COMMENTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

INVOICE DATE CUSTOMER NO.	INVOICE NO. DESCRIPTION	PURCHASE ORDER	VOUCHER	INVOICE AMOUNT	DISCOUNT AMOUNT	AMOUNT PAID
10/15/21	2667 FIRE/RESC	E102698	0203228	8,726.34	.00	8,726.34
	Fire Jack	7,897.12		Dalmatian	3,808.00	
	Grant pd	5,870.34		Grant pd.	2,856.00	
	ESD 10%	621.25		ESD 10%	621.25	
	Balance	\$ 1,335.53		Balance	\$ 330.75	
<b>TOTALS</b>				8,726.34		8,726.34
VENDOR NO.		CHECK DATE		CHECK NO.		
*****79850		120821		732228		

Ewell

621.25

Grant Reimbursement

621.25

\$ 1,242.50

10% of grant

Split between 2 vendors

Jive Jek & Dalmatian



LINDALE, TEXAS 75771  
P O Box 398

# Invoice

Date	Invoice #
10/15/2021	21-0239

Bill To

Ewell VFD  
2817 FM 593  
Gilmer, TX 75644

P.O. No.	Unit #

Qty	Description	Unit Price	Amount
4	15D850RD Red 1-1/2"X50' DJFH ALNH	245.91	983.64
4	15D850 White 1-1/2"X50' DJFH	245.91	983.64
4	15D850BL Blue 1-1/2"X50' DJFH	245.91	983.64
2	Viper 1-1/2" Constant Gallonage Nozzle	551.60	1,103.20
2	GESM-SWW Guardian Elite Scene Light W/Switch	1,029.00	2,058.00
2	P48-5 Par 48 Spot Light Fixture	410.00	820.00
2	P48-F Par 48 Flood Light fixture	410.00	820.00
	Shipping & Handling	75.00	75.00

Total - 7,827.12  
 Grant paid - \$ 5,870.34  
 ESD 10% - 621.25  
 Balance is - \$ 1,335.53

<b>Subtotal</b>	\$7,827.12
<b>Sales Tax (0.0%)</b>	\$0.00
<b>Total</b>	\$7,827.12
<b>Balance Due</b>	\$7,827.12

Phone #

Fax #

903-881-8138

903-881-9653



75 Oak Avenue  
 Eaton, CO 80615  
 Phone: 800-436-6450  
 Fax: 888-436-6451  
 sales@dalmatianfire.com  
 www.DalmatianFire.com

PAID 10-20-21

# Invoice

Date	Invoice #
10/19/2021	406418

<b>Bill To</b>	
MARK DESRUISSEAU EWELL FIRE DEPARTMENT 2817 FM 593 GILMER, TX 75644-5927 USA	
Ordered By:	<i>Jeremy Lindsey</i>
Customer Phone	903-841-8504 (Mark)

<b>Shipped To</b>	
MARK DESRUISSEAU EWELL FIRE DEPARTMENT 2817 FM 593 GILMER, TX 75644-5927 US	
Customer Fax	
Customer E-mail	roadwork1869@outlook.com, ...

Sales Rep:	S.O. No.	Cust. P.O #	Terms	Shipped on	Via	Ordered On:
RKK	19748		Net 30	10/19/2021	UPS	

Qty	Description	Price Each	Amount
4	Scott 2.2 AP75 CBRN 2007 SPEC, Full Length Hose, SCBA, Fire Rated-Refurbished Pack. Ser. no. 115s0929001235, 115s0739002224, 115s0929001708, 115s097900124	490.00	1,960.00T
4	Scott 30/2216-13, Carbon Fiber, No Valve, Cylinder-Refurbished	210.00	840.00T
2	Scott 30/2216-15 Carbon Fiber, No Valve, Cylinder-Refurbished	450.00	900.00T
2	Scott 30/2216-15 Carbon Fiber, No Valve, Cylinder-Refurbished	450.00	900.00T
4	Scott Low Pressure Angled Cylinder Valve, Original Handle, Refurbished	65.00	260.00T
	Discount Bundle Price (\$892.00 EA after discount)	-1,292.00	-1,292.00
1	Cylinder SN: IJ380417 9/15, IJ380208 9/15, IJ368325 12/13, IJ368001 12/13 Luxfer. K.F. 10-18-21	0.00	0.00T
4	Shipping / Freight charges to US Locations - SHIPPING CHARGES INCLUDED IN TOTAL PRICE.	60.00	240.00T
1	****NOTE*** UPS Tracking#1Z6880RF0340425755	0.00	0.00
1	REFURBISHED & TESTED - All equipment provided by Dalmatian Fire Equipment is fully refurbished (unless otherwise noted) and tested. SCBA Packs all ship with a current functional test, and all refurbished cylinders come with a new hydrostatic test.	0.00	0.00T
1	A CURRENT SALES TAX EXEMPTION CERTIFICATE IS ON FILE Total sales tax calculated by AvaTax	0.00	0.00T
		0.00	0.00

Thank you for your business and we appreciate your prompt payment.

Please remit payment to the above address.  
 There is a 2% per month Finance Charge on all Past Due Invoices.  
 Bills not paid within 90 days of the invoice date will be sent to a collection agency.  
 All collection agency charges will be added to this invoice and are due immediately.  
 Should you have any questions please call, or send e-mail to Sales@DalmatianFire.com  
 Dalmatian Fire Equipment, Inc. Tax ID#26-0316399 is a corporation and therefore is exempt from US 1099 tax reporting.

<i>Please</i>	
<b>Total</b>	<i>See</i>
<b>Payments/Credits</b>	<i>Page</i>
<b>Balance Due</b>	

U.S.



75 Oak Avenue  
 Eaton, CO 80615  
 Phone: 800-436-6450  
 Fax: 888-436-6451  
 sales@dalmatianfire.com  
 www.DalmatianFire.com

# Invoice

Date	Invoice #
10/19/2021	406418

<b>Bill To</b>
MARK DESRUISSEAU EWELL FIRE DEPARTMENT 2817 FM 593 GILMER, TX 75644-5927 USA

<b>Shipped To</b>
MARK DESRUISSEAU EWELL FIRE DEPARTMENT 2817 FM 593 GILMER, TX 75644-5927 US

Ordered By:	Jeremy Lindsey
Customer Phone	903-841-8504 (Mark)

Customer Fax	
Customer E-mail	roadwork1869@outlook.com, ...

Sales Rep:	S.O. No.	Cust. P.O #	Terms	Shipped on	Via	Ordered On:
RKK	19748		Net 30	10/19/2021	UPS	

Qty	Description	Price Each	Amount
1	<p>TEXAS COMMISSION ON FIRE PROTECTION regulations apply to individual paid employees of governmental departments, agencies, entities, private companies that provide fire protection to a community and fire training schools. These regulations do not apply to unpaid volunteers (unless their department chooses to be regulated), and they do not apply to paid private sector employees such as oil field safety companies, mine workers, etc. If you are Texas Commission regulated, Dalmatian Fire Equipment equipment do not purchase equipment from the Texas Commission regulated government employees are listed on <a href="http://www.tcfp.texas.gov/certification_verification.asp">http://www.tcfp.texas.gov/certification_verification.asp</a>. Dalmatian Fire Equipment is pleased to offer equipment to Texas private entities and unpaid volunteers in Texas that are not regulated by the Texas Commission on Fire Protection.            CMF (10-19-2021)            Select this as a transaction's tax to use a sales tax</p> <p><i>Grant paid - \$ 2,856.00</i>  <i>ESD 109 paid - \$ 621.25</i>  <i>Balance \$ 330.75</i></p>	0.00%	0.00

Thank you for your business and we appreciate your prompt payment.

*Thank you!*

Please remit payment to the above address.  
 There is a 2% per month Finance Charge on all Past Due Invoices.  
 Bills not paid within 90 days of the invoice date will be sent to a collection agency.  
 All collection agency charges will be added to this invoice and are due immediately.  
 Should you have any questions please call, or send e-mail to Sales@DalmatianFire.com  
 Dalmatian Fire Equipment, Inc. Tax ID#26-0316399 is a corporation and therefore is exempt from US 1099 tax reporting.

<b>Total</b>	<b>\$3,808.00</b>
Payment	
<b>Balance Due</b>	