

UPSHUR COUNTY EMERGENCY SERVICES DISTRICT NO. 2

December 21, 2021

7:00 P.M.

New Mountain Fire Station

9871 St. Hwy. 155 N, Ore City, Texas 75683

FILED
TERRI ROSS
COUNTY CLERK
2021 DEC 15 AM 7:45
UPSHUR COUNTY, TX.
DEPUTY

Notice is hereby given that the **UPSHUR COUNTY EMERGENCY SERVICES DISTRICT NO. 2** will hold a meeting on the 21st day of December, 2021, at 7:00 p.m. at the following place in the District: New Mountain Fire Station, 9871 St. Hwy. 155 N, Ore City, Texas 75683.

AGENDA

The District will consider and act upon the following matters:

1. Open meeting.
2. Call to order.
3. Determine quorum present.
4. Read and approve the minutes from the Regular meeting held November 16, 2021.
5. Public comment.
6. Discuss and take action on execution of contract with Linebarger Goggan Blair & Sampson for delinquent tax collections.
7. Discuss and take action on contracting with the City of Gilmer for Gilmer Fire Department to run automatic aid into ESD #2 territory.
8. Discuss and take action on the proposal for insurance coverage including Treasurers Position Bond submitted by VFIS.
9. Pay the first quarterly installment to the Upshur County Appraisal District.
10. Pay the City of Gilmer for dispatching services for the month of November, 2021.
11. Pay bills for the Upshur County ESD#2 as submitted and approved.
12. Pay the City of Ore City the amount of \$8,045.45 as the second monthly installment as set out in the Contract for Fighting Services.

13. Pay Diana VFD in the amount of \$8,636.00 as their monthly budget allotment.
14. Pay New Mountain VFD in the amount of \$4,022.00 as their monthly budget allotment.
15. Items to be considered for next month's agenda.
16. Adjournment.

This is to certify that I posted this Agenda in the County Clerk's Office and on the posting board located on the 2nd floor of the Upshur County courthouse prior to 7:00 p.m. on Friday, December 17, 2021.

Gaston DeBerry, III (TR)

Gaston DeBerry, III, President

UPSHUR COUNTY EMERGENCY SERVICES
DISTRICT NO. 2 COMMISSIONERS

Gaston DeBerry, III - President
Tommie Whitaker – Vice-President
Trevor Larrington – Secretary
Gregg Price – Treasurer
Kenny Hankins- Member

NOTICE OF A PUBLIC MEETING

Notice is hereby given that a meeting of Upshur County Emergency Services District #2 will be held on December 21, 2021 at New Mountain Fire Station for the purpose of considering and taking action on all matters on the agenda for the meeting, including approval of an agreement with the law firm of Linebarger Goggan Blair & Sampson, LLP as special counsel to perform all legal services necessary to collect delinquent property taxes and authorizing the execution of such agreement.

The agreement to be considered is necessary for the delinquent taxes owed to Upshur County Emergency Services District #2 to be collected in the most effective manner. The District desires that such delinquent tax, penalties and interest be collected as provided in the Texas Tax Code.

The Linebarger Goggan Blair & Sampson, LLP firm is fully qualified to provide this representation, being the largest delinquent tax collection law firm in the State of Texas, as well as the United States and having been engaged in this specialized legal service for more than 40 years. In addition, the Linebarger Goggan Blair and Sampson, LLP firm possesses infrastructure and technology, such as call center technology, that the District does not currently possess.

The specialized legal services required by this agreement cannot be adequately performed by the attorneys and supporting personnel of the District due to the high cost of implementing the appropriate infrastructure and technology and employing sufficient in-house attorneys and staff with the level of experience and competence necessary to perform these activities.

Linebarger will be compensated on a contingent fee basis as provided in the Texas Tax Code Sections 6.30, 33.07, 33.08, 33.11, and 33.48. These Texas Tax Code sections specifically provide for an additional penalty on delinquent taxes to compensate collection attorneys. A contract to pay inside or outside attorneys on an hourly basis would represent an additional cost to the District.

Entering into the proposed agreement is in the best interests of the residents of the District because the delinquent taxes will be professionally and competently collected without the additional costs to the District of implementing infrastructure and technology, and employing in-house personnel or paying outside counsel on an hourly fee basis which would otherwise be required.

FILED
TERRI ROSS
COUNTY CLERK
2021 DEC 15 PM 1:40
UPSHUR COUNTY, TX
BY J. Ross
DEPUTY