

COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
THURSDAY, SEPTEMBER 15, 2016
9:00 AM REGULAR SESSION

Commissioners met in regular session with all members present.

[Audio 1](#)

[Audio 2](#)

[Audio 3](#)

1. Invocation and Pledges.

Prayer said by Judge Fowler

2. Consider and take action on approval of:

A. The minutes of previous meeting:

Motion to approve the minutes of previous meeting made by Mike Spencer

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved. (Minutes of meeting held on August 31st)

B. [Payroll changes:](#)

Motion to approve payroll changes made by Mike Spencer

Second by Paula Gentry

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copies attached.

C. [Payroll:](#)

Motion to approve payroll made by Mike Spencer

Second by Don Gross Frank Berka abstained

Paula Gentry, Don Gross and Mike Spencer voted for

Motion approved.

Copy attached.

D. Budget amendments:

Motion to approve budget amendments made by Paula Gentry
Second by Frank Berka
Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for
Motion approved.
Copy attached.

E. Accounts payable:

Bills Previously Paid:

Motion to approve accounts payable made by Frank Berka
Second by Mike Spencer
Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.
Motion approved.
Copy attached.

F. Accept for recording: Auditor reports; Treasurer reports; Bonds; Oaths; Deputations; Certificates; Oil and Gas Lease with Petex dated August 16, 2016; independent outside audit for the county; and applications for use of Upshur County roads and rights-of-way and permit requests.

Motion to record all documents listed above made by Paula Gentry
Second by Don Gross
Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for
Motion approved.
Copies attached.

3. Discuss and take action to proclaim September 16 American Legion Day.

Motion to approve a [County Proclamation](#) to make September 16 as American Legion Day made by Don Gross
Second by Paula Gentry
Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for
Motion approved.
Copies attached.

4. Discuss and take action to set [2017 county holidays and Commissioners Court meeting dates.](#)

Motion to approve the 2017 county holidays and Commissioner Court meeting dates made by Frank Berka

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copy attached.

5. Discuss and take action to allow Upshur County Crime Stoppers to use the north side of the courthouse lawn on October 4 for law enforcement National Night Out.

Motion to approve the use of the courthouse lawn for law enforcement National Night Out made by Paula Gentry

Second by Frank Berka

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for

Motion approved.

6. Discuss and take action to allow purchase of a laptop from JP technology fund for JP#2.

Motion to approve the purchase of a laptop out of JP technology fund for JP#2 made by Don Gross

Second by Frank Berka

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for

Motion approved.

7. Discuss and take action to sell [surplus vehicles.](#)

Motion to approve selling surplus cars and trucks including the addition of the 1998 white chevy pickup out of building maintenance made by Paula Gentry

Second by Don Gross

Motion approved.

Copy attached.

8. Discuss and take action to close a [portion of Hawthorne Road](#).

Motion to approve closing a portion of Hawthorne Road made by Frank Berka

Second by Paula Gentry

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for

Motion approved.

Copy attached.

9. Discuss and take action to record [certification by County Auditor](#) of the receipt of unanticipated revenue received after the beginning of the fiscal year from the sale of road and bridge equipment and to adopt a special budget for same.

Motion to record certification by County Auditor of the receipt of unanticipated funds and adopt a special budget for same made by Frank Berka

Second by Mike Spencer

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for

Motion approved.

Copy attached.

10. Discuss and take action to adopt travel per diem and set stipend for Sheriff's Office transport officers.

Motion to approve a \$40.00 per day travel per diem for overnight stays and set the stipend for Sheriff's Office transport officers at \$20.00 per day for travel that requires more than four hours made by Paula Gentry

Second by Frank Berka

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for

Motion approved.

11. Discuss and take action on changes to the proposed FY17 budget.

No motions were made or action taken on changes to the proposed budget. The Judge went through each department and adjustments were made to some by general agreement of the court. The Auditor suggested merging the line item for Printed Materials and the line item for Office Supplies and making this one line item for each department who have them. The court agreed for those to become one line item. Marc Nichols, the Emergency Management Coordinator, spoke to the court and asked for them to appoint him as County Fire Marshall. It was explained that this is not creating a new county position, but will be contract labor. The court agreed and will make it official at a later court date.

The Auditor also told the court that the County Clerk is funding \$28,000.00 of her employee's salaries out of her Records Management and Record Archives funds, therefore she doesn't have the money she needs to do several projects in her office to protect her records and make them more accessible to the public. The Auditor said this is the only office who the county doesn't fully fund to pay their salaries and she felt this should be corrected. The court agreed to add \$10,000.00 to the County Clerk budget and will try to correct this in time.

The incoming Tax Assessor, Luana Howell, spoke to the court and asked them to fund her office for a part-time person to work in her office, so she can open a substation either in Diana or Ore City and keep the Gladewater substation open. District Attorney, Billy Byrd had concerns of the legality of setting up a county employee in a non-county owned business. It was then discussed that Ore City City Hall is a government building and would be a good place if they would agree. One full time employee of the Tax Office would work two days a week in Gladewater and two days a week in Ore City or where ever they opened the second substation. The court agreed to fund her for a part-time person at \$12.00 per hour for 24 hours a week for 26 weeks and cover the cost of a new computer, for the new substation, at a total cost of \$13,500.00.

Attest: Terri Ross, Upshur County Clerk

[Attendance sheet](#) placed into minutes for recording purposes only.

Bills previously approved placed into minutes for recording purposes only.

Jury payroll placed into minutes for recording purposes only.