

09/15/2022 Regular Session

COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
THURSDAY, SEPTEMBER 15, 2022
10:00AM REGULAR SESSION

Commissioners met in regular session with all members present.

1. Invocation and Pledges

Prayer said by Gene Dolle

Pledges said by Dustin Nicholson

2. Consider and take action on approval of:

A. The minutes of the previous meeting:

B. Payroll changes:

C. Payroll:

D. Budget amendments:

E. Accounts Payable:

Expense Approval Report:

F. Accept for recording: Auditor reports; Treasurer reports; Bonds; Oaths; Deputations; Certificates; State and County Taxes Summary; refund of overpayment or erroneous tax payments in excess of \$2500.00; Limited Amendment of Cancellation Provisions for Liability Insurance for Fikes Wholesale Inc.; Temporary Order of Suspension; Order Appointing Temporary District Clerk and Order Setting Bond; Upshur County Position List with Base Pay-Revised 09/15/2022, Effective 10/01/2022; and applications for use of Upshur County roads and rights-of way and permit request.

Motion to approve and record items A-D & F made by Dustin Nicholson

Second by Jay W. Miller and

Motion to approve item E made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for both motions.

Motion approved.

Copies attached.

3. Discuss and take action to Approve the Upshur County Clerk's Records Archive Plan and the Upshur County District Clerk's Records Archive Plan.

Motion to approve the Upshur County Clerk's and Upshur County District Clerk's Records Archive Plans made by Gene Dolle

Second by Mike Ashley

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copies attached.

4. Discuss and take action to approve County Holidays and Commissioner Court meeting dates for 2023.

Motion to approve the County Holidays and Commissioner Court meeting dates for 2023 made by Jay W. Miller

Second by Mike Ashley

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

5. Discuss and take action to set Sheriffs' and Constables' Fees for 2023.

Motion to set Sheriffs' and Constables' Fees at the same rates as they are currently set with no changes made by Mike Ashley

Second Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

6. Hear a presentation by the Gilmer Industrial Foundation relative to the history of the GIF and to a long range road improvement plan for County Roads.

The Court heard from Richard Stolle, Ben Dodd and George Dodd of the Gilmer Industrial Foundation. Mr. Stolle said that 60 years ago several citizens got together and decided they needed to do something for the economic development of Upshur County, so they formed the Gilmer Industrial Foundation. Mr. Stolle explained the GIF is privately operated and does not use any taxpayer funds. The foundation started with \$30,000.00 dollars that was donated by the Merchants around the square. Today, due to good management and good investments, the foundation has about \$1,000,000.00 dollars. The purpose of the GIF was to create jobs, usually industrial type jobs. The Gilmer Potteries and Pittsburg Standard Conduit, which is now Robroy is just a couple of the businesses started. Mr. Stolle said they wanted to keep the Judge and Commissioners informed on what they are doing and that they could possibly help each other in the future.

Ben Dodd said that the GIF were the ones who secured the land and made it possible for Robroy to build Duoline which brought more jobs to our county. More recently, one of the biggest things we've had come to Upshur County recently is a company called Four Rivers Ranch Equipment. They build all kinds of cattle handling equipment. Ben said the owner was the largest supplier in Australia and decided to set up in Nevada about five or six years ago to get into the US market and then decided they wanted to set up shop here to be close to Priefert cause their goal is to be a big competitor.

George Dodd said that about 35 years ago they brought a long term plan to improve the roads to the Commissioners. They were basically told to go home and do what they do best and leave that stuff to the Commissioners. About six months ago he said he went to a meeting at Silver Alley where Nathaniel Moran, from Smith County, was the speaker. George said one of the first thing Mr. Moran said was that you can't get new industry into your county if you have bad roads. He said Mr. Moran said he and the Commissioners in Smith County had hired a company called Atkins Engineering who has made a long term plan to improve the roads. Mr. Dodd suggested that our Commissioners go online and look at Smith County's long term plan and possibly contact Mr. Moran and speak to him about it.

No action was needed.

- 7. Discuss and take action to approve the Resolution authorizing the filing of a Grant Application with the East Texas Council of Governments for a Regional Solid Waste Grants Program Grant.**

Motion to approve a Resolution authorizing the filing of a Grant Application with ETCOG for a Regional Solid Waste Grants Program Grant made by Mike Ashley

Second by Gene Dolle

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

- 8. Discuss and take action to execute contract with Kofile for imaging and indexing of deeds of trust and Mechanic's liens.**

Motion to approve a contract with Kofile for imaging and indexing the deeds of trust and Mechanic liens filed in the County Clerk's Office made by Jay W. Miller

Second Dustin Nicholson

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

- 9. Discuss and take action to accept HealthFast Medical, Gilmer, TX as the medical facility that indigent Care patients must see to receive indigent care benefits.**

Motion to accept HealthFast Medical as the medical facility that indigent Care patients must see to receive indigent care benefits made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

10. Discuss and take action to set COBRA rates.

Motion to set the COBRA rates at 102 percent as they are currently set made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley and Jay W. Miller voted for. Judge Tefteller abstained.

Motion approved.

11. Discuss and take action to change the current vacation policy as stated in the employee handbook (Section 2B-3).

Motion to change the current vacation policy to allow employees to earn vacation after they have worked six months, but must work here two years to get pay out for their accumulated vacation if they leave employment made by Mike Ashley

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

12. Discuss and take action approving the renovation of the Upshur County Courthouse with an estimated cost of \$12,839,123 offset by a grant from the Texas Historical Commission of \$5,218,363 known as the Round XII Courthouse Grant Renovation.

Motion to approve the renovation of the Upshur County Courthouse with an estimated cost of \$12,839,123 offset by a grant from the Texas Historical Commission of \$5,218,363 known as the Round XII Courthouse Grant Renovation made by Mike Ashley

Second by Dustin Nicholson

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

12.1 Discuss and take action hiring a project administrator coordinator relative to the Round XII Courthouse Renovation.

Motion to hire Leward LaFleur as a temporary employee, at \$50,000.00 a year to be paid from the ARPA Grant fund, as the project administrator coordinator for the Round XII Courthouse Renovation and he will also be provided health insurance made by Jay W. Miller

Second by Dustin Nicholson

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

13. Discuss and take action to approve Source of Funds Statement and Verification and resolution with reference to the THCPP Round XII Grant.

Motion to authorize Judge Tefteller to sign the Source of Funds Statement and Verification and resolution with reference to the THCPP Round XII

Grant made by Mike Ashley

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

14. Discuss and take action to adopt the Fiscal Year 2023 budget by record vote.

Motion to adopt the Fiscal Year 2023 budget by record vote made by Mike Ashley

Second by Gene Dolle

Gene Dolle voted for, Dustin Nicholson voted for, Mike Ashley voted for, Jay W. Miller voted for and Judge Tefteller voted for.

Motion approved.

- 15. Discuss and take action to ratify the property tax increase of \$2,156,548 reflected in the Fiscal Year 2023 Budget by record vote.**

Motion to ratify the property tax increase reflected in the Fiscal Year 2023 Budget which raises \$2,156,548 or 16.53 percent more from property taxes than the 2022 budget made by Gene Dolle

Second by Mike Ashley

Gene Dolle voted for, Dustin Nicholson voted for, Mike Ashley voted for, Jay W. Miller voted for and Judge Tefteller voted for.

Motion approved.

Copy attached.

- 16. Discuss and take action to adopt the Fiscal Year 2023 maintenance and operation tax rate of \$0.599 for Upshur County by record vote.**

No motion or second was made, but the item was voted on by record vote as follows:

Gene Dolle voted for, Dustin Nicholson voted for, Mike Ashley voted for, Jay W. Miller voted for and Judge Tefteller voted for.

Vote passed 5-0

Copy attached.

- 17. The Court will go into CLOSED SESSION under Texas Open Meetings Act, Texas Government Code, Chapter 551 as indicated:**

_____ **Section 551.071 (consultation with attorney(s)).**

 A **Section 551.072 (deliberation regarding real property);**

_____ **Section 551.073 (deliberation about gifts and donations);**

 B **Section 551.074 (personnel matters);**


 C **Section 551.076 (deliberation about security audits or security devices).**

TO WIT:

- A. Consider the purchase, exchange, lease, sale or value of real property in connection with the re-location of County offices during Courthouse renovation or repairs;
- B. Consider personnel matters (appointments, leaves, reassignments, resignations, retirements, termination, termination of probationary contracts, contract extensions);
 - i) Discussion of the office of the Administrator of the County Road & Bridge Department.
 - ii) Discussion of the hiring of a project administrator/coordinator to manage the Round XII Courthouse Renovation; and,
 - iii)
- C. Consider Security issues as authorized under Texas Government Code, Chapter 551.074(a)(1) and 551.176.

18. The Court will re-convene into open session and take any action necessary as a result of Executive Session.

19. Adjourn.



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.

