

09/30/2022 Regular Session

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
FRIDAY, SEPTEMBER 30, 2022
10:00AM REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Friday, September 30, 2022 at 10:00 a.m., with the following members of the Court being present, to-wit:

Present: Todd Tefteller – County Judge presiding,
Gene Dolle – Commissioner Pct. #1,
Dustin Nicholson – Commissioner Pct. #2,
Mike Ashley – Commissioner Pct. #3,
Jay W. Miller – Commissioner Pct. #4.

Judge Todd Tefteller called the meeting to order at 10:00 a.m.

1. Invocation and Pledges

Prayer was led by Gene Dolle.

Pledges to the U.S. & Texas flags led 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;**
- 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; Vacation policy (amended by the Commissioners' Court on September 15, 2022); Gilmer Civic Center General Lease Agreement/Rules; Regulations (early voting for General Election 2022); and, applications for use of Upshur County roads and rights-of way and permit requests.**

Motion by Dustin Nicholson with a second by Jay W. Miller to approve and record items A-F.

Motion carried 5-0. Unanimous vote in favor.

(See Attached)

- 3. Discuss and take action to approve the proclamation for Texas Extension Education Week October 9-15, 2022 and to recognize TEEA for their support of the citizens of Upshur County.**

Motion by Mike Ashley with a second by Jay W. Miller to approve the proclamation for Texas Extension Education Week October 9-15, 2022.

Motion carried 5-0. Unanimous vote in favor.

(See Attached)

- 4. Discuss and take action to approve the proclamation for National 4-H Week October 2-8, 2022 and to recognize Upshur County 4-H members for their service and accomplishments this year.**

Motion by Mike Ashley with a second by Gene Dolle to approve the proclamation for National 4-H Week October 2-8, 2022.

Motion carried 5-0. Unanimous vote in favor.

(See Attached)

- 5. Discuss and take action to approve the request by the Gilmer Area Chamber of Commerce to use the grassy lot next to the Roberts Building from 3-9 p.m. on October 29, 2022 for Treats on the Square.**

Motion by Dustin Nicholson with a second by Jay W. Miller to allow the Gilmer Area Chamber of Commerce to use the grassy lot next to the Roberts Building from 3-9 p.m. on October 29, 2022 for Treats on the Square.

Motion carried 5-0. Unanimous vote in favor.

- 6. Hear summaries of Resolutions in Support of Upshur County Election Administrator Lory Harle from the Upshur County Democratic and Republican parties.**

Resolutions in support of Upshur County Election Administrator Lory Harle were read and presented to the Court by representatives of both the Upshur County Democratic and Republican parties.

(See attached)

- 7. Discuss and take action to accept Tanglewood Dr. and Brookwood Court in the Woodbriar Subdivision into the County Road Inventory.**

Motion by Gene Dolle with a second by Dustin Nicholson to accept Tanglewood Dr. and Brookwood Court in the Woodbriar Subdivision into the County Road inventory. Motion carried 5-0. Unanimous vote in favor.

8. Discuss and take action to approve a Resolution authorizing a County grant to Meals on Wheels Ministry.

Motion by Mike Ashley with a second by Jay W. Miller to approve a Resolution authorizing a County grant to Meals on Wheels Ministry.

Motion carried 5-0. Unanimous vote in favor.

(See Attached)

9. Discuss and take action to provide employees hired 9/15/2021 and thereafter, that have been employed with Upshur County more than six (6) months the 48 hours vacation time plus any accrual they are eligible to receive (the change is retroactive to 9/15/2021).

Motion by Gene Dolle with a second by Dustin Nicholson to provide employees hired 9/15/2021 and thereafter, that have been employed with Upshur County more than six (6) months the 48 hours vacation time plus any accrual they are eligible to receive retroactive to 9/15/2021.

Motion carried 5-0. Unanimous vote in favor.

10. Discuss and take to approve contract commitment for another five (5) years with AXON Corporation, the service provider for the Sheriff's Office body cameras.

Motion by Dustin Nicholson with a second by Gene Dolle to approve the contract commitment for another five (5) yeas with AXON Corporation.

Motion carried 5-0. Unanimous vote in favor.

11. Discuss and take action to approve a five (5) year service contract with AXON for the purchase, maintenance and data storage for 18 in-car "dash cameras".

Motion by Jay W. Miller with a second by Dustin Nicholson to approve the five (5) year contract with AXON for the purchase, maintenance and data storage for 18 in-car "dash cameras".

Motion carried 5-0. Unanimous vote in favor.

(See Attached)

12. Discuss and take action to approve the 2023 Upshur County Resolution on Indigent

Defense Grant Program.

Motion by Mike Ashley with a second by Jay W. Miller to approve the 2023 Upshur County Resolution on Indigent Defense Grant Program.

Motion carried 5-0. Unanimous vote in favor.

(See Attached)

- 13. Discuss and take action to approve payment of \$1,000 annual stipend to be paid to the five (5) JP Clerks from the Justice Court Assistance and Technology Dedicated Fund.**

No action.

- 14. Discuss and take action to approve the construction of a records storage building on the property known as the "911" property for use by the County Clerk and to approve the use of the County Clerk's Records Management Fee Dedicated Fund 224 for the construction of the building.**

Motion by Gene Dolle with a second by Dustin Nicholson to approve the construction of a records storage building on the property known as the "911" property for use by the County Clerk and to approve the use of the County Clerk's Records Management Fee Dedicated Fund 224 for the construction of the building.

Motion carried 5-0. Unanimous vote in favor.

- 15. Discuss and take action granting the discretionary bid exemption to Komatsu Architecture Inc. found in Texas Local Govt. Code 262.024 in connection with the Round XII Courthouse Renovation.**

Motion by Mike Ashley with a second by Jay W. Miller to grant the discretionary bid exemption to Komatsu Architecture Inc. in connection with the Round XII Courthouse Renovation.

Motion carried 5-0. Unanimous vote in favor.

- 16. Discuss and take action retaining the services of Komatsu Architecture Inc. to act as the architect for the County in connection with the Round XII Courthouse Renovation.**

Motion by Mike Ashley with a second by Gene Dolle to retain the services of Komatsu Architecture Inc. to act as the architect for the County in connection with the Round XII Courthouse Renovation.

Motion carried 5-0. Unanimous vote in favor.

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)).
- B Section 551.072 (deliberation regarding real property);
- Section 551.073 (deliberation about gifts and donations);
- C Section 551.074 (personnel matters);
- D Section 551.076 (deliberation about security audits or security devices).

TO WIT:

- A. Consultation with attorney(s) in reference to pending litigation and/or settlement offers;**
- B. 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;**
- C. Consider personnel matters (appointments, leaves, reassignments, resignations, retirements, termination, termination of probationary contracts, contract extensions); and**
- D. Consider Security issues as authorized under Texas Government Code, Chapter 551.074(a)(1) and 551.176.**

No action.

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

No action.

19. Adjourn.

Meeting adjourned at 11:21 a.m.

ATTEST:

A handwritten signature in cursive script, appearing to read "Terri Ross", is written over a horizontal line.

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.