COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
MONDAY, JULY 31, 2023
10:00 A.M. REGULAR SESSION

AUDIO AUDIO

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Monday, July 31, 2023 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 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 meetings;**
   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; Upshur County Financial Statements for the Year Ended September 30, 2022 with Independent Auditor's Report prepared by Patillo, Brown & Hill; Grant of Easement for Upshur County Courthouse and Grounds; Certificate of Liability Insurance for Fikes Wholesale, Inc; Certificate of Liability Insurance for Beckat Oil & Fuel LP dba Eagle Fuel & Oil, LP; and, applications for use of Upshur County roads and rights-of way and permit requests.**

   Motion by Jay W. Miller with a second by Dustin Nicholson to approve items A, D, E & F.
   Motion carried 5-0. Unanimous vote in favor.
   (SEE ATTACHED)

3. **Recognize Upshur County 4-H members who recently competed with their 4-H Record Books.**

Julie York brought her Upshur County 4-H members and gave a brief introduction informing the Court of what the members have been doing in competition.

4. **Discuss and take action to approve request by Julie York to attend the National 4-H Volunteer Conference at Rock Eagle 4-H Center in Eatonton, Georgia, September 28-October 1, 2023 and to approve rental of a vehicle if needed.**

   Motion by Mike Ashley with a second by Dustin Nicholson to approve the request by Julie York to attend the National 4-H Volunteer Conference at Rock Eagle 4-H Center in Eatonton, Georgia, September 28-October 1, 2023 and to approve the rental of a vehicle if needed. Motion carried 5-0. Unanimous vote in favor.

5. **Discuss and take action to approve and accept for recording a replat of Block 6 and 7 of Hillcrest Addition and for the new title to be Abigail's Subdivision.**

   Motion by Mike Ashley with a second by Dustin Nicholson to approve and accept for recording a replat of Block 6 and 7 of Hillcrest Addition and for the new title to be Abigail's Subdivision. Motion carried 5-0. Unanimous vote in favor.

6. **Hear a brief presentation from Stuart Cobb with First National Bank of Wichita Falls, Texas about County Road & Bridge equipment inventory, financing and options available to the County to upgrade same.**

   Stuart Cobb with First National Bank of Wichita Falls, Texas was present to discuss the options available to the County on the property that they had leased through First National Bank of Wichita Falls, Texas.

7. **Discuss and take action to appoint a new member from Upshur County to the Community Healthcore Board of Trustees to serve a two-year term from September 1, 2023- August 31, 2025.**

   Motion by Mike Ashley with a second by Dustin Nicholson to appoint Rick Lively to the Community Healthcore Board of Trustees to serve a two-year term from September 1, 2023 – August 31, 2025. Motion carried 5-0. Unanimous vote in favor.

8. **Discuss and take action to approve and accept for recording the Interlocal Agreement for Assessment and Collection of Taxes between Upshur County and the Cities of Big Sandy, East Mountain, Warren City, Ore City, Gilmer and Emergency Services District #1.**

   Motion by Jay W. Miller with a second by Mike Ashley to approve and accept for recording the Interlocal Agreement for Assessment and Collection of Taxes between Upshur County and the Cities of Big Sandy, East Mountain, Warren City, Ore City, Gilmer and Emergency Services District #1. Motion carried 5-0. Unanimous vote in favor.

9. **Discuss and take action to set the salary of the elected County Sheriff at $75,000/year, an increase of $15,210 per year and to set the salary of all four (4) elected Constables at $45,000/year, an increase of $11,409 per year. Both increases are to meet the minimum salary requirements per Senate Bill 22 "Rural Law Enforcement Salary Assistance Grant."**

   Motion by Gene Dolle with a second by Mike Ashley to set the salary of the elected County Sheriff at $75,000/year, an increase of $15,210 per year and to set the salary of all four (4) elected Constables at $45,000/year, an increase of $11,409 per year. Motion carried 5-0. Unanimous vote in favor.

12. **Discuss and take action to accept a donation of pallets of water from Ozarka Water to Upshur County for the Road & Bridge Department and the Upshur County Maintenance Department.**

   Motion by Mike Ashley with a second by Dustin Nicholson to accept a donation of pallets of water from Ozarka Water to Upshur County for the Road & Bridge Department and the Upshur County Maintenance Department. Motion carried 5-0. Unanimous vote in favor.

13. **Hear from Road and Bridge Administrator concerning the storm cleanup and the current progress. Discuss and take necessary action.**

   Phil Stegall, Upshur County Road and Bridge Administrator, advised the Court that they were at about 20% left to clean up. He advised the Court that they have also built two miles of road.

14. **Consider, discuss and take action ratifying and extending the Declaration of Local Disaster Due to the June 2023 Thunder, Rain and Wind Storm dated June 16, 2023.**

   No action.

15. **Discuss and take action designating the place where public notices will be posted and the place where foreclosure and tax sales of property will occur during the County XII Courthouse Renovation.**

   Motion by Dustin Nicholson with a second by Gene Dolle to designate the Upshur County Justice Center as the place where public notices will be posted and the place where foreclosure and tax sales of property will occur during the County XII Courthouse Renovation. Motion carried 5-0. Unanimous vote in favor.

10. **Discuss and take action to approve filing of the FY2024 Proposed Budget no later than August 11, 2023 with the County Clerk and post to the Upshur County website in accordance with the Local Government Code Chapter 152.**

   Motion by Dustin Nicholson with a second by Gene Dolle to approve filing of the FY2024

Proposed Budget no later than August 11, 2023 with the County Clerk and post to the Upshur County website in accordance with the Local Government Code Chapter 152. Motion carried 5-0. Unanimous vote in favor.

16. Hear any updates and discuss and take necessary action concerning the Round XII Courthouse Grant Renovation and/or the Courthouse employee relocation during the renovation.

Judge Leward Lefluer was present to provide an update to the Court. He announced that Texas had a surplus and elected to give more funding to this grant program. Upshur County could possibly get an additional 2.3 million dollars towards the renovation.

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,A,A_ Section 551.072 (deliberation regarding real property);

_D,C,C_ Section 551.0725 (deliberation and discussion of contracts being negotiated);

_____ Section 551.073 (deliberation about gifts and donations);

___E____ Section 551.074 and 551.0745 (personnel matters);

_____ Section 551.076 (deliberation about security audits or security devices).

TO WIT:

A. Deliberation regarding contracts for facilities which may be used during the Courthouse renovation.
B. Consider the purchase, exchange, lease, sale or value of real property in connection with the relocation of County offices during Courthouse renovation or repairs.
C. Consideration of contracts being negotiated in connection with the Round XII Courthouse Renovation.
D. Consideration of terms and conditions of the proposed contract between Upshur County and J.C. Stoddard Construction Co. in reference to the recently awarded CMAC position.
E. Consider personnel matters (appointments, leaves, re-assignments, resignations, retirements, terminations, termination of temporary employee contracts, and contract extensions) including but not limited to, to wit:
    i) Road & Bridge Department, Tax Assessor-Collector and the Upshur County Auditor;
    ii) Any other personnel matters.

The Court entered into CLOSED SESSION at 11:07 a.m.

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

The Court re-convened into OPEN SESSION at 2:25 p.m.

11.Discuss and take necessary action on FY 2024 Proposed Budget.

Jay W. Miller made a motion with a second by Dustin Nicholson to modify and increase three salaries into the existing budget as the final draft as follows :
Samantha Caffey - $1,900.00/year above the $1,200.00/year raise;
Heather Whittington - $1,200.00/year above the $1,200.00/year raise; and
Maddie Moore - $2,400.00/year above the $1,200.00/year raise.
Motion carried 5-0. Unanimous vote in favor.

Motion by Gene Dolle with a second by Dustin Nicholson to authorize Judge Todd Tefteller to sign a contract for the construction of the Round XII renovation with J.C. Stoddard Construction Co. at such time as that contract has been read and approved by Judge Tefteller, Judge LeFleur and any of the Commissioners Court that wishes to have any input on the contract and the County Auditor's Office. Motion carried 5-0. Unanimous vote in favor.

2. Consider and take action on approval of:

B. Payroll changes;
C. Payroll;

Motion by Dustin Nicholson with a second by Jay W. Miller to approve payroll changes and payroll save and except the full time library position. Motion carried 5-0. Unanimous vote in favor.

19. Adjourn.

Motion by Mike Ashley with a second by Dustin Nicholson to adjourn the meeting.
Motion carried 5-0. Unanimous vote in favor.

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.