

COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
FRIDAY, APRIL 28, 2023
10:00 A.M. REGULAR SESSION

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Friday, April 28, 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 10:01 a.m.

1. Invocation and Pledges

Prayer was led by Gene Dolle.

Pledges to the U.S. & Texas flags led by Dustin Nicholson.

Public Comment: Jerry Beck, James Beck, and John Beck were present to comment in regards to the condition of Gardenia Road in the Valley View Community.

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; and, applications for use of Upshur County roads and rights-of way and permit requests.**

Motion by Mike Ashley with a second by Jay W. Miller to approve items A-F.

Motion carried 5-0. Unanimous vote in favor.

(SEE ATTACHED)

3. Discuss and take action to approve combining the Simpsonville polling location with the Oak Hill polling location.

Winifred Jackson, Democratic Party chairman, and Carl Byers, Republican Party chairman,

were present to comment to the Court that due to the size and other factors with the Simpsonville polling location which is located at the Simpsonville Fire Station, they suggest that the Court close that location and combine with the Oak Hill polling location. Lory Harle, Upshur County Elections Administrator, was in agreement to closing the Simpsonville polling location as she had received bad reports from the State in regards to this location as not being ADA compliant and not enough workers. Motion by Jay W. Miller with a second by Mike Ashley to combine the Simpsonville polling location with the Oak Hill polling location which will have the effect of not utilizing the Simpsonville location in the future. Motion carried 5-0. Unanimous vote in favor.

4. Discuss and take action to approve moving the polling location from Big Sandy ISD to the Big Sandy Civic Center.

Motion by Mike Ashley with a second by Dustin Nicholson to move the polling location from Big Sandy ISD to the Big Sandy Civic Center. Motion carried 5-0. Unanimous vote in favor.

5. Discuss and take action to accept for recording the re-plat for Lloyd Landing Subdivision.

Motion by Dustin Nicholson with a second by Gene Dolle to accept for recording the re-plat for Lloyd Landing Subdivision. Motion carried 5-0. Unanimous vote in favor.

6. Discuss and take action to place two (2) signs stating parking for BUILDING MAINTENANCE TRUCKS ONLY at the last two (2) parking spaces at the South end of the Rock Building parking lot.

Gene Dolle made a motion with a second by Dustin Nicholson to approve the placement of two (2) signs stating PARKING FOR BUILDING MAINTENANCE TRUCKS ONLY at the last two (2) parking spaces at the South end of the Rock Building parking lot. Motion carried 5-0. Unanimous vote in favor.

7. Discuss and take action to approve the purchase of two (2) portable radios for the Courthouse Security Officers at a total cost of \$2,600.00 with payment to be made from the Courthouse Security fund.

Motion by Mike Ashley with a second by Dustin Nicholson to approve the purchase of two (2) portable radios for the Courthouse Security Officers at a total cost of \$2,600.00 with payment to be made from the Courthouse Security Fund. Motion carried 5-0. Unanimous vote in favor.

8. Hear from Nicole Hernandez concerning a proposal from US Imaging, Inc. to scan civil and tax records from microfilm off-site with payment to be made for FY23 to come from Fund 201 and for FY24 to come from Fund 220. Discuss and take necessary action.

Upshur County District Clerk Nicole Hernandez presented the Court with a proposal from US

Imaging, Inc. to scan civil, tax and family cases from the 1800s to the 1970s which have previously been scanned to microfilm at a total cost of \$100,000.00. This project can be done in two budget years at \$50,000.00 per year. US Imaging, Inc. will digitize and clean up the images and load them to a USB hard drive for access. They will also provide an image express software to access the images by case number. County Auditor Connie Williams commented that these funds were available in the two dedicated funds. Motion by Gene Dolle with a second by Dustin Nicholson to approve the proposal and enter into a contract with US Imaging, Inc. to scan the civil and tax records from microfilm off-site with payment to be made for FY23 to come from Fund 201 and FY24 to come from Fund 220. Motion carried 5-0. Unanimous vote in favor.

9. Discuss and take action to approve a request from Lt. Vanessa Ferguson, Jail Administrator for the following items from the old jail that can be used in the current jail: 4 doors; 10 locking mechanisms in doors; 2 metal picnic tables; 2 metal partitions out of shower areas; 2 sets of plumbing parts out of showers; and, all expanded metal propped on the wall by the control room.

Motion by Dustin Nicholson with a second by Gene Dolle to allow Lt. Vanessa Ferguson, Jail Administrator, to remove the following items from the old jail for use in the current jail including, 4 doors; 10 locking mechanisms in doors; 2 metal picnic tables; 2 metal partitions out of shower areas; 2 sets of plumbing parts out of showers; and, all expanded metal propped on the wall by the control room. Motion carried 5-0. Unanimous vote in favor.

10. Discuss and take action to approve the County offering a Letter of Support in favor of the designation of the I-20 Railroad Corridor Project under construction by the Federal Railway Administration, to be funded pursuant to the Bipartisan Infrastructure Bill.

East Texas Council of Government asked the County Judge to put this on the agenda to consider this Letter of Support. Mike Ashley made a motion with a second by Gene Dolle to approve the County offering a Letter of Support in favor of the designation of the I-20 Railroad Corridor Project under construction by the Federal Railway Administration, to be funded pursuant to the Bipartisan Infrastructure Bill. Motion carried 4-0 with Jay W. Miller abstaining.

11. Discuss and take action to seek bids for culverts for Road and Bridge.

Motion by Gene Dolle with a second by Dustin Nicholson to authorize Andy Jordan, Road and Bridge Administrator, to seek bids for culverts for Road and Bridge. Motion carried 5-0. Unanimous vote in favor.

12. 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.

Dustin Nicholson presented an update to the Court regarding the Courthouse employee relocation. He announced that he went to the old administration building together with Judge Leward LeFleur, Andy Jordan, and the Auditors department, to inspect the location where the temporary buildings will possibly be moved to house the courthouse employees. After a general inspection of the perimeter of the outside of the property, it was determined that the exterior sidewalks would have to be removed because they are not ADA compliant. It was also determined that fencing would have to be put up to protect the old ramps from the administration building to the gymnasium. A new handicap concrete ramp would have to be built across the grass to the parking area in front of the gymnasium. The parking lot area would have to be built with oil dirt instead of the millings that they previously had thought to be ADA compliant. The cost involved just for the maintenance on the outside of the facility to set the building on will run approximately \$98,100.00. After talking with Komatsu, it appears that the vacant lot across the street from the courthouse will not be used for the cooling towers which will free up that lot as another option to place the building to house the courthouse employees. The vacant lot is 144x99 and the building the county has leased to house the courthouse employees is 130x90. It was agreed that this location would be more suitable for the employees and the citizens who come to the courthouse for business.

13. 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,B Section 551.072 (deliberation regarding real property);
- Section 551.0725 (deliberation and discussion of contracts being negotiated);
- Section 551.073 (deliberation about gifts and donations);
- A,B 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 damage caused to County roads by heavy equipment and mis-use by the public.**

The Court went into CLOSED SESSION at 11:09 a.m.

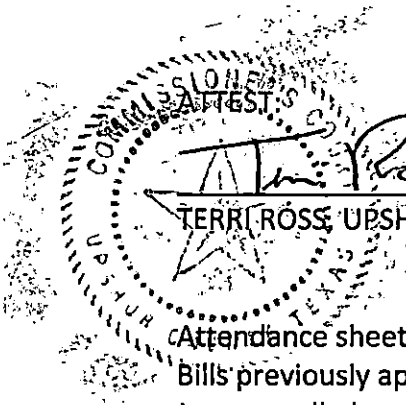
14. The Court will re-convene into open session and take any action necessary as a result of

Executive Session.

The Court reconvened into OPEN SESSION at 11:37 a.m.
No action as a result of Executive Session.

15. Adjourn.

Motion by Mike Ashley with a second by Jay W. Miller to adjourn the meeting.
Meeting adjourned at 11:38 a.m. Motion carried 5-0. Unanimous vote in favor.



TERRI ROSS

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.