

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
TUESDAY, OCTOBER 31, 2023
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Tuesday, October 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 regular 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.

PUBLIC COMMENT

Debra Brinkley was present to address the Board regarding the erection of an historical marker on Toad Road for the Bethlehem Colored School. She inquired regarding the placement of the marker. Phil Stegall, Upshur County Road and Bridge Administrator, was present and informed Ms. Brinkley that he would get with her and go to the area to make sure that the marker is placed outside of the county right of way.

Mike Ashley gave a report on the number of residents who used the dump day.

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

Motion by Mike Ashley with a second by Gene Dolle to approve items A-F.

Motion carried 5-0. Unanimous vote in favor.
(SEE ATTACHED)

3. Discuss and take action to approve disposing of the scrap metal from the County properties.

No action.

4. Discuss and take action to accept a \$10,000 donation from Halliburton in honor of Joe Rainey, who is retiring to Upshur County after many years with Halliburton.

David Hazel, Chief Deputy of the Upshur County Sheriff's Office, announced to the Court that Joe Rainey, an Upshur County native, went to work driving a truck for Halliburton out of the Kilgore yard at a very young age and 40 years later is now retiring to Upshur County having served as President of the Eastern hemisphere of Halliburton. Chief Hazel continued to say that he was contacted by Van Beckworth, Chief Legal Officer for Halliburton, who advised Chief Hazel that when Joe Rainey learned of Halliburton's intention to present him with a parting gift upon his retirement, Joe Rainey asked them instead to make a donation to the Upshur County Sheriff's Office in his honor rather than giving him any material thing. Chief Hazel further commented that Mr. Beckworth has committed, on behalf of Halliburton, a \$10,000 open donation to use as the Upshur County Sheriff's Office sees fit. Chief Hazel further stated that he advised Mr. Beckworth that they would use the funds to further outfit their patrol division with needed street level equipment pending acceptance from this Court of his pledge from Halliburton. Judge Tefteller asked for a vote of support in appreciation for Mr. Rainey for turning down the "gold watch" (so to speak) and saying take the value of that and donate it to the Sheriff's Office of the County where I live. Judge Tefteller asked those on the Court that wish to show their support please vote "aye". Vote carried 5-0 that the Court adopt a resolution in appreciation to Mr. Joe Rainey and appreciation for him moving here.

5. 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.

The Judge announced that the employees have all been relocated. He further announced that the Contractor is still working with two sub-contractors to work out the final details and to determine the final cost. Judge Tefteller further stated that we are waiting to sign the contract with Stoddard when we get the final cost. No action.

6. Discuss and take action to adopt a policy requiring the Upshur County Road and Bridge Dept. to give any updates concerning wrecks, employee hiring/firing, road work, etc. to all County Commissioners.

Jay W. Miller announced that he had prepared a rough draft of a policy and had submitted it

to Billy Byrd, Upshur County District Attorney, for approval. Jay W. Miller commented to the Court that we need to move forward on a policy and set up some guidelines. There was discussion of a possible "do not apply" email being sent out from Road and Bridge Department to all of the commissioners. Judge Tefteller commented that he would get with Jay W. Miller and collaborate a policy. No action.

7. 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,F Section 551.072 (deliberation regarding real property);

A,B,C,D,E,F Section 551.0725 (deliberation and discussion of contracts being negotiated);

_____ Section 551.073 (deliberation about gifts and donations);

_____ 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 1) in connection with the relocation of County offices during Courthouse renovation or repairs and 2) in general for expansion purposes.**
- 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 Const. Co. in reference to the recently awarded CMAC position.**
- E. Consideration of the terms of interlocal agreements concerning the assessment and collection of taxes for local school districts.**
 - i) Deliberation regarding contracts being for disposal of used oil and fluids, and for the use of real property, at the Upshur County Road & Bridge Department.**

Court went into **CLOSED SESSION** at 10:25 a.m.

CLOSED SESSION concluded at 11:42 a.m.

Meeting back into **OPEN SESSION** at 11:43 a.m.

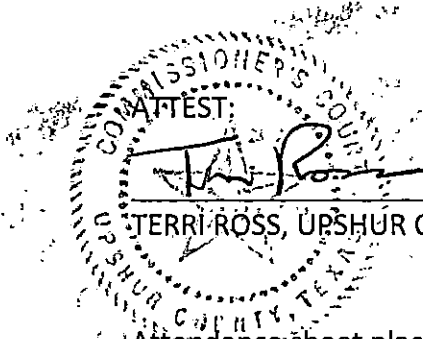
8. The Court will re-convene into open session and take any action necessary as a result of Executive Session.

No action.

9. Adjourn.

Motion by Mike Ashley with a second by Jay W. Miller to adjourn the meeting.

Motion carried 5-0. Unanimous vote in favor. Meeting adjourned at 11:43 a.m.



TEST:

T. 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.