

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
THURSDAY, NOVEMBER 30, 2023
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Thursday, November 30, 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 10:11 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; and applications for use of Upshur County roads and rights-of way and permit requests.**

Motion by Dustin Nicholson 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 the Certificate of Additional Income for the unrestricted donation in the amount of \$10,000 from Halliburton for the Upshur County Sheriff's Office.

Motion by Dustin Nicholson with a second by Gene Dolle to approve the Certificate of Additional Income for the unrestricted donation in the amount of \$10,000 from Halliburton for the Upshur County Sheriff's Office. Motion carried 5-0. Unanimous vote in favor.

- 4. Discuss and take action to approve the Interlocal Contract for GIS Services entered into by East Texas Council of Governments and Upshur County under Chapter 791 of the Government Code for ETCOG to provide GIS services to Upshur County.**

Motion by Mike Ashley with a second by Gene Dolle to approve the Interlocal Contract for GIS Services entered into by East Texas Council of Governments and Upshur County under Chapter 791 of the Government Code for ETCOG to provide GIS Services to Upshur County. Motion carried 5-0. Unanimous vote in favor.

- 5. Discuss and take action to approve the R&B Administrator to consult with an auctioneer to auction the Massey Ferguson tractors (4) and Massey Ferguson Boom Mower (1).**

Dustin Nicholson asked that this matter be discussed in closed session.

- 6. Discuss and take action to approve awarding the bid for scrap metal disposal located at Road and Bridge.**

Dustin Nicholson asked that this matter be passed to next meeting.

- 7. Discuss and take action to approve a five year lease/purchase of a 2024 J.D. 320P Backhoe at a cost of \$124,900 and annual lease payments of approximately \$15,000.**

Motion by Gene Dolle with a second by Dustin Nicholson to approve a five year lease/purchase of a 2024 J.D. 320P Backhoe at a cost of \$124,900 and annual lease payments of approximately \$15,000. Motion carried 5-0. Unanimous vote in favor.

- 8. Discuss and take action to cast the ballot for the Upshur County Appraisal District Board of Directors.**

Jay W. Miller commented that he would like to cast his votes on David Fonteno, Richard Gage, John Ussery, and Jackie Oliver.

Dustin Nicholson also commented that he would like to cast his votes on the same.

Mike Ashley also commented that he would like to split his votes on the same.

Gene Dolle commented that he would like to cast his votes on David Fonteno, Richard Gage, Stacy McMahon, Jackie Oliver, and John Ussery.

Motion by Gene Dolle to cast the votes to David Fonteno, Richard Gage, Stacy McMahon, Jackie Oliver, and John Ussery. Motion died for lack of second.

Motion by Jay W. Miller to split the votes equally between David Fonteno, Richard Gage, Jackie Oliver, and John Ussery. Second by Dustin Nicholson. Motion carried 3 for with 2 against.

9. Discuss nominees to the Emergency Services District Boards No. 1 and 2 for expiring terms that end December 31, 2023.

No action.

10. 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.

This matter will be discussed in Closed Session.

11. 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);

 B,C,D 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.

Court went into CLOSED SESSION at 10:40 a.m.
Meeting back into OPEN SESSION at 11:42 a.m.

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

5. Discuss and take action to approve the R&B Administrator to consult with an auctioneer to auction the Massey Ferguson tractors (4) and Massey Ferguson Boom Mower (1).



Dustin Nicholson made a motion with a second by Gene Dolle that the Court allow the Road and Bridge Administrator to move forward with Machinery Auctioneers out of Castroville, Texas to auction off the four Massey Ferguson tractors and the Massey Ferguson Boom Mower. Motion carried 5-0. Unanimous vote in favor.

10. 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 made a motion authorizing Judge Tefteller to sign a contract with Curt Stoddard approved by Curt Stoddard at the most economical and competent bids available. Motion seconded by Jay W. Miller. Motion carried 5-0. Unanimous vote in favor.

13. Adjourn.

Motion by Mike Ashley with a second by Gene Dolle to adjourn the meeting. Motion carried 5-0. Unanimous vote in favor. Meeting adjourned at 11:51 a.m.


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.