

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS  
THURSDAY, FEBRUARY 15, 2024  
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Thursday, February 15, 2024 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 10:02 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 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; Interlocal Agreement Between Upshur County and Texas Division of Emergency Management; 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 Resolution (#2024-03) for Grant Application #5095601 for the Rifle-Resistant Body Armor for 2024; Resolution (#2024-04) for Grant Application #5095201 for the Communication Equipment-All Band Radios for 2024; and, Grant Application (#2024-05) for the Constables Bullet Resistant Shields #4999901 for the Upshur County Constables.**

Tim Barnett, Upshur County Constable, was present and addressed the Court regarding the request of all four Constables' request for the Court to approve the Resolutions for Grant Applications for Body Armor, Communication Equipment, and Bullet Resistant Shields.

Motion by Gene Dolle with a second by Jay W. Miller to approve Resolution (#2024-03) for Grant Application #5095601 for the Rifle-Resistant Body Armor for 2024; Resolution (#2024-04) for Grant Application #5095201 for the Communication Equipment-All Band Radios for 2024; and Grant Application (#2024-05) for the Constables Bullet Resistant Shields #4999901 for the Upshur County Constables. Motion carried 5-0. Unanimous vote in favor.

**4. Discuss and take action to approve the lease-purchase of two (2) J.D. 2023 6210SE Tractor Mowers at a cost of \$136,254.20 to be financed through First National Bank-Wichita Falls.**

Dustin Nicholson informed the Court that four Massey Ferguson tractors and a Massey Ferguson mower were auctioned off to be able to purchase two John Deere tractor mowers. Connie Williams, Upshur County Auditor, advised the Court that the terms of the lease would need to be decided upon by the Court. Motion by Dustin Nicholson with a second by Gene Dolle to approve the lease-purchase of two (2) John Deere 2023 6210SE Tractor Mowers at a cost of \$136,254.30 each to be financed through First National Bank – Wichita Falls. Motion carried 5-0. Unanimous vote in favor.

**5. Discuss and take action to approve the Services Agreement between Texas Association of Counties (TAC) County Information Resources Agency (CIRA).**

Motion by Mike Ashley with a second by Jay W. Miller to approve the Services Agreement between Texas Association of Counties (TAC) County Information Resources Agency (CIRA) for website hosting services at \$3,200.00 annually. Motion carried 5-0. Unanimous vote in favor.

**6. Open bids for road and bridge fuel and materials. Discuss and take necessary action.**

Commissioner Dustin Nicholson recused himself from the meeting at 10:20.

Bids were received and opened as follows:

Plant Mixed Asphalt: Oil Dirt and Hot Oil Sand

- 1) Longview Asphalt, Inc.
- 2) Wood County Asphalt

Gasoline and Diesel Fuel

- 1) Petroleum Traders Corporation

Pug Milling

- 1) J&B Production & Service, LLC

Rock/RipRap

- 1) Longview Asphalt, Inc.

Refined Road Oil and Emulsified Asphalt

- 1) Bryan and Bryan Asphalt

Crushed Gravel

- 1) Seaton Construction, Inc.

Limestone Flex Base

- 1) Longview Asphalt, Inc.

These bids were provided to the Upshur County Road and Bridge Administrator for review and to awarded at the next regular court session. No action.

Commissioner Dustin Nicholson returned to the meeting at 10:30 a.m.

**7. 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 gave an update to the Court regarding the status of the Courthouse renovation. He informed the Court that they are currently doing the asbestos abatement and it is going smoothly and actually ahead of schedule. He further stated that there is a meeting next week with Judge LeFleur, Judge Tefteller, the Architect and Connie Williams to line out the schedule as to the projected time frame.

**8. 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));**

\_\_\_\_\_ **Section 551.072 (deliberation regarding real property);**

A,B,C, \_\_\_\_\_ **Section 551.0725 (deliberation and discussion of contracts being negotiated);**

\_\_\_\_\_ **Section 551.073 (deliberation about gifts and donations);**

D \_\_\_\_\_ **Section 551.074 and 551.0745 (personnel matters);**

\_\_\_\_\_ **Section 551.076 (deliberation about security audits or security devices).**

**TO WIT:**

- A. Consideration of contracts being negotiated in connection with the Round XII Courthouse Renovation.**
- B. Consideration of terms and conditions of the contract between Upshur County and J.C. Stoddard Const. Co. relative to the Round XII Courthouse Renovation.**
- C. Discussion of Interlocal agreements between Upshur County and Local School Districts regarding the assessment and collection of school taxes, i.e., the terms and conditions of any proposed new interlocal agreements which incorporate County Policy on collection of School taxes (the actual costs of collection).**
- D. Discussion of payment of health care related costs due on behalf of Upshur County employees and dependents through the County 3<sup>rd</sup> Party Administrator.**

The Court went into CLOSED SESSION at 10:35 a.m.

- 9. 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 12:09 p.m.  
No action to be taken as a result of closed session.

**10. Adjourn.**

Motion by Dustin Nicholson with a second by Mike Ashley to adjourn the meeting.  
Motion carried 5-0. Unanimous vote in favor. Meeting adjourned at 12:10 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.