

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
TUESDAY, APRIL 30, 2024
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Tuesday, April 30, 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
 Mike Ashley – Commissioner Pct. #3
 Jay W. Miller – Commissioner Pct. #4

Dustin Nicholson – Commissioner Pct. #2, was absent.
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 Judge Todd Tefteller.

2. Citizen comments. None

3. 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; Certificate of Liability Insurance for Gab's Tree Service, Inc.; 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 4-0. Unanimous vote in favor.

(SEE ATTACHED)

4. Hear from Staci Killingsworth concerning excess proceeds for Upshur County from the sale of County properties. Discuss and take necessary action.

Staci Killingsworth, attorney with the Linebarger firm, presented the Court with 4 checks

received from the sale of Upshur County properties in the amount of \$31, 897.99. Motion by Mike Ashley with a second by Gene Dolle to accept the checks from the Linebarger firm as excess proceeds from the sale of Upshur County properties. Motion carried 4-0. Unanimous vote in favor.

5. Hear from Julie York concerning the Family and Community Health programs – 4H and adult programming.

Julie York made a presentation to the Court regarding some of the projects that she has been involved with providing resources to the citizens of the County. She introduced Paige Maze, Gilmer Jr. High Life Skills Class Instructor. Paige Maze gave the Court a brief introduction of their participation in the Extension Service Walk Across Texas. Julie York introduced Janice Green who also gave an introduction as her involvement with Texas Extension Education Association (TEEA). Nellie Henry also spoke to the Court regarding her role as Senior Advocate Group for seniors and caregivers and the programs available to the senior citizens of the County. They partner with Texas A & M AgriLife to bring health and wellness to the counties. Amorette Burch was also present and spoke regarding the Upshur County Health Coalition and the opportunities they provide for the citizens of the County.

6. Discuss and take action to approve a request from Billy Byrd to assign the Conference Room at the Courthouse to his department for additional office space for an Assistant District Attorney.

Billy Byrd was present and asked that the Court consider assigning the conference room at the Courthouse to his department to use as an additional office for his newly hired Assistant District Attorney. Motion by Gene Dolle with a second by Mike Ashley to assign the conference room at the Courthouse to the District Attorney for additional office space for the Assistant District Attorney. Motion carried 4-0. Unanimous vote in favor.

7. Discuss and take action to approve the transfer of two used Chevrolet Tahoes from the Upshur County Sheriff's Department to the Building and Maintenance Department.

Gene Crutsinger, Building and Maintenance Supervisor, was present and asked the Court to consider the transfer of two used Chevrolet Tahoes from the Upshur County Sheriff's Department to his department to the cleaning service. Sheriff Larry Webb was also present and informed the Court that he had spoken with Mr. Crutsinger and they were in agreement with transferring these two vehicles to the Building and Maintenance Department. Motion by Mike Ashley with a second by Gene Dolle to approve the transfer of two used Chevrolet Tahoes from the Upshur County Sheriff's Department to the Building and Maintenance Department. Motion carried 4-0. Unanimous vote in favor.

8. Discuss and take action to accept the resignation of Precinct 3 Constable Ronnie Mitchell.

Mike Ashley expressed his appreciation to Ronnie Mitchell for a job well done and for him making a difference in his 31 years of service to Upshur County. Mike Ashley gave a brief background of Mr. Mitchell's service to the County throughout the years. He noted that Mr. Mitchell was having to retire due to health issues. Motion by Mike Ashley with a second by Jay W. Miller to accept the resignation of Precinct 3 Constable Ronnie Mitchell. Motion carried 4-0. Unanimous vote in favor.

9. Discuss and take action to appoint Constable-Elect James Casey to finish the unexpired term of Constable Precinct 3.

Motion by Mike Ashley with a second by Gene Dolle to appoint Constable-Elect James Casey to fulfill the unexpired term of Constable Precinct 3 and appoint him as the Constable of Precinct 3. Motion carried 4-0. Unanimous vote in favor.

Judge Todd Tefteller then proceeded with the swear-in ceremony of James Casey as the Constable Precinct 3.

10. Discuss and take action to terminate the County's maintenance contract with American Elevator and to issue a letter of non-renewal.

Judge Tefteller informed the Court that it was not necessary to continue the contract on the elevator during the renovation of the courthouse. Jay W. Miller made a motion with a second by Mike Ashley to terminate the County's maintenance contract with American Elevator and to issue a letter of non-renewal. Motion carried 4-0. Unanimous vote in favor.

11. Discuss and take action to approve the purchase and implementation of Tyler Technologies Enterprise Jury Manager Software.

Motion by Jay W. Miller with a second by Mike Ashley to authorize Judge Todd Tefteller to sign the contract with Tyler Technologies for the purchase of the Enterprise Jury Manager Software. Motion carried 4-0. Unanimous vote in favor.

12. Discuss and take action to renew the contract with LexisNexis for Accurint for Government services on behalf of the County Tax Assessor-Collector.

Luana Howell, Upshur County Tax Assessor-Collector, was present and asked the Court to renew this contract with LexisNexis Accurint which assists in locating possible new addresses on returned mailings with insufficient addresses. Mike Ashley made a motion with a second by Jay W. Miller to renew the contract with LexisNexis for Accurint for Government services on behalf of the County Tax Assessor-Collector. Motion carried 4-0. Unanimous vote in favor.

13. Discuss and take action on behalf of the County Tax Assessor-Collector to end the contract

with the Master's Touch and to approve entering into a contract with Peregrine for tax statement printing and mailing.

Luana Howell, Upshur County Tax Assessor-Collector, informed the Court that she had used the services of Peregrine in the past but had changed to Master's Touch in hopes to save money. She further advised the Court that she wishes to go back to using the services of Peregrine for the printing and mailing of tax statements. Motion by Jay W. Miller with a second by Gene Dolle to end the contract with the Master's Touch and approve entering into a contract with Peregrine for tax statement printing and mailing. Motion carried 4-0. Unanimous vote in favor.

14. Discuss and take action to approve the certification of additional revenue from the sale of scrap metal at Road and Bridge.

Motion by Mike Ashley with a second by Gene Dolle to approve the certification of additional revenue from the sale of scrap metal at Road and Bridge in the amount of \$537.50. Motion carried 4-0. Unanimous vote in favor.

15. Hear from the Road and Bridge Administrator with an update of the County roads in each precinct.

Phil Stegall, Upshur County Road and Bridge Administrator, announced that there is nothing new to report with all of the recent rain. He advised that they are more on a preventative maintenance type schedule now with trying to open up ditches to keep water flowing. He further stated that once the rain subsides, they will begin construction in Precinct 4 area.

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.

No updates for discussion.

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));

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

A,B, Section 551.0725 (deliberation and discussion of contracts being negotiated);

_____ Section 551.073 (deliberation about gifts and donations);

C Section 551.074 and 551.0745 (personnel matters);

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

TO WIT:

- A. Consideration of the Round XII Project administration in reference to the Courthouse Renovation.**
- B. Consideration of Round XII Renovation Funding and ARPA Grant requirements consistent therewith.**
- C. Discuss personnel appointments.**

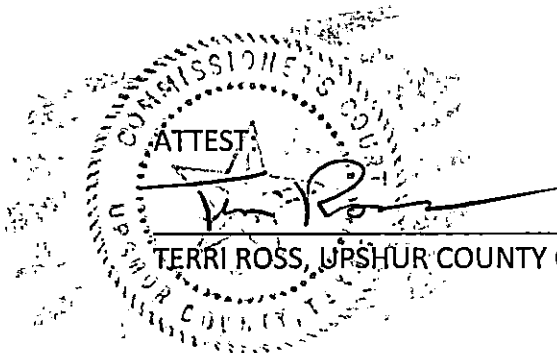
The Court went into **CLOSED SESSION** at 10:55 a.m.

- 18. 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 11:35 a.m.
No action to be taken as a result of closed session.

- 19. Adjourn.**

Motion by Mike Ashley with a second by Gene Dolle to adjourn the meeting.
Motion carried 4-0. Unanimous vote in favor. Meeting adjourned at 11:36 a.m.



ATTEST

TERRI ROSS, WASHOE 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.