

COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
WEDNESDAY, JULY 31, 2024
10:00 A.M. REGULAR SESSION

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Wednesday, July 31, 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 10:00 a.m.

1. Invocation and Pledges

Prayer was led by Gene Dolle.

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

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 report; Treasurer report; 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 Becket Oil & Fuel LP d.b.a. Eagle Fuel & Oil LP; Certificate of Liability Insurance for Fikes Wholesale Inc.; and applications for use of Upshur County roads and rights-of way and permit requests.**

Dustin Nicholson made a motion with a second by Gene Dolle to approve items 3A-F. Motion carried 5-0. Unanimous vote in favor.
(SEE ATTACHED)

4. 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.

Judge Leward LeFleur was not present but Judge Tefteller announced that he is on his way to discuss during CLOSED SESSION.

5. Hear from Sheriff Webb recognizing his jail personnel for their response to a jail incident that occurred on June 10, 2024.

Sheriff Webb informed the Court of the incident that occurred on June 10, 2024 in the jail. Sheriff Webb presented a life-saving award and pin to Sgt. Lower, Jailer Thomas, Jailer Baynum, Jailer Roach, Jailer Crutsinger, Medical Staff Jailer Jetton, Lt. Ferguson, and Chief Deputy James Grunden for their response to the incident that saved an inmate's life.

6. Discuss and take action approving a fly over of Upshur County on October 17, 2024 in connection with the Dedication of Camp Billy Machen and the East Texas Yamboree.

Steve Dean gave a brief history of the Machen family and of Billy Machen as a Navy Seal and his service to our country. Steve Dean, through the help of the Flight of the Phoenix Museum, is dedicating a memorial park on Machen Lane in honor of Billy Machen for his contribution to our country. He further informed the Court that they have applied for a historical marker through the Historical Commission. He also advised the Court that they have requested a military flight pass on October 17, 2024 during the East Texas Yamboree for the dedication of Camp Billy Machen. He further stated that he needs approval for the fly over from the Commissioners Court in order to obtain permission from the Pentagon.

Motion by Jay W. Miller with a second by Gene Dolle to authorize Judge Tefteller to sign the document giving the Court's approval for the fly over of Upshur County on October 17, 2024 in connection with the dedication of Camp Billy Machen and the East Texas Yamboree. Motion carried 5-0. Unanimous vote in favor.

7. Discuss and take action to change the classification of the IT Specialist Position within the Sheriff's Department from non-exempt to exempt.

Motion by Dustin Nicholson with a second by Gene Dolle to change the classification of the IT Specialist Position within the Sheriff's Department from non-exempt to exempt. Maddie Moore, HR Clerk, asked the Court what she needs to do with the comp time that is currently on the books for the IT Specialist employee and if he will be required to turn in a time sheet. Connie Williams, Upshur County Auditor, informed Ms. Moore that this employee would be treated like any other exempt employee and would only turn in an exempt time sheet for holidays, vacation, and sick leave. Connie Williams suggested that he would have to use that comp time as sick leave or vacation as the County could not pay out any of that time based on the SB22 guidelines. Dustin Nicholson made a motion to approve the change of classification of the IT Specialist Position within the Sheriff's Department from non-exempt to exempt and that the comp time that has been acquired up to this point to be used for sick time or vacation time. Gene Dolle made a second to the motion. Motion carried 5-0.

Unanimous vote in favor.

- 8. Discuss and take action to approve the purchase and installation of new carpet in the JP #2 Office (1,444 sq. ft.) to be charged to the Dedicated Fund 234-Justice Court Support Fund at a cost of \$5,315.25.**

Motion by Gene Dolle with a second by Mike Ashley to approve the purchase and installation of new carpet in the JP #2 Office to be charged to the Dedicated Fund 234-Justice Court Support Fund at a cost of \$5,315.25. Motion carried 5-0. Unanimous vote in favor.

- 9. Discuss and take action to approve the request from the Librarian to change the hiring age to 16 on the Library's part-time position ONLY.**

Motion by Mike Ashley with a second by Gene Dolle to approve the request from the Librarian to change the hiring age to 16 on the Library's part-time position ONLY. Motion carried 5-0. Unanimous vote in favor.

- 10. Discuss and take action to approve payment of an autopsy expense of a deceased infant ordered by the Camp County Justice of the Peace.**

This matter will be discussed in CLOSED SESSION.

- 11. Hear from the Road & Bridge Administrator with an update of the County roads in each precinct.**

Phil Stegall, Road and Bridge Administrator, was not present due to a family emergency.

- 12. Discuss and take action to approve filing of the FY25 proposed budget with the County Clerk and post to the Upshur County website, no later than August 14, 2024 in accordance with Local Government Code Chapter 152.**

Motion by Dustin Nicholson with a second by Gene Dolle to approve the filing of the FY25 proposed budget with the County Clerk and post to the Upshur County website, no later than August 14, 2024 in accordance with Local Government Code Chapter 152. Motion carried 5-0. Unanimous vote in favor.

- 13. Discuss and take action on the FY25 Proposed Budget.**

Connie Williams informed the Court that there were no matters to be discussed. No action.

- 14. The Court will/may go into CLOSED SESSION under Texas Open Meetings Act, Texas Government Code, Chapter 551 as indicated:**

 D,E Section 551.071 (consultation with attorney(s));

_____ Section 551.072 (deliberation regarding real property);

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

_____ Section 551.073 (deliberation about gifts and donations);

D,E 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. Consideration of progress, contracts for services and future action relative to the gasoline infrastructure failure at the Road and Bridge Department.**
- D. Consideration of potential extraordinary expenses pending criminal investigation and prosecution.**
- E. Consideration of payment of infant autopsy ordered by Camp County Justice of the Peace.**
- F. Consideration of an energy credit regarding the geothermal heat pump (HVAC) system being incorporated into the Round XII Courthouse Renovation.**

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

- 15. 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 11:34 a.m.

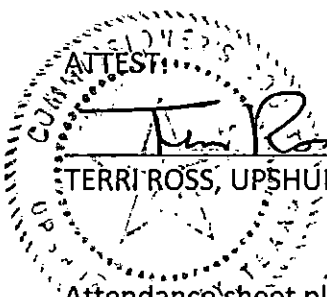
- 10. Discuss and take action to approve payment of an autopsy expense of a deceased infant ordered by the Camp County Justice of the Peace.**

Motion by Dustin Nicholson with a second by Jay W. Miller not to approve the payment of an autopsy expense of a deceased infant ordered by the Camp County Justice of the Peace.
Motion carried 4-1 with Judge Tefteller against.

No further discussion after **CLOSED SESSION**.

- 16. Adjourn.**

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



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.