

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

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Friday, August 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
 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. Joan Skinner spoke to the Court in regards to the recent announcement from the political party's chairmen of their chosen election judges and the importance of election integrity. Ron Cook also addressed the Court in regards to his appreciation of Phil Stegall and the work that he is doing as Road Administrator.

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; Republic Services Special Waste Summary Report; Executed Statement of Work between Etex Communication and Upshur County; 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)

PUBLIC HEARING

Judge Tefteller opened the Public Hearing @ 10:16 a.m.

1. The Commissioners Court will conduct a public hearing concerning the FY25 Proposed Budget.

Connie Williams, Upshur County Auditor, began the public hearing by addressing the County's accomplishments in the last 6 years including the Courthouse renovation at a cost to the County at 7.2 million; raising the County employees' salaries at an average of \$6,600.00 per employee combined and to which Connie Williams advised the Court that Upshur County's elected and appointed officials are at 30% below average of other counties of comparable size; software upgrade for case management, jury manager, and jail management at a cost of \$500,000.00; increase in the Road and Bridge general budget of \$707,000.00 using 2.8 million of ARPA grant funds; and the purchase of four Constable vehicles at a cost of \$220,000.00. She further stated that once the courthouse renovation is complete, there will be more areas to focus on as well.

Connie Williams announced that the FY25 Proposed Budget for the General Fund and Insurance Fund is \$22,261,219.00 (this does not include any dedicated funds) which is \$755,259.00 increase over last year's budget.

2. Discuss and take action on the FY25 Proposed Budget.

Connie Williams announced that there were two additional changes to the proposed budget. The first change would be to the Tax Assessor/Collector's budget. She reminded the Court at the time when there were certain school districts making the decision of going with a separate attorney for tax collections, it would be additional work for the tax assessor's employees. She further stated that those school districts that chose to go with a separate attorney would contribute \$600.00 to the tax office for the extra burden on the employees. Four of the school districts have paid that fee for a combined total of \$2,400.00. Connie Williams announced that Luana Howell, Tax Assessor/Collector, wishes to split the \$2,400.00 between two employees which would be an increase to her salary line item of \$2,400.00.

The second change would be to the Road and Bridge budget. Connie Williams announced that the disposing of tires would be a matter that needed to be done more frequently. This would require an additional \$2,200.00 to a special line item to the Road and Bridge budget.

It was the consensus of the Court to allow Connie Williams to make those changes to the proposed budget.

Motion by Gene Dolle with a second by Dustin Nicholson to close the public hearing. The public hearing was closed at 10:30 a.m.

17. Discuss and take action to schedule the Public Hearing on the tax increase (any rate above the No-New Revenue Rate) for September 16, 2024.

Motion by Gene Dolle with a second by Jay W. Miller that the Public Hearing on the tax increase (any rate above the No-New Revenue Rate) be scheduled for September 16, 2024 @ 10:00 a.m. Motion carried 5-0. Unanimous vote in favor.

18. Discuss and take action to schedule the date of the adoption of the property tax rate for the FY 25 Budget for September 16, 2024.

Motion by Dustin Nicholson with a second by Gene Dolle to schedule the date of the adoption of the property tax rate for the FY 25 Budget for September 16, 2024 @ 10:00 a.m. Motion carried 5-0. Unanimous vote in favor.

19. Discuss and take action to schedule the date of the adoption of the FY 25 Budget for September 16, 2024.

Motion by Mike Ashley with a second by Jay W. Miller to schedule the date of the adoption of the FY 25 Budget for September 16, 2024 @ 10:00 a.m. Motion carried 5-0. Unanimous vote in favor.

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 Tefteller announced that he toured the Courthouse with some of the media and that the contractors are working hard.

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

Phil Stegall, Road & Bridge Administrator, announced that his department had re-worked and re-paved nine miles of road in the last 28 days.

6. Discuss and take action to approve the transfer of the 2004 Ford truck, serial #1FMZU67K74UA39412, from Building Maintenance to Road and Bridge.

Motion by Mike Ashley with a second by Gene Dolle to approve the transfer of the 2004 Ford truck, serial #1FMZU67K74UA39412, from Building Maintenance to Road and Bridge. Motion carried 5-0. Unanimous vote in favor.

7. Discuss and take action to approve the continuation of the imposition of the optional motor vehicle fees of County Road and Bridge Fee and Child Safety Fee for the Calendar Year 2025.

Motion by Jay W. Miller with a second by Dustin Nicholson to continue the imposition of the optional motor vehicle fees of County Road and Bridge Fee and Child Safety Fee in the amount of \$1.00 per registration for the calendar year 2025. Motion carried 5-0. Unanimous vote in favor.

- 8. Discuss and take action to approve a Resolution to enter into a method of operation agreement with the MARTIN HOUSE CHILD ADVOCACY CENTER in Longview, Texas, and ceasing Upshur County's affiliation with the North East Texas Child Advocacy Center.**

Billy Byrd, Upshur County District Attorney, was present to inform the Court that he along with all department heads, heads of all law enforcement agencies, and the Chief of the Juvenile Probation Department, have taken the action and have all signed off on a termination agreement notifying the Northeast Texas Child Advocacy Center that as of September 1, 2024, they will no longer be in their service area. Billy Byrd further informed the Court that they intend to go forward with an agreement with the Martin House Child Advocacy Center. He advised that the Martin House Child Advocacy Center is ready to move forward and enter into an agreement with Upshur County. The Board of the Martin House Child Advocacy Center will meet on September 12th and formally approve it. Billy Byrd will be in attendance at that meeting.

Motion by Dustin Nicholson with a second by Gene Dolle to approve the Resolution to enter into an agreement with the Martin House Child Advocacy Center in Longview, Texas, and ceasing Upshur County's affiliation with the Northeast Texas Child Advocacy Center. Motion carried 5-0. Unanimous vote in favor.

- 9. Discuss and take action to pay all future child safety fees collected to the MARTIN HOUSE CHILD ADVOCACY CENTER in Longview, Texas pursuant to § 102.014(g) of the Texas Code of Criminal Procedure and § 502.403 of the Texas Transportation Code.**

Motion by Dustin Nicholson with a second by Gene Dolle to pay all future child safety fees collected to the Martin House Child Advocacy Center in Longview, Texas pursuant to §102.014(g) of the Texas Code of Criminal Procedure and §502.403 of the Texas Transportation Code. Motion carried 5-0. Unanimous vote in favor.

- 10. Discuss and take action to provide the MARTIN HOUSE CHILD ADVOCACY CENTER in Longview, Texas the office space in the Rock Building previously used by the NETCAC.**

Motion by Gene Dolle with a second by Mike Ashley to provide the Martin House Child Advocacy Center in Longview, Texas the office space in the Rock Building previously used by the NETCAC. Motion carried 5-0. Unanimous vote in favor.

- 11. Discuss and take action to approve the Interlocal Agreement for School Resource Officer provided by the Upshur County Sheriff's Office for Big Sandy ISD.**

Sheriff Larry Webb informed the Court that every school district in Upshur County, with the exception of Gladewater ISD, now has a School Resource Officer provided by the Upshur County Sheriff's Office. Motion by Mike Ashley with a second by Jay W. Miller to approve the Interlocal Agreement for School Resource Officer provided by the Upshur County Sheriff's Office for Big Sandy ISD. Motion carried 5-0. Unanimous vote in favor.

12. Discuss and take action to approve the Certification of Additional Income for Dedicated Fund 270-S.O. State Forfeiture Fund.

Motion by Dustin Nicholson with a second by Gene Dolle to approve the Certification of Additional Income for Dedicated Fund 270-S.O. State Forfeiture Fund. Motion carried 5-0. Unanimous vote in favor.

13. Discuss and take action to approve the removal of part and/or all of the former property tax counter located in the Tax Office.

Luana Howell, Tax Assessor/Collector, informed the Court that she is requesting the removal of part and/or all of the counter to provide more space for the customers. She further advised that this would be removed by the Building and Maintenance Department if approved. Motion by Dustin Nicholson with a second by Jay W. Miller to approve the removal of part and/or all of the former property tax counter located in the Tax Office. Motion carried 5-0. Unanimous vote in favor.

14. Discuss and take action to approve the request of Tax Assessor Luana Howell to purchase five (5) chairs for her office with payment of \$2,300.00 to be issued from Non-departmental Furniture and Fixtures and the balance of \$349.60 to be paid from the Tax Office line item 240.

Motion by Mike Ashley with a second by Jay W. Miller to approve the request of Tax Assessor Luana Howell to purchase five (5) chairs for her office with payment of \$2,300.00 to be issued from Non-departmental Furniture and Fixtures and the balance of \$349.60 to be paid from the Tax Office line item 240. Motion carried 5-0. Unanimous vote in favor.

15. Discuss and take possible action on the 2024-2025 Appraisal District's budget, by resolving that Upshur County Appraisal District calculate a new budget.

Judge Tefteller announced that there was a meeting with himself, Jay W. Miller, Rick Albritton (Gilmer ISD Superintendent), the GISD Auditor, Brandon Dodd (Appraisal District Board Director), and the Chief Appraiser. Judge Tefteller feels like the Appraisal District has made a serious effort to decrease their budget. Judge Tefteller explained to the Court that the Appraisal District has a reserve balance of about \$92,000.00 and the law says that they can have a modest amount of money in case of emergencies. He further explained that the

money has been collected but there needs to be discussion how to distribute part of that back to the taxing entities and still retain some of that for emergencies. Commissioner Gene Dolle feels that they should refund \$60,000.00 back to the taxing entities. Brandon Dodd expressed to Mr. Dolle that the Appraisal District is not unwilling as Mr. Dolle suggested. He informed the Court that this money has been held back for the last three years but it is money that was budgeted for reserve funds. Judge Tefteller announced that he would hold off on a resolution at this time so that the Appraisal District can meet with Connie Williams to come to a solution as to how much of the existing surplus to credit the entities in the coming year. No action.

16. Discuss and take action on the FY25 Proposed Budget.

This matter was handled in the Public Meeting.

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

 C Section 551.071 (consultation with attorney(s));

 A,B,C 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);

 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 a Resolution changing the County's affiliation from the North East Texas Child Advocacy Center in Winnsboro, Texas to the Martin House Child Advocacy Center in Longview, Texas.**

There was no need for the Court to go into **CLOSED SESSION**.

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

N/A

22. 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 11:29 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.