

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

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Monday, September 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 Todd Tefteller called the 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. Citizens Comments. Jerry Beck spoke to the Court in regards to the limbs and trash in the ditches on Gardenia Road. James Beck spoke to the Court in regards to the brush hogging that needs to be done on the side of the road of Gardenia. John Beck spoke to the Court in regards to the potholes on Gardenia Road. Steve Dean announced as a reminder of the Memorial Park dedication and Historical Marker dedication for Petty Officer Machen on October 17th on Machen Lane.

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; Upshur County Position List with Base Pay-Revised 9/30/2024, Effective 10/1/2024; Endorsement for Commercial General Liability Insurance for Clarksville Oil & Gas Company, LTD; and, applications for use of Upshur County roads and rights-of way and permit requests.**

Judge Tefteller announced that he desires to discuss an item in 3F as to the Upshur County Position List with Base Pay-Revised 9/30/2024, Effective 10/1/2024 during

Executive Session. Gene Dolle made a motion with a second by Jay W. Miller to approve items 3A-E. Motion carried 4-1. Unanimous vote in favor.
(SEE ATTACHED)

6. Discuss and take action to approve a Proclamation declaring October as National Domestic Violence Awareness Month.

Motion by Dustin Nicholson with a second by Gene Dolle to approve the Proclamation declaring October as National Domestic Violence Awareness Month. Motion carried 5-0. Unanimous vote in favor.

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

Phil Stegall, Road & Bridge Administrator, provided the Court with an update as to the work being done by his department. He announced that they have completed Aster and Poppy Roads in Precinct 2; installed culverts in Precinct 3; and have done overlays in all Precincts.

12. Discuss and take action changing or lowering the speed limit on Collie Road, pursuant to Section 545.355 of the Texas Transportation Code.

No action.

13. Discuss and take action to approve the removal and replacement of new fuel tanks at the Road & Bridge Department.

Motion by Gene Dolle with a second by Dustin Nicholson to approve the contract with Titus Pump Service for the removal and replacement of new fuel tanks at the Road & Bridge Department. Motion carried 5-0. Unanimous vote in favor.

14. Discuss and take action to accept Gorman Oaks Rd. into the County Road Inventory (This road is West of Big Sandy and runs parallel with U.S. Hwy. 80. This is the road Union Pacific Railroad has built to facilitate their passing track and railroad crossing closures.); to authorize the County Judge to execute the Special Warranty Deed accepting it on behalf of the County; and, to approve a Resolution Authorizing the Acceptance and Public Dedication of Road Rights-of-Way and Improvements (#2024-08) with a record vote.

Motion by Mike Ashley with a second by Jay W. Miller to table. Motion carried 5-0. Unanimous vote in favor.

15. Discuss and take action to remove Upshur County Juvenile Probation from the Juror Donation Form and to add Martin House Children's Advocacy Center to the Juror Donation Form.

Motion by Dustin Nicholson with a second by Gene Dolle to remove Upshur County Juvenile Probation from the Juror Donation Form and to add Martin House Children's Advocacy Center to the Juror Donation Form. Motion carried 5-0. Unanimous vote in favor.

16. Discuss and take action to approve and accept for recording the Internal Audit Report for the District Clerk's Daily Deposit and Change Funds.

Motion by Dustin Nicholson with a second by Gene Dolle to accept for recording the Internal Audit Report for the District Clerk's Daily Deposit and Change Funds. Motion carried 5-0. Unanimous vote in favor.

17. The Court will/may 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-G 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);

F 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. Discussion of payment of health care related costs due on Upshur County employees and dependents through the County 3rd Party Administrator.**
- D. Discussion on policy and procedures on disposal of used tires.**
- E. Discuss available options and contracts to control and mitigate beaver water damages on County roads and rights-of-way.**
- F. Discuss security and use policy of County trash and debris dumpsters at the Road & Bridge Department.**
- G. Discuss the available options to replenish the County's sand supply at the Road & Bridge Department.**

The Court went into **CLOSED SESSION** at 10:44 a.m.

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

The Court re-convened into **OPEN SESSION** at 12:34 p.m.

- 5. 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 LeFleur was present to give an update on the courthouse renovation project. He advised the Court that the restoration project is as scheduled and under budget. He further advised the Court that the project is 29% complete.

- 4. Discuss and take action to accept for recording the Upshur County Position List with Base Pay – Revised on 9/30/2024 (moved out of 3.F.)**

Motion by Dustin Nicholson with a second by Gene Dolle to accept for recording the Upshur County Position List with Base Pay – Revised on 9/30/2024. Motion carried 5-0. Unanimous vote in favor.

- 8. Discuss and take action on disposal of used tires accumulated by the County.**

No action.

- 9. Discuss and take action to replenish the County's sand supply at the Road & Bridge Department.**

No action.

- 10. Discuss and take action on beaver control measures to mitigate beaver water damage on County roads and rights-of-way.**

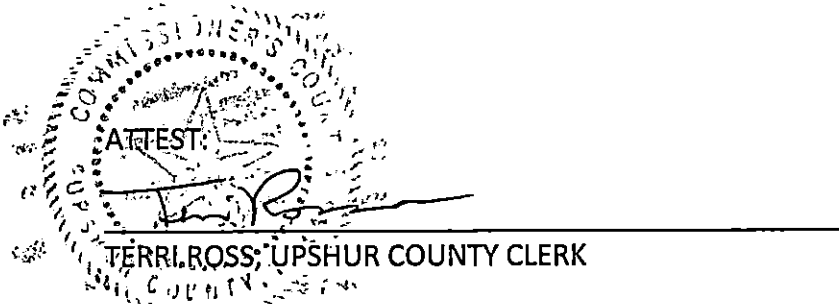
No action.

- 11. Discuss and take action on security and use policies of County trash and debris dumpsters at the Road & Bridge Department.**

No action.

- 19. 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.



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.