

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

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Tuesday, October 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 10:00 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.

J.D. McMullen, attorney and mediator from Longview, Texas, was present to provide the Court with a brief introduction to the Texas Resolution Program. He informed the Court that counties have been collecting filing fees allocated for a county dispute resolution fund. These funds are remitted to the State unless the counties establish an ADR program for their county. He is offering his services pro bono to help counties establish a mediation program and to retain those funds allocated for their residents.

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 reports; Bonds; Oaths; Deputations; Certificates; State and County Taxes Summary; refund of overpayment or erroneous tax payments in excess of \$2500.00; Quote from Titus Pump Service for replacement of Road & Bridge fuel tanks; 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 present and advised the Court that the geo-thermal drilling rig is gone. He further advised the Court that there will be no work done this week due to the Yamboree festivities. He also advised the Court that the job superintendent would be on site this week with the exception of Sunday and that the construction company has extra security in place for the week of the Yamboree.

- 5. Discuss and take action to approve moving the handicap ramp from the East side of the Courthouse entrance to the West side of the Courthouse entrance to enable Frontier Communications access to their man hole to do construction work.**

No one was present to discuss this matter. No action.

- 6. Discuss and take action to approve the 2025 Upshur County Resolution on Indigent Defense Grant Program (#2024-10).**

Motion by Mike Ashley with a second by Gene Dolle to approve the 2025 Upshur County Resolution on Indigent Defense Grant Program (#2024-10). Motion carried 5-0. Unanimous vote in favor.

- 7. Discuss and take action to approve the drilling of an approximate 2" hole in the wall of the Tax office for the installation of fiber-optics in order to operate the RTS (vehicle registration) system. (This is being required by the Department of Motor Vehicles.)**

Luana Howell, Upshur County Tax Assessor/Collector, advised the Court that drilling into the wall is necessary for the installation of fiber-optics to operate the RTS system. Motion by Dustin Nicholson with a second by Gene Dolle to approve the drilling of an approximate 2" hold in the wall of the Tax office for the installation of fiber-optics in order to operate the RTS system. Motion carried 5-0. Unanimous vote in favor.

- 8. Hear from Cynthia King, Upshur County Librarian concerning the state of the Upshur County Library and the Annual Report. Discuss and take necessary action.**

Cynthia King, Upshur County Librarian, presented her annual report to the Court. She informed the Court that the Library has received accreditation from the State until the end of August 2025. She gave a brief presentation of her annual report as shown in the handout provided to the Court. (SEE ATTACHED)

- 9. Discuss and take action to allow the Friends of the Library to hold their semi-annual book sale and craft fair at the Library building.**

Cynthia King, Upshur County Librarian, asked that the Court allow the Friends of the Library to hold their semi-annual book sale and craft fair the week after Thanksgiving (Wednesday-Saturday) at the Library building. Motion by Jay W. Miller with a second by Dustin Nicholson to allow the Friends of the Library to hold their semi-annual book sale and craft fair at the Library building. Motion carried 5-0. Unanimous vote in favor.

- 10. Discuss and take action closing certain County buildings at the end of business on Tuesday, October 15, 2024 due to Yamboree activities scheduled the week of October 14, 2024.**

Motion by Jay W. Miller with a second by Dustin Nicholson to close all County buildings at noon on Tuesday, October 15, 2024, due to Yamboree activities scheduled the week of October 14, 2024. Motion carried 5-0. Unanimous vote in favor.

- 11. 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.**

No action.

- 12. 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,B 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.

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

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


N/A

1. Discuss and take action imposing a burn ban and/or continuing a burn ban already in place as of meeting time.

Motion by Dustin Nicholson with a second by Gene Dolle to impose a burn ban effective immediately and continue in place until lifted by the Court or Judge Tefteller. Motion carried 5-0. Unanimous vote in favor.

14. 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 10:46 a.m.



Terr Ross

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.