

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS  
THURSDAY, OCTOBER 31, 2024  
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Thursday, October 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 Todd Tefteller called the meeting to order at 10:01 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.    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; and, applications for use of Upshur County roads and rights-of way and permit requests.**

Motion by Dustin Nicholson with a second by Gene Dolle to approve items 3 A-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 restoration is

approximately 35% complete. He further suggested that the Court consider seeking bids from TDCJ to restore and remake the furniture and fixtures in the courtroom. He informed the Court that Marion County utilized the Texas Department of Criminal Justice to restore and redo their furniture when they restored their courthouse. He said that they would come and pick up the furniture and take it back to Huntsville for restoring. He further suggested that the Court consider moving contingency from 5% to 10%. He also went into some discussion regarding the restoration of the bricks on the outside of the courthouse.

- 5. Discuss and take action to approve the purchase of office furniture and/or equipment for the office of the Justice of the Peace #1. The total cost is \$3,169.66 to be paid from Fund 234-409-3380 Justice Court Support Fund.**

Motion by Gene Dolle with a second by Dustin Nicholson to approve the purchase of office furniture and/or equipment for the office of the Justice of the Peace #1 at a cost of \$3,169.66 to be paid from 234-409-3380 Justice Court Support Fund. Motion carried 5-0. Unanimous vote in favor.

- 6. Discuss and take action to approve the Certification of Additional Revenue of \$3,200 from Fund 234-409-3380 Justice Court Support Fund for the purpose of purchasing furniture and/or equipment for the office of Justice of the Peace #1.**

Motion by Gene Dolle with a second by Dustin Nicholson to approve the Certification of Additional Revenue of \$3,200 from Fund 234-409-3380 Justice Court Support Fund for the purpose of purchasing furniture and/or equipment for the office of Justice of the Peace #1. Motion carried 5-0. Unanimous vote in favor.

- 7. Discuss and take action to approve placing the Indian Rock Subdivision road named Indian Rock Drive on the four-year waiting list to be taken into the Road Inventory.**

Motion by Gene Dolle with a second by Jay W. Miller to approve placing the Indian Rock Drive road in the Indian Rock Subdivision on the four-year waiting list to be taken into the Road Inventory. Motion carried 5-0. Unanimous vote in favor.

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

Phil Stegall, Upshur County Road Administrator, gave an update of the work being done on the County roads in each precinct. He advised the Court that the major issue in all precincts is the issue with beavers. He has roads in both Precinct 1 and Precinct 2 where he has put in culverts to lift the roads to help alleviate the beaver issues. He also advised the Court that there is an issue in Precinct 4 with the beavers that is on City property. He would need the City to help with that certain piece of property. He further advised the Court that his department is moving 10,000 yards of sand to the pug mill. His department

is also doing regular maintenance and removing trees on roads in all precincts.

- 9. Discuss and take action to record the changes to the 207k exemption to a 14-day cycle made by Sheriff Larry Webb and hear from Maddie Moore, HR officer on how this change will affect payroll/comp time.**

Maddie Moore, HR Officer, informed the Court of the reason of the requested changes to the 207k exemption to a 14-day cycle for the employees of the Upshur County Sheriff Department regarding their payroll/comp time. Lt. Vanessa Ferguson also advised the Court that this change will help with scheduling using their new software. Gene Dolle made a motion with a second by Dustin Nicholson to record the changes to the 207k exemption to a 14-day cycle from the current cycle to help the payroll/comp time calculations. Motion carried 5-0. Unanimous vote in favor.

The Court was provided and read the Resolution provided to them for recording for adopting the aforesaid changes to the 207k exemptions on the pay cycle for comp time. The Court voted unanimously in favor of the Resolution.

- 10. Discuss and take action to terminate the burn ban, allow it to continue as it is presently issued or to extend the burn ban due to the continued need of the unincorporated areas of the County for protection from outdoor burning.**

Marc Nichols, Upshur County Emergency Management Coordinator, suggested that the Court let the burn ban expire and further advised the Court that Judge Tefteller could enact an emergency burn ban if needed without the necessity of Court's approval. He further advised the Court that there is a decent chance of rain for the next ten days. He also informed the Court that he had spoken with the Texas Forest Service and that they are comfortable with Upshur County lifting the burn ban. Motion by Dustin Nicholson with a second by Jay W. Miller to lift the burn ban. Motion carried 5-0. Unanimous vote in favor.

- 11. 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);

      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. Consideration of salary adjustments in the Treasurer's Office decreasing the salary of the unfilled employee position.**

The Court went into **CLOSED SESSION** at 10:47 a.m.

- 12. 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 11:30 a.m.

No action as a result of Executive Session.

- 13. 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 11:31 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.