

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
WEDNESDAY, NOVEMBER 27, 2024
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Wednesday, November 27, 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 10:01 a.m.

1. Invocation and Pledges

Prayer was led by Gene Dolle.

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

2. 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 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.**

Gene Dolle made a motion with a second by Dustin Nicholson 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 Tefteller announced that Judge Leward LeFleur could not make the meeting but he

announced that the renovation was running on schedule.

5. Discuss and take action to accept for recording the plat for Thomas Subdivision.

Motion by Dustin Nicholson with a second by Gene Dolle to accept for recording the plat for Thomas Subdivision. Motion carried 5-0. Unanimous vote in favor.

6. Discuss and take action to accept for recording the plat for Serenity Cove Subdivision.

Motion by Mike Ashley with a second by Jay W. Miller to accept for recording the plat for Serenity Cove Subdivision. Motion carried 5-0. Unanimous vote in favor.

7. Discuss and take action to sign a letter of support of the Texas Railroad Association urging the Texas Legislature to fund TxDOT's under and overpass railroad crossings, i.e., local grade separation projects.

Motion by Mike Ashley with a second by Jay W. Miller to authorize Judge Tefteller to sign a letter of support of the Texas Railroad Association urging the Texas Legislature to fund TxDOT's under and overpass railroad crossings, i.e., local grade separation projects. 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 and Bridge Administrator, announced to the Court that they have been working on tree issues, ditch and overlay, dead trees, maintenance on equipment, and work orders. He further announced that he should receive the new fuel tank in February or March.

9. Discuss and take action to approve the Kroger Settlement, within the Texas Opioid multi-district litigation case, as well as authorizing the County to execute the Participation Form and Release and passing the Resolution (2024-13) approving the same.

Judge Tefteller recused himself from presiding and taking action on this matter and advised that he had filed the appropriate conflict affidavit with the County Clerk. Judge Tefteller left the courtroom at 10:12 a.m. Dustin Nicholson, Precinct 2 Commissioner, will preside over this matter. Motion by Gene Dolle with a second by Mike Ashley to approve the Kroger Settlement and authorized the County to execute the Participation Form and Release and passed the Resolution (2024-13) approving the same. Motion carried 4-0. Unanimous vote in favor. **PLEASE NOTE THAT THE RESOLUTION WAS NOT FILED OF RECORD PER JUDGE TEFTELLER.**

Judge Tefteller came back to the courtroom to preside over the remainder of the meeting at 10:13 a.m.

10. 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 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.**
- C. Deliberation regarding the Texas Opioid Proposed Settlement with the Kroger Defendant.**

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

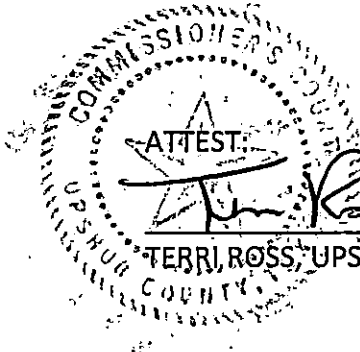

11. The Court will re-convene into open session and take any action necessary as a result of Executive Session.

N/A

12. Adjourn.

Motion by Jay W. Miller with a second by Mike Ashley to adjourn the meeting.

Motion carried 5-0. Unanimous vote in favor. Meeting adjourned at 10:14 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.