

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS  
FRIDAY, JANUARY 31, 2025  
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Friday, January 31, 2025 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 10:02 a.m.

**1. Invocation and Pledges**

Prayer was led by Commissioner Dolle.

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

**2. Citizen comments. No comments.**

**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; Racial Profiling Report for Constable Pct. 3; and, applications for use of Upshur County roads and rights-of way and permit requests.

Commissioner Nicholson made a motion with a second by Commissioner 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 to advise the Court that the renovation is currently 40%

complete. He further advised the Court that they are taking paint off the windows and doing well on time and budget. Judge Tefteller requested that they submit updated pictures to the website of the progress. Judge LeFleur will get with Komatsu to see that the pictures are uploaded to the website.

Commissioner Miller requested that his agenda item regarding the relocation of County Officers and employees back to the Courthouse after renovation be discussed in open forum rather than closed session.

**5. Discuss and take action voting on a Resolution of Support in favor of naming the Lake Gilmer Bridge on FM 852 the "Petty Officer Billy Machen Bridge".**

Steve Dean informed the Court that he received a phone call from Senator Bryan Hughes' office and that they would like to consider renaming the Bridge on FM 852 across Lake Gilmer in honor of Petty Officer Billy Machen. He further advised the Court that they are ready to enter a Senate bill and House bill proclaiming that to happen and further requested that the Commissioners enter into a Resolution in favor of that. Motion by Commissioner Miller with a second by Commissioner Ashley to adopt the Resolution in Support of naming the Lake Gilmer Bridge on FM 852 the "Petty Officer Billy Machen Bridge". Motion carried 5-0. Unanimous vote in favor.

**6. Discuss and take action to approve and accept for recording the Internal Audit Report for the Upshur County Jail Commissary FY2024.**

Auditor Connie Williams presented the Audit Report to the Court. Motion by Commissioner Dolle with a second by Commissioner Nicholson to approve and accept for recording the Internal Audit Report for the Upshur County Jail Commissary FY2024. Motion carried 5-0. Unanimous vote in favor.

**7. Discuss and take action to approve honorable retired Sheriff Anthony Betterton purchasing his service firearm (Texas Government Code Sec. 614.051) (fair market value is \$300).**

Judge Tefteller recognized Anthony Betterton regarding his dedication and service to the County as Sheriff and as to his current office as Justice of the Peace of Precinct 4. Motion by Commissioner Ashley with a second by Commissioner Miller to approve Honorable retired Sheriff Anthony Betterton purchasing his service firearm at the fair market value of \$300.00. Motion carried 5-0. Unanimous vote in favor. Sheriff Webb presented the firearm to Hon. Betterton with special engraving showing his time of service and initials.

**8. Discuss and take action to approve the sale of the following vehicles at auction:**  
**A. Unit 5277 – 2007 Dodge Charger (VIN 2B3KA43H67H845277);**  
**B. Unit 4893 – 2013 Dodge Charger (VIN 2C3CDXAT2DH694893);**  
**C. Unit 5274 – 2007 Dodge Charger (VIN 2B3KA43H07H845274);**

**D. Unit 6337 – 2012 Chevrolet Tahoe – (VIN 1GNLC2E03CR196337).**

Motion by Commissioner Nicholson with a second by Commissioner Dolle to approve the sale of the 2007 Dodge Charger, 2013 Dodge Charger, 2007 Dodge Charger, and 2012 Chevrolet Tahoe at auction. Motion carried 5-0. Unanimous vote in favor.

- 9. Discuss and take action to approve the purchase of a commercial shredder for use in the destruction of jail arrest and medical files after scanning out of Records Management Funds for \$3200.**

Motion by Commissioner Miller with a second by Commissioner Nicholson to approve the purchase of a commercial shredder for use in the destruction of jail arrest and medical files after scanning out of Records Management Funds for \$3,200.00. Motion carried 5-0. Unanimous vote in favor.

- 10. Discuss and take action to approve and execute the Participation Agreement with AllPaid for the jail to use as service providers for cash bonds.**

Motion by Commissioner Dolle with a second by Commissioner Nicholson to authorize Judge Tefteller to execute the Participation Agreement with AllPaid for the jail to use as service providers for cash bonds. Motion carried 5-0. Unanimous vote in favor.

- 11. Discuss and take action to approve the certification of additional revenue for the sale of scrap metal at Road & Bridge.**

Motion by Commissioner Dolle with a second by Commissioner Ashley to approve the certification of additional revenue in the amount of \$1,558.50 from the sale of scrap metal at Road & Bridge. Motion carried 5-0. Unanimous vote in favor.

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

Phil Stegall, Road and Bridge Administrator, was not able to attend but had reached out to Commissioner Ashley to relate that the fuel tank should be here February 10<sup>th</sup> and that he is making adjustments for the fuel levels. Judge Tefteller relayed a situation with a drainage problem in Precinct 1.

- 13. Discuss and take action to approve the appointment of Daryl Gregg Reserve Deputy Constable for Pct. 4 Constable David Thompson.**

Constable David Thompson introduced Daryl Gregg to the Court. Motion by Commissioner Miller with a second by Commissioner Nicholson to approve the appointment of Daryl Gregg Reserve Deputy Constable for Pct. 4 Constable David Thompson. Motion carried 5-0. Unanimous vote in favor.

14. 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,C 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);

A,B,C Section 551.074 and 551.0745 (personnel matters);

A,B,C 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 relocation of County Officers and employees back to the Courthouse after the renovation.

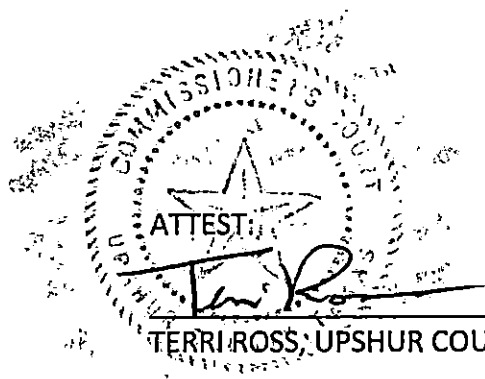
There was discussion as to whether or not to discuss the relocation of employees back to the Courthouse in closed session or not. Vote to go into **CLOSED SESSION** was in favor 3-2. The Court went into **CLOSED SESSION** at 10:36 a.m.

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

The Court reconvened into **OPEN SESSION** at 11:54 a.m. Motion by Commissioner Miller with a second by Commissioner Nicholson to approve the floor plan and reassignments of employees going back into the courthouse as presented. (Floor plan attached) Motion carried 5-0. Unanimous vote in favor.

16. Adjourn.

Motion by Commissioner Ashley with a second by Commissioner Dolle to adjourn the meeting. Motion carried 5-0. Unanimous vote in favor. Meeting adjourned at 11:57 a.m.



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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.