

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
THURSDAY, MAY 15, 2025
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Thursday, May 15, 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 Todd Tefteller called the meeting to order at 10:00 a.m.

1. Invocation and Pledges

Prayer was led by Commissioner Dolle.

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

2. Citizens Comments.

Several had signed up to speak on agenda item #5 below.

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; Resolution of the Upshur County Commissioner's Court #2025-10 Appraisal District nomination; Upshur County Policy Change by Order of the Upshur County Commissioners Court April 15, 2025; and, applications for use of Upshur County roads and rights-of way and permit requests.**

Motion by Commissioner Nicholson with a second by Commissioner 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 to provide an update to the Court. He announced that they were almost done with the geothermal contractor. He further announced that HVAC has been installed, ductwork has been installed on the first and third floor, repairs are being done on the windows and doors, electrical and plumbing is being roughed in, and they are finishing up the existing floor on the 5th floor. He further went on to say that the restoration is 49% complete. Judge LeFleur further stated that he was having discussions with the Fire Marshal regarding hanging hose in the stairwells.

5. Discuss and take possible action concerning the Artillery Piece on the Courthouse lawn after the Courthouse Renovation is complete.

Jimmy Sanders spoke in regards to this matter and said that he was against the removal of the artillery piece in front of the courthouse and his reasons behind his objection. He informed the Court that he would like to see it repaired, cleaned up and repainted.

Sherry Breedlove spoke in regards to the history of the cannon and why it was placed in front of the courthouse. She stated that she didn't care if it was cleaned up or not but that she wanted it to stay on the lawn as it represents our history.

Oscar Martinez spoke in regards to the number of veterans in Upshur County. He also read a brief history as to the military pieces placed at courthouses in the State. He too does not want to see the artillery piece removed from the courthouse lawn.

Commissioner Miller informed those present that he put this matter on the agenda as he either wanted to take care of it or donate it. He would like to see a plaque placed to show the history. Commissioner Nicholson would like to see the cannon cleaned up and to put a monument up.

Bill Starnes agreed that it needs a plaque and done right. He also wants to leave the cannon in its place on the courthouse lawn.

All of those present to speak on this matter agreed that they would like to see it cleaned up and painted and a plaque constructed. There were several ideas discussed as to who and/or how the cannon might be cleaned up and painted, and history of the specific cannon recovered.

Motion by Commissioner Dolle with a second by Commissioner Miller to leave the cannon where it is at and that we proceed with the endeavor of getting it refurbished. Motion carried 5-0. Unanimous vote in favor.

Bill Starnes requested the Court to consider restoring the bell on the courthouse lawn in the restoration of the courthouse. Motion by Commissioner Ashley with a second by Commissioner Nicholson to restore the bell on the courthouse lawn. Motion carried 5-0.

Unanimous vote in favor.

- 6. Discuss and take action to approve the School Resource Officer contracts for Gilmer ISD, New Diana ISD, Union Grove ISD, Ore City ISD, Big Sandy ISD and Harmony ISD.**

Sheriff Webb informed the Court that Union Hill will not be renewing their contract as they are looking into creating a police department for the school district. Auditor Connie Williams advised the court that it was a net decrease in the contracts that the County is paying. Motion by Commissioner Nicholson with a second by Commissioner Dolle to approve the School Resource Officer contracts with Gilmer ISD, New Diana ISD, Union Grove ISD, Ore City ISD, Big Sandy ISD, and Harmony ISD. Motion carried 5-0. Unanimous vote in favor.

- 7. Discuss and take action to approve the certification of a total available fund balance in the Courthouse Security Fund 200 of \$101,826.51 with the amount of \$25,376.92 budgeted for FY25 expenditures; and to approve the increase budgeted expense in account 200-409-5100 by \$33,000 to allow for the purchase of an X-ray Machine for the Justice Center.**

Motion by Commissioner Dolle with a second by Commissioner Miller to approve the certification of a total available fund balance in the Courthouse Security Fund 200 of \$101,826.51 with the amount of \$25,376.92 budgeted for FY25 expenditures; and to approve the increase budgeted expense in account 200-409-5100 by \$33,000 to allow for the purchase of an X-ray Machine for the Justice Center. Motion carried 5-0. Unanimous vote in favor.

- 8. Discuss and take action to approve transferring \$30,000 from General Contingency to Leave Excess Comp-Sheriff's Office.**

Auditor Connie Williams explained to the Court as to why the Leave Excess Comp in the Sheriff's Office was over budget. Sheriff Webb also explained to the Court as to why his department had such large comp time payouts during this budget year. Auditor Williams suggested transferring \$60,000 rather than the \$30,000 to be safe. Motion by Commissioner Nicholson with a second by Commissioner Ashley to approve transferring \$60,000 from General Contingency to Leave Excess Comp-Sheriff's Office. Motion carried 5-0. Unanimous vote in favor.

- 9. Discuss and take action to transfer the sales proceeds from the auction of Road & Bridge equipment in the amount of \$81,204.68 from general fund to Road & Bridge fund line 100-611-5600 (Road Equipment).**

Motion by Commissioner Miller with a second by Commissioner Nicholson to transfer the sales proceeds from the auction of Road & Bridge equipment in the amount of \$81,204.68 from general fund to Road & Bridge fund line 100-611-5600 (Road Equipment). Motion carried 5-0. Unanimous vote in favor.

10. 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.

Court went into **CLOSED SESSION** at 11:01 a.m. and finished at 11:31 a.m.

11. 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 11:48 a.m.

Motion by Commissioner Nicholson with a second by Commissioner Dolle that the County will finance the Round XII Project Administrator through the end of this fiscal budget year with county matched funds and not the AARPA grant money. Motion carried 5-0.

Unanimous vote in favor.

12. 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 11:54 a.m.



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.