

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
TUESDAY, SEPTEMBER 30, 2025
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Tuesday, September 30, 2025 at 10:00 a.m., with the following members of the Court being present, to-wit:

Present: Todd Tefteller – Upshur 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 Commissioner Dolle.

Pledges to the U.S. & Texas flags led by Commissioner 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 report; Bonds; Oaths; Deputations; Certificates; State and County Taxes Summary; refund of overpayment or erroneous tax payments in excess of \$2500.00; Commercial General Liability Coverage Part pertaining to Clarksville Oil & Gas Company LTD; and, applications for use of Upshur County roads and rights-of way and permit requests.

Commissioner Dolle made a motion with a second by Commissioner Ashley 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.

Judge Leward LeFleur advised the Court that the progress report is 55% completed with

62% work completion. He further advised that they are working on the windows currently and checking the plaster on the walls from the rain damage. He further stated that they are working on the outside cleaning up the bricking and the molding. He commented that the projected move in date is still scheduled for late February. Judge LeFleur also wanted to publically thank Phil Stegall and his Road and Bridge crew for assisting with the repairs around the bricking on the streets in preparation of the upcoming Yamboree.

5. Discuss and take action to approve the revised Upshur County Certification Policy to reflect the change Commissioners Court approved for the Road and Bridge Department:

- **4 Additional Motorgrader positions**
- **2 Treemaster Certifications**
- **2 Reclaimer Certifications**

Sheriff Webb addressed the issue of certification pay as to his department wherein if they are out of budgeted funds to pay an employee with certification, could they revise the policy to allow him to come before the Commissioners Court for permission to pay the employee for their certification pay. Auditor Connie Williams addressed the issue with the Court and explained that she already had funds in contingency to cover these issues if needed. She further stated that she would revise the policy and run it through next meeting to add if the department has qualified certifications and the budget is not capable of absorbing that, then the Commissioners allow the use of contingency money to be able to pay them. Motion by Commissioner Nicholson with a second by Commissioner Dolle to approve the revision of the Upshur County Certification Policy to reflect the change Commissioners Court approved for the Road and Bridge Department for 4 additional Motorgrader positions; 2 Treemaster certifications; and 2 Reclaimer certifications. Motion carried 5-0. Unanimous vote in favor.

6. Discuss and take action to accept a donation from Debra Martin in the amount of \$300.00 for use by the Sheriff's Department however he chooses to use it.

Motion by Commissioner Nicholson with a second by Commissioner Dolle to accept a donation from Debra Martin in the amount of \$300.00 for use by the Sheriff's Department however he chooses to use it. Motion carried 5-0. Unanimous vote in favor.

7. Discuss and take action to accept for recording the Alyssa Lou Acres Home Owners subdivision plat.

Motion by Commissioner Dolle with a second by Commissioner Ashley to accept for recording the Alyssa Lou Acres Home Owners Subdivision plat. Motion carried 5-0. Unanimous vote in favor.

8. Discuss and take action to make nominations to the Upshur County Appraisal District Board of Directors.

Motion by Commissioner Ashley with a second by Commissioner Miller to nominate Joyce Brod to the Upshur County Appraisal District Board of Directors. Motion carried 5-0. Unanimous vote in favor.

Joyce Brod presented a resume to the Commissioners Court and gave a brief presentation of her qualifications for serving on the Appraisal District Board of Directors.

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

Phil Stegall, Road and Bridge Administrator, had provided each Commissioner with a list of the roads patched and re-oiled with costs to help in moving forward with work and costs spent on each road. Auditor Connie Williams requested that he present a 5 year plan with costs which would help during the budget process.

10. Discuss and take action to enter into the 3rd, 4th and 5th contracts with ESA Consulting LLC at the total cost of not more than \$85,600 combined, for drilling additional monitoring wells, sampling of said wells, and the operation and maintenance of said wells:

- ESA Project UPS 2501 - \$25,400
- ESA Project UPS 2502 - \$43,200
- ESA Project UPS 2503 - \$17,000
- \$85,600

Motion by Commissioner Dolle with a second by Commissioner Ashley to enter into the 3rd, 4th and 5th contracts with ESA Consulting LLC at a total cost of not more than \$85,600 combined, for drilling additional monitoring wells, sampling of said wells, and the operation and maintenance of said wells as outlined above. Motion carried 5-0. Unanimous vote in favor.

11. Discuss and take action to approve the Sandoz Settlement and the Gang of Eight (8) Settlement, with the Texas Opioid multi-district litigation case, as well as authorizing the County to execute the Participation Form and Releases and passing the Resolution (#2025-14) approving same.

Judge Tefteller recused himself from the meeting at 10:45 a.m.
Commissioner Nicholson presided.

Motion by Commissioner Dolle with a second by Commissioner Ashley to approve the Sandoz Settlement and the Gang of Eight (8) Settlement with the Texas Opioid multi-district litigation case, as well as authorizing the County to execute the Participation Form and Releases and passing the Resolution (#2025-14) approving same. Motion carried 4-0. Unanimous vote in favor.

Judge Tefteller re-entered the meeting at 10:45 a.m. and continued to preside over the

remainder of the meeting.

12. Discuss and take action to approve the 2026 Upshur County Resolution on Indigent Defense Grant Program (#2025-15).

Motion by Commissioner Nicholson with a second by Commissioner Miller to approve the 2026 Upshur County Resolution on Indigent Defense Grant Program (#2025-15). Motion carried 5-0. Unanimous vote in favor.

13. The Court will/may go into CLOSED SESSION under Texas Open Meetings Act, Texas Government Code, Chapter 551 as indicated:

 C,D Section 551.071 (consultation with attorney(s));

 A,B Section 551.072 (deliberation regarding real property);

 A,B,C,D 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 Sandoz Settlement and the Gang of Eight (8) Settlement Defendants.**
- D. Consideration of contract for services with ESA Consulting relative to the gasoline infrastructure failure at the Road and Bridge Department.**

The Court did not have a need to go into EXECUTIVE SESSION.

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

N/A

15. Adjourn.

Motion by Commissioner Ashley with a second by Commissioner Miller to adjourn. Meeting adjourned at 10:48 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.