

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
THURSDAY, NOVEMBER 15, 2018
9:00 AM REGULAR SESSION**

**Commissioners met in regular session. Judge Fowler was not present.
Commissioner Mike Spencer resided.**

1. Invocation and Pledges

Prayers said by Paula Gentry

2. Consider and take action on approval of:

A. The minutes of previous meeting:

Motion to approve the minutes of previous meeting as written made by Don Gross

Second by Paula Gentry

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved. (Minutes of meeting held on October 31st)

B. Payroll changes:

Motion to approve payroll changes made by Frank Berka

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copies attached.

C. Payroll:

Election Payroll:

Motion to approve payroll and election payroll made by Paula Gentry

Second by Don Gross Frank Berka abstained

Paula Gentry, Don Gross and Mike Spencer voted for.

Motion approved.

Copy attached.

D. Budget amendments:

Motion to approve budget amendments made by Frank Berka

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copy attached.

E. Accounts payable:

Expense Approval Report:

Motion to approve accounts payable made by Paula Gentry

Second by Frank Berka

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copy attached.

F. Accept for recording: Auditor reports; Treasurer reports; Bonds; Oaths; Deputations; Certificates; 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 to record all documents listed above made by Paula Gentry

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copies attached.

3. Discuss and take action to approve out of state travel for Julie York.

Motion to approve out of state travel for Julie York made by Frank Berka

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copies attached.

4. Discuss and take action to approve use of courthouse lawn and vacant lot for Cherokee Rose Festival and Art Walk on May 11, 2019.

Motion to approve use of courthouse lawn for Cherokee Rose Festival and Art Walk on May 11, 2019 made by Paula Gentry

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

5. Discuss and take action to accept donation of computer tablets, keyboards and installation equipment for Sheriff's patrol vehicles, from local businesses.

The Court heard from Charlie Cano of Etex Telephone Company. He told the court that Etex has already purchased the equipment and will furnish the labor to have them installed. Local businesses that have agreed to donate are as follows: Richard Henson \$5000.00, First National Bank \$5000.00, Custom Commodities \$1000.00, Upshur Rural Electric \$5000.00 and Etex will take care of the remainder. Mr. Cano also said he feels other businesses may come forward and wish to help when they hear about it.

Motion to accept donation of computer tablets, keyboards and installation equipment for Sheriff's patrol vehicles made by Frank Berka

Second by Paula Gentry

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

6. Discuss and take action to execute contract with Zuercher Technologies to provide NIBRS compliant Public Safety software system for the Sheriff's Office.

Motion to execute contract with Zuercher as stated above made by Frank Berka

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copy attached.

7. Discuss and take action to approve System Purchase Agreement with Motorola to purchase radio system for the Sheriff's Office.

Motion to approve the System Purchase Agreement with Motorola made by Paula Gentry
Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copy attached.

8. Discuss and take action terminate nCourt contracts for all four JPs.

Motion to terminate nCourt contracts for all four JPs made by Paula Gentry
Second by Frank Berka

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

9. Discuss and take action to contract with NETDATA for credit card payment services for all four JPs and to make the contracts run concurrently with the county's current NETDATA contract.

Motion to approve the contract with NETDATA as stated above made by Don Gross
Second by Paula Gentry

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

9A. Discuss and take action to approve Contracts for Court Collection Services between Upshur County and Graves Humphries Stahl, LTD (GHS), for all four JPs and to make the contracts run concurrently with the county's current NETDATA contract.

Motion to approve Contracts between Upshur County and Graves Humphries Stahl made
by Frank Berka

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

NOTE: The Agenda has two (2) number 9's and no one caught it, so I called the 2nd one 9A.

10. Discuss and take action to place No Trucks signs on Daffodil Road.

Motion to approve to place No Tandem Axle Truck signs on Daffodil Road made by Paula Gentry

Second by Don Gross

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

A second motion was made to clarify.

Motion to approve No Tandem Axle Trucks on Daffodil Road beginning 3,005 ft. off of FM 555 and extending 862 ft. made by Don Gross

Second by Paula Gentry

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

11. Discuss and take action to approve RFP for health insurance consultant and post same.

No action taken.

12. Discuss and take action to canvass the 2018 general election results.

Motion to canvass the 2018 general election results made by Don Gross

Second by Frank Berka

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

Copy attached.

13. Court will go into EXECUTIVE SESSION as authorized by V.T.C.A. 551.074(a)(1) to interview applicants for the Pct. 3 Constable position.

14. Court will re-convene into open session and take any action necessary regarding Pct. 3 Constable position.

Motion to appoint Ronnie Mitchell as interim Constable for Pct. 3 made by Don Gross

Second by Paula Gentry

Paula Gentry, Don Gross, Frank Berka and Mike Spencer voted for.

Motion approved.

15. Adjourn.



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.

