

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS  
MONDAY, APRIL 15, 2019  
9:00 AM REGULAR SESSION**

**Commissioners met in regular session with all members present.**

**1. Invocation and Pledges**

Prayer said by Paula Gentry

**2. Consider and take action on approval of:**

- A. The minutes of previous meeting:**  
(Minutes, as written, of meeting held on March 29th)
- B. Payroll changes:**
- C. Payroll:** Frank Berka abstained
- D. Budget amendments:**
- E. Accounts payable:**  
**Expense Approval Report:**
- F. Accept for recording: Auditor reports; Treasurer reports; Bonds; Oaths; Deputations; Certificates; refund of overpayment or erroneous tax payments in excess of \$2500.00; Upshur County Tobacco Policy Updated Effective March 1, 2019; Memorandum of Understanding Between The Bureau of Alcohol, tobacco, Firearms and Explosives (ATF), and The Upshur County, Texas Sheriff's Office; Upshur County Commissioner's Court Resolution in Support of House Bill 3202; and applications for use of Upshur County roads and rights-of-way and permit requests.**

Motion to approve and record items A – F made by Jay Miller

Second by Dustin Nicholson

Paula Gentry, Dustin Nicholson, Frank Berka (abstained on item C), Jay Miller and Judge Tefteller voted for.

Motion approved.

Copies attached.

**3. Discuss and take action to approve the dates and use of vacant lot by Upshur 4-H County Council to sponsor movie nights.**

Motion to let the Upshur County 4-H use the vacant lot for two movie nights made by Frank Berka

Second by Paula Gentry

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.

Motion approved.

Copies attached.

**4. Discuss and take action to approve the Service Agreement Amendment between Upshur County and Etex Communications.**

Motion to approve the Service Agreement Amendment between Upshur and Etex made by Dustin Nicholson

Second by Paula Gentry

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

**5. Allow time for Sheriff's Office employee recognition.**

Sheriff Larry Webb recognized five law enforcement employees for their quick action which enabled them to save the life of an inmate and awarded them with the Life Saving Award. The employees are listed as follows: Sgt. Elizabeth Carrion, Jailer Kelsie Mullins, Jail Deputy Jeremy Johnson, Jailer Daniel Dassing and Jailer Brian Cowan.

No action needed.

**6. Discuss and take action to approve an Interlocal Agreement between Cass County and Upshur County pertaining to the housing of Cass County Inmates in the Upshur County Jail.**

Motion to approve an Interlocal Agreement between Cass County and Upshur County for housing Cass County Inmates in the Upshur County Jail made by Paula Gentry

Second by Dustin Nicholson

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

**7. Discuss and take action to approve and accept a Federal grant for 36 2-dose boxes of Narcan nasal spray from Adapt Pharma for the Upshur County Sheriff's Office.**

Motion to approve the grant for the 36 2-dose boxes of Narcan for the Sheriff's Office made by Frank Berka

Second by Jay Miller

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.

Motion approved.

**8. Discuss and take action to approve a gasoline allowance increase of \$1000 to Pct. 3 Constable for the 2018/2019 year.**

No action needed.

**9. Discuss and take action to execute State and Local Fair Market Value Lease document with Pitney Bowes, pertaining to postage machines.**

Motion to execute State and Local Fair Market Value Lease with Pitney Bowes pertaining to postage machines made by Paula Gentry

Second by Dustin Nicholson

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.

Motion approved.

**10. Discuss and take possible action on creating a Maintenance & Custodial Services Policy.**

No action taken at this time.

**11. Discuss and take possible action to approve the installation of speed bumps and signs on Arrowwood at the Rosewood Baptist Church.**

Motion to put this item on the next agenda made by Jay Miller

Second by Dustin Nicholson

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.

Motion approved.

**12. Discuss and take action on disbursement of available school funds.**

Motion to approve the disbursements for school land funds made by Paula Gentry  
Second by Jay Miller  
Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.  
Motion approved.  
Copy attached.

**13. Discuss and take action to accept for recording the plat for Pine Grove Phase 2.**

Motion to accept and record the plat for Pine Grove Phase 2 made by Paula Gentry  
Second by Frank Berka  
Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.  
Motion approved.  
Copy attached.

**14. Discuss and take action to appoint an Upshur County resident to serve on the Community Healthcore Board of Trustees a/k/a Sabine Valley Regional MHMR.**

Motion to appoint Bridget Fowler to the Community Healthcore Board of Trustees made by Frank Berka  
Second by Paula Gentry  
Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.  
Motion approved.

**15. Discuss and take action on approval of Election Security Assessment Interlocal Contract NO. DIR-SS-ILC0140 relating to the use of the Texas Dept. of Information Services (DIR) to conduct such Election Security Assessments.**

Motion to approve an Interlocal Agreement between Upshur County and the Texas Dept. of Information Services to conduct and Election Security Assessments made by Paula Gentry  
Second by Jay Miller  
Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for.  
Motion approved.

- 16. Discuss and take action on mandatory determination of whether the County election precincts comply with Chapter 42, sections 42.005, 42.006 and 42.007 of the Texas Elections Code. Make a determination yeah or nay.**

Motion that Upshur County is not in compliance with section 42 of the Texas Elections Code due to the fact that we have two voting precincts that don't have the minimum number of registered voters made by Dustin Nicholson

Second by Jay Miller

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for. Motion approved.

- 17. Discuss and take action to approve payment to Ables-Land invoice #24-084-0 in the amount of \$1,348.75 from contingency fund for balance owed on folders for all four Upshur Justices of the Peace.**

Motion to pay Ables-Land the original amount quoted, out of Contingency, for folders for all four Upshur County Justices of the Peace made by Paula Gentry

Second by Dustin Nicholson

Paula Gentry, Dustin Nicholson, Jay Miller and Judge Tefteller voted for. Frank Berka voted against.

Motion approved.

- 18. Discuss and take possible action to seek proposals for the provision and maintenance of five 40 cubic yard dumpsters to be placed at all four County Pct. Barns and at Road and Bridge.**

No action taken.

- 19. Discuss and take action to schedule the County Health Insurance workshop to hear evidence and viewpoints on the issue of bids for Upshur County's Health Insurance Consulting/Brokerage Services.**

Motion to schedule a workshop on May 8<sup>th</sup> at 10:30am in the County Courtroom made by Dustin Nicholson

Second by Jay Miller

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for. Motion approved.

**20. Discuss and take action to proclaim April 2019 as Child Abuse Awareness and Prevention Month.**

Motion to proclaim April 2019 as Child Abuse Awareness and Prevention Month made by Paula Gentry

Second by Dustin Nicholson

Paula Gentry, Dustin Nicholson, Frank Berka, Jay Miller and Judge Tefteller voted for. Motion approved.

**21. Hear from Shelly Smith with CASA regarding child safety fee. Discuss and take action regarding implementation and use of fee.**

No action taken at this time. This item will be brought back at a later date.

**22. 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.

