

COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
FRIDAY, APRIL 30, 2021
10:00AM REGULAR SESSION

Commissioners met in regular session with all members present.

1. **Invocation and Pledges**
 - Prayer said by Gene Dolle
 - Pledges said by Dustin Nicholson
2. **Consider and take action on approval of:**
 - A. **The minutes of the previous meeting:**
 - B. **Payroll changes:**
 - C. **Payroll:**
 - 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; Construction Agreement between Roofing Tyler Tx. And Upshur County; DIR Contract No. DIR-TSO 3415 Verizon Wireless Customer Agreement (Constable Pct. 1); and, applications for use of Upshur County roads and rights-of way and permit request.**

Motion to approve and record items A-F made by Gene Dolle
Second by Jay W. Miller
Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.
Motion approved.
Copies attached.

- 3. Discuss and take action to approve use of the Courthouse lawn and sidewalks for the Cherokee Rose Festival beginning at 6 a.m. Saturday, May 15, 2021 thru Sunday, May 16, 2021 at 10 a.m. for set-up and clean-up as well as the festivities.**

Motion to approve the use of the Courthouse lawn and sidewalks for the Cherokee Rose Festival on May 15 and May 16, 2021 for the hours stated above made by Mike Ashley

Second by Gene Dolle

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

- 4. Discuss and take action to notify ALL utility companies that operate or conduct business inside Upshur County that if their utility lines are above 24 inches on the County right-of-way that the County will not be liable for any damages or losses occurring during the time of ditching County ditches on County right-of-way. (Texas Utility Code, Sec. 251.156)**

Motion to notify ALL utility companies that pursuant to Sec 251.156 of the Texas Utility Code and by prior adoption of this court on November 30, 2010 that if any of their lines or cables are not at or below the stated depths the County will not be liable for any damages when cleaning out County Road ditches, replacing culverts or doing any kind of maintenance on any kind of County right-of-way made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

- 5. Discuss and take action to approve adding a Bomag Reclaimer to the surplus list for auction.**

Motion to approve adding a Bomag Reclaimer to the current auction list made by Dustin Nicholson

Second by Jay W. Miller

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

6. Discuss and take action to approve the Upshur County Investment Policy for 2020-2021.

Motion to approve the Upshur County Investment Policy for 2020-2021
made by Mike Ashley
Second by Dustin Nicholson
Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge
Teffeller voted for.
Motion approved.
Copy attached.

7. Discuss and take action to appoint Upshur County Sick Leave Pool Board members.

Motion to appoint Polly Hawthorne, Jan Frost and Brittany Bunn to the
Upshur County Sick Leave Pool Board made by Jay W. Miller
Second by Mike Ashley
Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge
Teffeller voted for.
Motion approved.
Copies attached.

8. Discuss and take action to accept for recording the Indian Rock Estates Subdivision plat.

Motion to accept for recording the Indian Rock Estates Subdivision plat
made by Gene Dolle
Second by Mike Ashley
Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge
Teffeller voted for.
Motion approved.
Copy attached.

9. Discuss and take action to approve the GUARDIAN RFID System Agreement between Codex Corporation d/b/a GUARDIAN RFID and Upshur County Sheriff's Office.

Motion to approve the GUARDIAN RFID System Agreement with the Sheriff's Office to be utilized in the jail made by Dustin Nicholson

Second by Gene Dolle

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

Copy attached.

10. Discuss and take action to appoint one (1) Commissioner to the Emergency Services District No. 1 of Upshur County to all vacancy.

Motion to appoint Cloddie Henson to the ESD No. 1 Board made by Jay W. Miller

Second by Dustin Nicholson

Motion failed 2-3

Motion to appoint Mike Fennell to the ESD No. 1 Board made by Gene Dolle

Motion failed for lack of second

Motion to appoint Scott Mischnick to the ESD No. 1 Board made by Mike Ashley

Second by Gene Dolle

Motion failed 2-3

Motion to put the three names in a hat and draw one out and that will be the selected candidate made by Gene Dolle

Second by Jay W. Miller

Gene Dolle, Jay W. Miller and Judge Tefteller voted for.

Dustin Nicholson and Mike Ashley voted against.

Motion approved 3-2

The three names were put in a drawing and Cloddie Henson was drawn by Paige of Employee Benefits Consulting.

Motion to appoint Cloddie Henson to the ESD No. 1 Board made by Dustin Nicholson

Second by Mike Ashley

Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.

Motion approved.

11. Hear from Employee Benefits Consulting concerning a six month review of Upshur County employee insurance benefits plan.

The Court heard from Rachel Means with Employee Benefits Consulting. She said they wanted to give a six month review of how the plan is running toward budget. Rachel said it was all good news. They are in the seventh month and running under budget. She said this is the time they start preparing for open enrollment and renewals. Rachel said they and the HR Department would probably start coming around, in the next couple months, to each department to see if there are any issues or concerns with the plan and any changes they may want to make at open enrollment.

No action was needed.

12. 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.

