

08/15/2022 Regular Session

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
MONDAY, AUGUST 15, 2022
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; State and County Taxes Summary; refund of overpayment or erroneous tax payments in excess of \$2500.00; Order Setting Salaries of the Upshur County Auditor and Assistant Auditors; Certificate of Liability Insurance for Gabriel Escalante, Gab's Tree Service, Inc.; and applications for use of Upshur County roads and rights-of way and permit request.

Motion to approve and record items A-D & F made by Dustin Nicholson

Second by Gene Dolle

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

Tefteller voted for.

Motion approved.

Copies attached.

Motion to approve item E made by Mike Ashley

Second by Jay W. Miller Dustin Nicholson abstained

Motion approved.

Copy attached.

- 3. Hear from Employee Benefits Consulting concerning stop-loss numbers. Discuss and take necessary action.**

No action taken.

- 4. Discuss and take action to terminate the burn ban, allow it to continue as it is presently issued to end August 15, 2022 at 6 p.m. or to extend the burn ban due to the continued need of the unincorporated areas of the County for protection from outdoor burning.**

Motion to extend the burn ban to end August 31, 2022 at 6 p.m made by Mike Ashley

Second by Gene Dolle

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

Motion approved.

Copy attached.

- 5. Discuss and take action to accept for recording the plat for Blackmon Place Phase 2. This will be an HOA and the landowners will be responsible for the roads.**

Motion to accept the Blackmon Place Phase 2 plat with an HOA and the landowners will be responsible for the roads made by Gene Dolle

Second by Mike Ashley

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

Motion approved.

Copy attached.

- 6. Discuss and take action to accept for recording the plat for Highland Forest Subdivision.**

Motion to approve the Highland Forest Subdivision plat 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.

Copy attached.

7. Discuss and take action to accept for recording the plat for Lloyd Landing Subdivision.

Motion to accept the plat for Lloyd Landing Subdivision 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.

Copy attached.

8. Discuss and take action to reappoint Sheriff Larry Webb to the Board of Trustees of Community Healthcare, ex-Officio member as per SB 632, Sheriffs on Local Boards, to serve September 1, 2022-August 31, 2024.

Motion to reappoint Sheriff Larry Webb to the Board of Trustees of Community Healthcare to the term as stated above made by Mike Ashley

Second by Jay W. Miller

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

Motion approved.

9. Discuss and take action to approve the purchase of security cameras to replace aged cameras being used at the Justice Center, with payment to be made from the Courthouse Security fund.

Motion to approve the purchase of 12 new security cameras to replace the old ones at the Justice Center and to be paid for from the Courthouse Security fund made by Dustin Nicholson

Second by Gene Dolle

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

Motion approved.

10. Discuss and take action to approve online education for County Commissioners and execution of an Order for same by record vote.

Motion to approve online education for County Commissioners and execution of an Order for record vote made by Mike Ashley

Second by Jay W. Miller

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

Motion approved.

Copy attached.

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

11. Discuss and take action to approve request by Julie York to attend the National 4-H Volunteer Conference of Southern States in Eatonton, Georgia, October 6-9, 2022 and to approve rental of vehicle. This trip will be funded by the State 4-H office.

Motion to approve a request by Julie York to attend the National 4-H Volunteer Conference in Eatonton, Georgia from October 6-9, 2022 and approve the rental of a vehicle made by Jay W. Miller

Second by Mike Ashley

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

Motion approved.

12. Discuss and take action to set the election day polling locations for the November 8, 2022 General Election.

Motion to approve the election day polling locations as submitted by the Election Administrator for November 8, 2022 General Election made by Gene Dolle

Second by Mike Ashley

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

Motion approved.

Copy attached.

13. Discuss and take action to set the early voting times and location for the November 8, 2022 General Election.

Motion to approve the early voting times to be October 24 – October 28, 2022 from 7:00am – 7:00pm, October 29, 8:00am – 5:00pm, October 30, 10:00am – 2:00pm, October 31 – November 4, 7:00am – 7:00pm to be held at the Upshur County Civic Center 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.

Copy attached.

14. Discuss and take action to approve the Order of Election – November General Election for County Officers.

Motion to approve the Order of Election – November General Election for County Officers made by Mike Ashley

Second by Jay W. Miller

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

Motion approved.

Copy attached.

15. Hear from Steven Schaad with the Garland Co., Inc. concerning the roof on the Courthouse.

The Court heard from Mr. Steven Schaad with the Garland Co., Inc regarding the repair of the Courthouse roof. Mr. Schaad explained several options they have available.

No action was taken.

16. DISCUSSION ONLY: Round XII Courthouse Grant Renovation Progress.

The Judge said no decision will be made before they participate in a Zoom meeting scheduled for Thursday, August 18, 2022, as to whether to accept the Renovation Grant.

- 17. Discuss and take action to approve Source of Funds Statement and Verification and resolution with reference to the THCPP Round XII Grant.**

No action taken.

- 18. Discuss and take action to approve the FY 23 PROPOSED TAX RATE by record vote. The Proposed Tax Rate is .599 which is .016 below the current rate of 0615.**

Motion to approve the FY 23 PROPOSED TAX RATE by record vote and set the new tax rate at .599 made by Mike Ashley

Second by Dustin Nicholson

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

Motion approved.

Copy attached.

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

- 19. Discuss and possibly take action on FY 23 Proposed Budget.**

No action taken.

- 20. Discuss and take action to schedule the Public Hearing on the Proposed Budget for August 31, 2022.**

Motion to schedule the Public Hearing on the Proposed Budget for August 31, 2022 made by Jay W. Miller

Second by Mike Ashley

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

Motion approved.

- 21. Discuss and take action to schedule the Public Hearing on Tax Increase (any rate above No-New Revenue Rate) for September 15, 2022.**

Motion to schedule the Public Hearing on the Tax Increase for September 15, 2022 made by Mike Ashley
Second by Jay W. Miller
Gene Dolle, Dustin Nicholson, Mike Ashley, Jay W. Miller and Judge Tefteller voted for.
Motion approved.

- 22. The Court will go into CLOSED SESSION under Texas Open Meetings Act, Texas Government Code, Chapter 551 as indicated:**

- A. Section 551.071 (consultation with attorney(s)).**
- B. Section 551.072 (deliberation regarding real property);
Section 551.073 (deliberation about gifts and donations);**
- C. Section 551.074 (personnel matters);**
- D. Section 551.076 (deliberation about security audits or security devices).**


TO WIT:

- A. Consultation with attorney(s) in reference to pending litigation and/or settlement offers;**
- B. Consider the purchase, exchange, lease, sale or value of real property in connection with the re-location of County offices during Courthouse renovation or repairs;**
- C. Consider personnel matters (appointments, leaves, reassignments, resignations, retirements, termination, termination of probationary contracts, contract extensions);
and,**
- D. Consider Security issues as authorized under Texas Government Code, Chapter 551.074(a)(1) and 551.176.**

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

No action taken.

24. 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.

