

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS
WEDNESDAY, AUGUST 31, 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; Certificate of Liability Insurance for J & B Production & Services LLC; Order Termination Outdoor Burning; 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 Jay W. Miller

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 Jay W. Miller

Second by Mike Ashley Dustin Nicholson abstained

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

Motion approved.

Copy attached.

- 3. Discuss and take action to perform work at the Yamboree grounds under the interlocal agreement with the City of Gilmer.**

Motion to approve Road & Bridge Dept. to perform work at the Yamboree grounds under the interlocal agreement with the City of Gilmer 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.

- 4. Discuss and take action to approve the disposal of tires at Road & Bridge by Todd Lucas, Lone Star Recovery with payment to come from contingency funds up to a maximum of \$11,000.**

This item was passed.

- 5. Discuss and take action to approve and accept for filing the ORDER TERMINATING OUTDOOR BURNING signed by the Judge on August 22, 2022. Discuss and take any other action pertaining to the continued need of the unincorporated areas of the County for protection from outdoor burning.**

This item was passed.

- 6. Discuss and take action to accept for recording the plat for Stonebrook.**

Motion to approve the Stonebrook plat 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.

7. **Discuss and take per HS 775.082(e-1) to grant Marc Nichols, President and Scott Mischnick, treasurer the authority to continue to serve on ESD No. 1 pending the complete audit by Arnold & Walker CPA of Longview.**

Motion to grant Marc Nichols and Scott Mischnick authority to continue to serve on ESD No. 1 pending the complete audit by Arnold & Walker of Longview made by Mike Ashley

Second by Dustin Nicholson

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

Tefteller voted for.

Motion approved.

8. **DISCUSSION ONLY: Round XII Courthouse Grant Renovation Progress.**

Judge Tefteller said the state awarded Upshur County 5.2 million but the total cost is going to be approximately 12.8 million for the complete renovation so Upshur County has to take care of the difference. A final decision as to whether to go forward with the renovation will be made at the September 15, 2022 Commissioner's Court Meeting.

9. **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.

10. **Discuss and take action on the FY23 Proposed Budget.**

No action taken.

11. **Discuss and take action to schedule the date for the Public Hearing on the tax increase for September 15, 2022.**

Motion to approve scheduling the Public Hearing on the tax increase for September 15, 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.

12. Discuss and take action to schedule the date for the adoption of the property tax rate for FY 2023 Budget for September 15, 2022.

Motion to approve scheduling the date for the adoption of the property tax rate for FY 2023 Budget 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.

13. Discuss and take action to schedule the date for the adoption of FY 2023 Budget for September 15, 2022.

Motion to approve scheduling the date for the adoption of FY 2023 Budget 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.
Copy attached.

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

- _____ Section 551.071 (consultation with attorney(s)).**
- _____ Section 551.072 (deliberation regarding real property);**
- _____ Section 551.073 (deliberation about gifts and donations);**
- _____ Section 551.074 (personnel matters);**
- _____ 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.

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

Court did not go into executive session.

16. 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.

