

**COMMISSIONERS COURT OF UPSHUR COUNTY, TEXAS  
THURSDAY, FEBRUARY 29, 2024  
10:00 A.M. REGULAR SESSION**

A regular meeting of the Commissioners' Court of Upshur County, Texas was held on Thursday, February 29, 2024 at 10:00 a.m., with the following members of the Court being present, to-wit:

Present:        Todd Tefteller – County Judge, presiding  
                  Gene Dolle – Commissioner Pct. #1  
                  Dustin Nicholson – Commissioner Pct. #2  
                  Mike Ashley – Commissioner Pct. #3  
                  Jay W. Miller – Commissioner Pct. #4

Judge Tefteller called the meeting to order at 10:02 a.m.

**1. Invocation and Pledges**

Prayer was led by Gene Dolle.

Pledges to the U.S. & Texas flags led by Dustin Nicholson.

**PUBLIC COMMENT**

Jerry Beck was present to address the Court regarding the issues on Gardenia Road including patching of the roads, trash in the ditch, possible erection of speed limit signs or children at play signs.

James Beck was present to thank the Court for fixing Gardenia Road and taking action on their concerns. He also addressed the Court regarding the dirt washing into the road from the new house being built.

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

- A. The minutes of the previous meetings;**
- B. Payroll changes;**
- C. Payroll;**
- D. Budget amendments;**
- E. Accounts Payable;**
- 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; and, applications for use of Upshur County roads and rights-of way and permit requests.**

Motion by Dustin Nicholson with a second by Gene Dolle to approve items A-F.

Motion carried 5-0. Unanimous vote in favor.

(SEE ATTACHED)

- 3. Hear from Julie York concerning the 2023 County Blood drives. Discuss and take action to approve the scheduling of Carter Bloodcare blood drives to be held on the square, 10:30 a.m. – 3:00 p.m. on the following dates in 2024: Thursday, April 11<sup>th</sup>; Thursday, June 20<sup>th</sup>; Thursday, August 15<sup>th</sup>; Thursday, October 7<sup>th</sup>; and, Thursday, January 9, 2025.**

Julie York was present and asked the Court for permission to block off the street in front of the fountain for the Carter Bloodcare bus to park on the dates as set out above. Dustin Nicholson asked if there might be an alternate place to park the bus since the courthouse is undergoing construction. Several alternate options were discussed. Motion by Dustin Nicholson with a second by Jay W. Miller to approve Carter Bloodcare to hold the blood drives on April 11, 2024, June 20, 2024, August 15, 2024, and January 9, 2025 on county property located on Cass Street. Motion carried 5-0. Unanimous vote in favor.

- 4. Discuss and take action to adopt Resolution No. 2024-06 of Support for County Motor Fuel Tax Exemption.**

Motion by Jay W. Miller with a second by Dustin Nicholson to adopt Resolution 2024-06 for Support for County Motor Fuel Tax Exemption. Motion carried 5-0. Unanimous vote in favor.

- 5. Discuss and take action to award the bids for Road & Bridge fuel and materials.**

Phil Stegall, Road and Bridge Administrator, submitted his recommendations to the Court. Motion by Mike Ashley with a second by Jay W. Miller to accept the following bids for Road & Bridge fuel and materials:

Gasoline & Diesel Fuel:	Petroleum Traders
Plant Mixed Asphalt	
Oil Dirt:	Longview Asphalt
Hot Oil Sand:	Wood County Asphalt
Refined Road Oil & Polymer Modified Emulsions:	Bryan & Bryan Asphalt
Pug Milling:	J & B Production & Service
Rip Rap/Rock:	Longview Asphalt
Limestone Flex Base:	Longview Asphalt
Gravel (Iron Ore Rock):	Seaton Construction

Motion carried 4-0 with Dustin Nicholson abstaining.  
(SEE BID RECOMMENDATIONS ATTACHED)

- 6. Discuss and take action to approve the certification of \$1,276.80 additional revenue for the sale of scrap metal to be used by Road & Bridge Department for Road Equipment.**

It was brought to the Court's attention that additional money has been brought in since the agenda was posted. Motion by Gene Dolle with a second by Dustin Nicholson to approve

the certification of \$4,244.10 additional revenue for the sale of scrap metal to be used by Road & Bridge Department for Road Equipment. Motion carried 5-0. Unanimous vote in favor.

- 7. Hear any updates and discuss and take necessary action concerning the Round XII Courthouse Grant Renovation and/or the Courthouse employee relocation during the renovation.**

Judge Leward LeFleur was present to update the Court on the progress being made on the renovation of the courthouse. He announced that the demolition work is currently being done. They are finished with the asbestos abatement and are ahead of schedule. He also stressed that no one is to be over at the courthouse without permission or being invited by the construction manager. Questions were asked of the Court regarding the jail cell that is to be saved on the fifth floor. He also said that there will be a new elevator installed on the east side of the building.

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

\_\_\_\_\_ Section 551.071 (consultation with attorney(s));

A,B Section 551.072 (deliberation regarding real property);

A,B, Section 551.0725 (deliberation and discussion of contracts being negotiated);

\_\_\_\_\_ Section 551.073 (deliberation about gifts and donations);

\_\_\_\_\_ Section 551.074 and 551.0745 (personnel matters);

\_\_\_\_\_ Section 551.076 (deliberation about security audits or security devices).

**TO WIT:**

- A. Consideration of contracts being negotiated in connection with the Round XII Courthouse Renovation.**
- B. Consideration of terms and conditions of the contract between Upshur County and J.C. Stoddard Const. Co. relative to the Round XII Courthouse Renovation.**

The Court went into CLOSED SESSION at 10:41 a.m.

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


The Court reconvened into OPEN SESSION at 10:56 a.m. No action as a result of CLOSED

SESSION.

**10. Adjourn.**

Motion by Mike Ashley with a second by Jay W. Miller to adjourn the meeting.

Motion carried 5-0. Unanimous vote in favor. Meeting adjourned at 10:57 a.m.



ATTEST

*TERRI ROSS*

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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.