

TYLER COUNTY COMMISSIONERS COURT

REGULAR MEETING

June 13, 2022 ---- 10:00 a.m.

THE STATE OF TEXAS                      ON THIS THE 13th day of June, 2022 the Commissioners' Court in and for Tyler County, Texas convened in a Regular Meeting at the Commissioners Courtroom in Woodville, Texas, the following members of the Court present, to wit:

JACQUES L. BLANCHETTE	COUNTY JUDGE, presiding
JOE BLACKSHER	COMMISSIONER, PCT. #1
STEVAN STURROCK	COMMISSIONER, PCT. #2
MIKE MARSHALL	COMMISSIONER, PCT. #3
BUCK HUDSON	COMMISSIONER, PCT. #4
DONECE GREGORY	COUNTY CLERK, Ex-Officio

The following were absent: none thereby constituting a quorum. In addition to the above were:

JACKIE SKINNER	COUNTY AUDITOR
LEANN MONK	COUNTY TREASURER
RENEE CREWS	DISTRICT CLERK
JACOB SPIVEY	COUNTY AGRICULTURE AGENT
TERRY ALLEN	ADULT PROBATION OFFICER

After calling the meeting to order, Judge Blanchette stated "it is the practice of the court to exercise an invocation followed by the Pledge of Allegiance to the flag. Anyone who may not be comfortable with the practice may wish to step out into the hall and rejoin once the portion of the agenda begins with public comments." Jackie Skinner delivered the invocation. Commissioner Marshall led the Pledge of Allegiance to the American Flag.

**PUBLIC COMMENTS:**

**Evonne Mitcham-** questioned why rock materials proposed for improvements on CR2100 wasn't extending to her home. She expressed her displeasure of being told that the proposed improvements, due to low-income area, down to CR2175 but stated that the homes where the road was going to be rocked were not low income.

**Terry Allen** stated the Summer Intern Program started in 2008 and had 150 participants through the years. The 11 students this year then introduced themselves.

**TABLED ITEMS FROM PREVIOUS MEETING(S):**

Commissioner Marshall stated to remove the item II(A): Going out for bids for a used track hoe.

The County Auditor's Annual Report was received by presentation.

**CONSENT AGENDA:**

Commissioner Blacksher motioned to receive the minutes of May 9<sup>th</sup>, May 12 and May 19, 2022. Commissioner Marshall seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

**Commissioner Hudson** made a motion to approve the **monthly reports** from the Juvenile Probation Department, Adult Probation Department, County Auditor, County Treasurer, County Extension and Justice of the Peace, Pct. 1. **Commissioner Sturrock** seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED REPORTS

## **RESOLUTIONS/PROCLAMATIONS/ORDERS:**

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to adopt the Order authorizing the **sale of fireworks during the fourth of July** period (June 24<sup>th</sup> to midnight July 4<sup>th</sup>, 2022) Commissioner Sturrock expressed concern due to the burn ban. Judge Blanchette responded that Ken Jobe was monitoring the predictions. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED ORDER

## **CONSIDER/APPROVE/INFORMATIONAL:**

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Blacksher** to take consideration of the **senior nutritional program**. Lonnie Hunt presented information from DETCOG pertaining to the senior nutritional program. East Texas Support Services Inc. will no longer administer services after September 30, 2022. He added that some counties are operating their own program through non-profit organizations such as churches. Holly Anderson reported that it was a cost reimbursement type program with \$5.31 being the limit. She will coordinate some dates to have a workshop for anyone interested in the program.

A motion was made by **Commissioner Marshall** to approve the **Budget Amendment/Line-Item Transfers for commissioner precincts #1 and #3**, as presented by the County Auditor. The motion was seconded by **Commissioner Sturrock**. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

**Commissioner Marshall** motioned to approve the **Accounts Payable/County Bills**, as presented by the County Auditor. **Commissioner Hudson** seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

**Commissioner Sturrock** motioned to advertise for bids for road improvements for County Road 2100 from the intersection of FM 256 for a length of a half of a mile. The motion was seconded by **Commissioner Blacksher**. Bids will be opened at the regular meeting in July. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

A motion was made by **Commissioner Sturrock** to advertise for bids for road improvement for County Road 1100 from the intersection of CR1010 for 6 tenths of a mile. The motion was seconded by **Commissioner Marshall**. Bids will be opened at the regular meeting in July. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

**Commissioner Sturrock** motioned to advertise for bids for road improvement for County Road 1100 from the intersection of FM 256 for 1.3 Miles. The motion was seconded by **Commissioner Marshall**. Bids will be opened at the regular meeting in July. Commissioners **Blacksher**, Sturrock, Marshall and Hudson voted yes and none no.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to approve the Ameriprise Financial Wellness Program Contract with no financial obligation to the County. The County Treasurer explained this was a benefit to employees planning retirement. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to approve the **cybersecurity contract** with Texas Association of Counties, as presented by the County Treasurer. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to amend the names on the agenda item and appoint Lawrence Richards as **Commissioner to ESD#5**, replacing John Evans. The motion was seconded by **Commissioner Sturrock**. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

**Commissioner Marshall** motioned to renew the annual subscription with Ion Wave Technologies for software for **Road and Bridge**. **Commissioner Hudson** seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

A motion was made by **Commissioner Marshall** to approve the Justice of the Peace, Precinct #1 office days/hours change to Monday through Thursday 7:30am to 6:00pm and any other County Office wanting this change. The motion was seconded by **Commissioner Blacksher** adding that he had received numerous calls from people having to take off from work to get to the JP office before it closes. Commissioner Sturrock stated the hours needed to be posted for response times for citations. He invited comments for making it county wide to help with expenses, partially due to the high prices of gasoline. Other commissioners commented the new hours would benefit the public by not having to take a day off to attend to business. Judge Blanchette stated that legal counsel advised the court has responsibility to set hours the doors of the courthouse will be unlocked and re-locked. The elected officials has the responsibility to the public that entrusted them to that office as to when their services are available. Accommodations will need to be made for security and maintenance. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Sturrock** to approve the replat of Lots 97 and 98 Block 5 Lakeland Ranch Section Two. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Sturrock** to approve the replat of Lots 105, 106 and 107 Block 6 Lakeland Ranch Section Two. This Plat reserves lot 106 for water supply purposes Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

Where individual wells or other non-public water systems are proposed for the supply of drinking water to a Subdivision, a motion was made by **Commissioner Blacksher** to waive the requirements of Section 2.2.d of the **Tyler County Subdivision Regulations** that water quality of the water produced from the test well must meet the standard of water quality required for community water systems as set forth in 30 TAC Sections 290.104, 290.106, 290.108 and 290.109. **Commissioner Sturrock** seconded the motion. These exhaustive requirements are stipulated in Texas Water Development Board (TWDB) Model Subdivision Rules but are not otherwise required for private individual water supply wells on individual lots. Tyler County has not adopted the TWDB Model Subdivision Rules. This waiver or requirements is on the recommendation of Civil Engineer, Jed Morris. Commissioner Blacksher added that the subdivision regulations needed to be amended on a future agenda. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

**Commissioner Blacksher** motioned to consider approve/disapprove/approve with conditions, **Lakeland Ranch Section Three Subdivision Plat Application**. The motion was seconded by **Commissioner Marshall**. A motion was then made by Commissioner Blacksher and seconded by Commissioner Marshall to approve the plat application of Lakeland Ranch Section Three. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

**Commissioner Blacksher** motioned to accept the dedication of public interest in road or **Right-of-Way**, as per instruments effective May 20,2022, from Talavera Timber, L.P. in the Joseph Peters Survey A-511 along **County Road 1700 at Kimball Creek**. **Commissioner Sturrock** seconded the

motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

**Commissioner Blacksher** motioned to accept the dedication of public interest in road or **Right-of-Way**, as per instruments effective May 20, 2022, from Three Tree Southern Growth LLC, in the Richard Smith Survey A-584 along **County Road 1700 at Kimball Creek**. **Commissioner Marshall** seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Sturrock** to receive the Annual Financial 2021 Report for ESD #8. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** to start procurement for **administrative services for the GLO Regional Mitigation Harvey Funds**. **Commissioner Sturrock** seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. Commissioner Blacksher expressed appreciation to Lonnie Hunt for DETCOG's hard work.

**Commissioner Blacksher** motioned to start procurement for **engineering services for the GLO regional mitigation Harvey Funds**. **Commissioner Sturrock** seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

A motion was made by **Commissioner Blacksher** to appoint a committee to review proposals for the **GLO mitigation HARVEY funds** and make a recommendation for selection of an administrator and engineer. **Commissioner Sturrock** seconded the motion. The committee will be Commissioner Blacksher, Ken Jobe and Jackie Skinner. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

**Commissioner Sturrock** motioned to renew the Interlocal Agreement with the City of Woodville and Woodville Independent School district to provide funding for the **Allan Shiver's Library**. **Commissioner Blacksher** seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

Annual Subscription Renewal with Ion Wave Technologies. *Duplication of prior agenda item. No action was taken.*

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to seek bids for Emergency Standby Services. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to seek **bids for debris management**. The County Auditor stated the previous contract was for three years and still in effect. A motion was made by Commissioner Blacksher and seconded Commissioner Marshall to table seeking bids for debris management. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to seek **bids for monitoring debris management**. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

**Commissioner Blacksher** motioned to table appointment of Election Judges and Alternate Judges for the General Elections and Special Elections for a two-year term, as required by the County Clerk.

**Commissioner Marshall** seconded the motion. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

**Commissioner Hudson** motioned to allow the District Clerk to move money from part-time to full time to increase the salary of the Chief Deputy. The motion was seconded by **Commissioner Blacksher**. Mrs. Crews explained the court coordinator had left so the Chief-Deputy had taken on those responsibilities. This would be an increase of \$5500 annually. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

**COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY GOVERNMENT:** none

Executive session was not held.

A motion was made by Commissioner Sturrock and seconded Commissioner Blacksher that the meeting be adjourned. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 11:27 am

I, Donece Gregory, County Clerk and ex officio member of the Tyler County Commissioners Court, do hereby certify to the fact that the above is a true and correct record of the Tyler County Commissioners Court session held on June 13th, 2022.

Witness my hand and seal of office on this the 11th day of July, 2022.

Attest: \_\_\_\_\_  
Donece Gregory, County Clerk