

TYLER COUNTY COMMISSIONERS COURT

SPECIAL MEETING

June 27, 2022 ---- 10:30 a.m.

THE STATE OF TEXAS ON THIS THE 27th day of June, 2022 the Commissioners' Court in and for Tyler County, Texas convened in a Special Meeting at the Commissioners Courtroom in Woodville, Texas, the following members of the Court present, to wit:

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| 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:

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| TRISTA REDDEN | ASST. COUNTY AUDITOR |
| TRISHER FORD | JUSTICE OF PEACE, PCT. #1 |
| KEN JOBE | JUSTICE OF PEACE, PCT. #2/Emergency Mngt. |

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." Ken Jobe delivered the invocation and Commissioner Marshall led the Pledge of Allegiance to the American Flag.

PUBLIC COMMENTS: Martin Yawn- spoke to the banning of fireworks in drought conditions. He stated that normally stick rockets and missiles; and, that the ban of selling fireworks should be done before June 15th according to state law. Bans after June 15th are allowed of a county-wide emergency is declared.

Robert Poynter, Mayor of Chester- supports the burn ban due to the dry conditions

Demp Conner- representing Armadillo Brand Fireworks, Silsbee requested allowing sale of fireworks pending forecasted rain.

TABLED ITEMS FROM PREVIOUS MEETING(S): none

CONSENT AGENDA:

A motion was made by Commissioner Blacksher and seconded by Commissioner Hudson to receive the minutes of May 31st at 10:00am and May 31st at 10:15am. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes.

Monthly reports were not presented

RESOLUTIONS/PROCLAMATIONS/ORDERS: none

CONSIDER/APPROVE/INFORMATION:

Commissioner Blacksher motioned to recognize volunteer veteran service drivers:

Joe McIntyre, Ruth Stewart, Bryan (BA) Smith, Wende Adkins, Larry Adkins, Scott Mitchell and Lewis Dehaven for their many years of dedicated volunteer service to the Veterans of Tyler County. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Ken Jobe recommended to allow the current burn ban to expire; reissue burn ban if there is no rain in the next couple days; do not rescind the order to sell fireworks; make a firework decision later in a separate order that is good for 60 hours. More than 60 hours requires approval from the governor. Commissioner Sturrock stated that under Chapter 418 the Judge can restrict all sales of fireworks; however, the commissioners court can only restrict up until June 15th. Judge Blanchette reported that other counties were restricting fireworks with “sticks and fins”.

A motion was made by **Commissioner Marshall** motioned to ratify the Order to prohibit outdoor burning (Burn Ban). Order will be in effect until rescinded by commissioners court.

Commissioner Hudson seconded the motion. **Commissioner Sturrock** motioned to amend the motion to ratify the Declaration with Order under Chapter 418 of the Local Government Code, which would give the County Judge authority to rescind. **Commissioner Marshall** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes to the amendment. None voted no. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes to the original motion with the amendment. None voted no.

No action was taken to rescind the current order allowing the sale of fireworks based on current fire conditions.

A motion was made by **Commissioner Blacksher** to amend Appendix “R” in the Subdivision Regulations to reflect the Tier Schedule rate increases: Tier 1 and non-second tier \$6000, Tier 2 \$3000, Tiny home and RV park \$5000; insert language Section 232.0021 Local Government Code which allows the county to impose said set application fees, the local government code does not require refund of the unused fee except in the event the court fails to take action on the application as required; however insert that the county may refund unused portions of the review fee once the application is approved or withdrawn; require an application cover sheet to include the name of the subdivision, plat name and location including the “R number” from the tax appraisal district [geographic ID] on the application. **Commissioner Marshall** seconded the motion. Commissioner Blacksher stated the topographical requirements needs to be addressed. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

Commissioner Blacksher motioned to use Goodwin, Lasiter, Strong to review all Applications for **Lakeland Ranch Subdivision** for compliance with the Tyler County Subdivision Regulations.

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

Commissioner Blacksher motioned to approve payment to Goodwin, Lasiter, Strong for review of all Applications for Lakeland Ranch. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Sturrock** to approve **Lakeland Ranch Section 4** Application including the plat. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

A motion was made by Commissioner Sturrock and seconded by Commissioner Blacksher to enter into Executive Session. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

EXECUTIVE SESSION began at 11:23am

Court back in session: 12:10pm

A motion was made by Commissioner Marshall and seconded by Commissioner Sturrock to reconvene in regular session. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

Formal Action Following Executive Session: A motion was made by **Commissioner Sturrock** to hire David Iglesias as general counsel to represent the County Clerk, Donece Gregory, in **District Court cause number 26,012**. **Commissioner Marshall** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

COMMENTS BY COURT MEMBERS PERTAINING to MATTERS of COUNTY GOVERNMENT
- none

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 12:12 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 27th, 2022.

Witness my hand and seal of office on this the 21st day of July, 2022.

Attest: _____
Donece Gregory, County Clerk