

TYLER COUNTY COMMISSIONERS COURT
REGULAR MEETING
May 13, 2024 ---- 10:00 a.m.

THE STATE OF TEXAS ON THIS THE 13th day of May, 2024 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:

MILTON POWERS	COUNTY JUDGE, presiding
JOE BLACKSHER	COMMISSIONER, PCT. #1
DOUG HUGHES	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:

STEPHANIE VOTH	ASST. COUNTY AUDITOR
MELONIE CALHOUN	ASST. COUNTY TREASURER
LUCAS BABIN	CRIMINAL DISTRICT ATTORNEY
SONDRA WILLIAMS	TYLER COUNTY HOSPITAL ADMN.

After calling the meeting to order, Judge Powers invited anyone offended by the court's practice of an invocation and Pledge of Allegiance to step out in the hall and return after the conclusion of the pledge. The invocation was delivered by Donece Gregory. Commissioner Marshall led in the Pledge of Allegiance to the American flag.

PUBLIC COMMENTS: Sandra Tyson couldn't be at the meeting. **Katti Sonier** reported there were many that could not access their homes, due to the levy breach, after the storms in Timberlake Subdivision. She read a letter as a sworn application referencing Section 251.053 of the Texas Traffic Code making a plea for the commissioner court to act to create a road for the residents. Mrs. Sonier stated levy road, formally known CR4515, is the only access to their homes. **Barbara** with Small Business Administration stated they were temporarily at the Nutrition Center helping flood victims with loans. The current rate is 2.68% for home loans, a 4% loan and non-profits as low as 3.25%.

TABLED ITEMS FROM PREVIOUS MEETING: Commissioner **Blacksher** motioned to table consideration of additional **FEMA module** being added to the IWORQ software. Commissioner **Hughes** seconded the motion. All commissioners voted yes and none no.

Commissioner **Blacksher** motion to remove from tabled: Aware bid for hauling. The motion was seconded by Commissioner **Marshall**. All commissioners voted yes and none no.

CONSENT AGENDA:

A motion was made by Commissioner **Hudson** and seconded by Commissioner **Marshall** to receive the minutes of February 12, 2024, March 11, 2024 and April 8, 2024. All commissioners voted yes and none no.

Commissioner **Blacksher** made a motion to receive the monthly reports from the **Juvenile and Adult Probation Departments, County Clerk, District Clerk, County Auditor, County Treasurer, Justice of Peace#1, County Extension and Nutrition Center**. Commissioner **Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

PROCLAMATIONS/RESOLUTIONS/ORDERS:

Judge Powers gave accolades to **Sondra Williams** for the wonderful job she does for the Tyler County Hospital. He read aloud a proclamation to the board members and employees present. Commissioner **Blacksher** motioned to proclaim May 12th through 18th as **National Hospital Week in Tyler County**. The motion was seconded by Commissioner **Hudson**. All commissioners voted yes and none no. SEE ATTACHED PROCLAMATION

A motion was made by Commissioner **Blacksher** and seconded by Commissioner **Hudson** to proclaim the month of June as **Elder Abuse Prevention Month**, as presented by representatives of Adult Protective Services. All commissioners voted yes and none no. SEE ATTACHED PROCLAMATION

A motion was made by Commissioner **Marshall** and seconded by Commissioner **Hughes** to recognize **Memorial Day** in Tyler County. All commissioners voted yes and none no. SEE ATTACHED PROCLAMATION

Commissioner Marshall motioned to adopt the resolution for the newly hired **investigator position's TCOLE license** to be carried by the **District Attorney's office**. Mr. Babin stated Mr. Calhoun's Commission has been carried by the sheriff's office and needs to be now carried by his office. He further stated the resolution is not obligating the county to increase his budget; that should SB 22 funding cease, he would reallocate funds in his budget to "make things work". Paula added the \$1000 fee to TCOLE is being waived because the position is being re-instated. **Commissioner Blacksher** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

CONSIDER/APPROVE/INFORMATIONAL:

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Blacksher** to approve the **budget amendments/line item transfers**, as presented. Commissioner Hughes reported this was for porta-potties during the Dogwood Festival which was paid by the rodeo arena fund. This will allow a transfer from contingency to reimburse the rodeo arena fund. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Blacksher** to approve the **accounts payable/county bills**, as submitted. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Hughes motioned to approve the **County Treasurer's monthly report**, as presented. The motion was seconded by **Commissioner Marshall**. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to accept the monthly **donation** from Riley Funeral Home for **senior activities** at the **Tyler County Nutrition Center**. The motion was seconded by **Commissioner Hughes**. All commissioners voted yes and none no.

Commissioner Hudson motioned to approve the **TCDRS Match Retirement Plan** for employees at the new rate. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hughes** to approve the deputation of Claire E. Kenesson in the **County Clerk's department**. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to approve the Interlocal Agreement with Jasper County to house offenders at the **Jasper County Jail** at the rate of \$60 per day, as presented by Officer Steve Hollaway. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Hughes motioned to purchase two Tahoe vehicles from Caldwell Chevy using funds from insurance for one and the other will be paid from the sheriff's vehicle fund for the **Sheriff's department**. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to ratify the **2024 yearly maintenance renewal** with Otis Elevator Company. The motion was seconded by **Commissioner Hughes**. All commissioners voted yes and none no. SEE ATTACHED

Jeff Leavins, (LEAD) updated the court as to rodeo arena project including sewer installation. **Commissioner Marshall** motioned to consider the "Scope of Work" for the **rodeo arena project**. The motion was seconded by **Commissioner Hudson**. Commissioner Marshall requested a cost estimate. Judge Powers inquired about the sustainability of future growth expansion of the county airport. Mr. Leavins answered he "could not foresee outgrowing that growth". All commissioners voted yes and none no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hughes** to approve the change to the **rodeo arena project**. The change in the bleachers will cover the additional cost of a change to tie-in to the terminal building. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to approve the reduced PO amount for the **new rodeo arena bleachers**. The original PO amount was \$395,705.00 to the revised amount of \$248,075.00. The motion was seconded by **Commissioner Hughes**. Jeff Leavins explained the change was removing the four-foot aluminum walk-way. It was not needed due to having a concrete walk-win with VIP seating. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to approve the administrative regional MIT grant with David J. Waxman, Inc. Contract 24-065-046-E538 and Contract 24-065-046-E539. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned and seconded by **Commissioner Blacksher** to adopt the execution of the **depository/signatory resolution** for grants Contract 24-065-046-E538 and Contract 24-065-046-E539. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hughes** to execute the **Civil Rights Resolutions** for grants 24-065-046-E538 and 24-065-046-E539. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to execute the **grant administration contract and engineering contract** for grants 24-065-046-E538 and 24-065-046-E539. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to ratify the **liability and property renewal** with Texas Association of Counties for 2024-2025. The motion was seconded by **Commissioner Hudson**. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to approve the 2024 annual maintenance renewal with **ImageTek** for the **County Clerk's office**. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to extend the term of the contract for one year for **monitoring of debris management** with DebrisTech, LLC. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Blacksher** to extend the term of the contract for one year for **debris management** with Custom Tree Care, Inc. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Hughes motioned to ratify the Agreement between Tyler County Emergency Management and the **United States Small Business Administration** to assist with **disaster loan procedures**. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to purchase a **backhoe for Precinct #4** and engage in a lease payment with First National Bank Wichita Falls. All commissioners voted yes and none no.

Commissioner Hughes motioned to purchase a **Mack Truck for Precinct #2**, engaging in a lease payment with First National Bank Wichita Falls. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to purchase a **backhoe for Precinct #4** and engage in a lease payment with First National Bank Wichita Falls. All commissioners voted yes and none no.

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hughes** to appoint Kathy Attaway to fill the vacancy on the **Emergency Services Board #8**. **Commissioner Blacksher** expressed his appreciation to all the board members for their service. All commissioners voted yes and none no.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to approve the contract renewal with **Sparklight** for **internet service at the tax office**. All commissioners voted yes and none no. SEE ATTACHED

COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY

GOVERNMENT: Judge Powers thanked the commissioners for assisting with the documentation for FEMA to meet the required threshold for funding. He thanked Mr. Settlocker and assistant, Tonya Sheffield, the voluntary fire departments, sheriff's department and game wardens for their dedicated assistance with victims of the flooding. Judge commended the commissioners for assisting with sand bags and **Commissioner Blacksher** helping to rescue someone from their vehicle. **John Settlocker** reported anticipated tornados/high winds and hail on Friday. Possibly five or six inches.

Commissioner Blacksher and Judge Powers both explained the county can't "do anything on private property". Judge Powers added he had checked with TAC legal confirming; the request made today to the court will allow the judge to "possibly look into a different direction" for assistance. He had written letters requesting assistance of behalf of those families, also on behalf of Ivanhoe. **Commissioner Marshall** reported Steve Pittman has petitions of persons with concerns for the highway proposition of two routes up for consideration by TxDOT; The petitions, with over 500 signatures presently, propose a route using the railroad right-of-way. **Judge Powers** stated he would be meeting with Mr. Gonzales with TxDOT. **Commissioner Blacksher** urge everyone to attend the TxDOT public hearings on June 4th and June 6th.

Executive Session: Not held

A motion was made by Commissioner Hudson and seconded by Commissioner Hughes that the meeting adjourn. All voted yes.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 11:00 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 May 13, 2024.

Witness my hand and seal of office on this the 30th day of May, 2024.

Attest: _____
Donece Gregory, County Clerk

