

TYLER COUNTY COMMISSIONERS COURT
REGULAR MEETING
January 11, 2021 ---- 11:00 a.m.

THE STATE OF TEXAS ON THIS THE 11th day of January, 2021 the
Commissioners' Court in and for Tyler County, Texas convened in a Regular Meeting at the
Justice of Peace Courtroom in Woodville, Texas, the following members of the Court present, to
wit:

JACQUE L. BLANCHETTE	COUNTY JUDGE, presiding
JOE BLACKSHER	COMMISSIONER, PCT. #1
STEVAN STURROCK	COMMISSIONER, PCT. #2, teleconference
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
KEN JOBE	EMERGENCY MGT. COORDTR/ J.P. PCT. #2

After calling the meeting to order, Judge Blanchette 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 Commissioner Blacksher. He then led in the Pledge of Allegiance to the American flag.

Public Comments: none

A motion was made by Commissioner Marshall and seconded by Commissioner Hudson to receive the minutes of the previous meetings. All voted yes and none no.

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

Budget amendments/line item transfers, were not presented by the County Auditor.

Commissioner Marshall motioned to approve **Accounts Payable/Paying County Bills.** The motion was seconded by **Commissioner Hudson.** All voted yes and none no. SEE ATTACHED

A motion was made by **Judge Blanchette** to approve payment to Dr. Paula Denson as **health authority.** The motion was seconded by **Commissioner Marshall.** Judge Blanchette and Ken Jobe explained the purpose of the health authority during the pandemic. All voted yes and none no. SEE ATTACHED

Commissioner Hudson motioned to approve disposition of **surplus county property** via online auction. **Commissioner Marshall** seconded the motion. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Sturrock** to appoint Commissioner Marshall as **Judge Pro-Tem** for Commissioners' Court. **Commissioner Hudson** seconded the motion. All voted yes and none no.

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Blacksher** to authorize the Judge Pro-Tem as an **alternate signatory** for Commissioners' Court to expedite county documents including but not limited to grants and contracts. All voted yes and none no.

Judge Blanchette motioned to re-appoint Larry Trest to the **Appraisal Review Board.** The motion was seconded by **Commissioner Marshall.** All voted yes and none no.

Judge Blanchette stated his thought was the vacancy of Commissioner Nash leaving; and, he being located at the Nutrition Center; and, the associate court member, he was offering to assist.

He motioned to transfer oversight of the **Nutrition Center** from Precinct #1 Commissioner to Judge Blanchette and **courthouse** from the County Judge to Commissioner Stevan Sturrock. Commissioner Hudson inquired if "it's both together as one deal"? Judge Blanchette explained that since he was not at the courthouse anymore; and, Commissioner Sturrock was over the courthouse project, it made sense for Stevan to be the point of contact on behalf of the court. Judge Blanchette added he was more than willing to help at the nutrition center, being the alternate for that facility, as it is now. The motion died for lack of a second.

A motion was made by **Judge Blanchette** to re-appoint Charles Zimmerman to the Southeast Texas Groundwater Conservation District board for another term. The motion was seconded by **Commissioner Marshall**. All voted yes and none no.

Review FMLA pay COVID leave (informational purposes only) - Leann explained that the President's order was to **pay FLMA if it was COVID related for any absences** of both for full-time and part-time employees. The order expired December 31st, 2020. She recommended not making any changes until February 1st, 2021 to give employees time to be made aware, since she wasn't notified after the deadline that the Order was not going to be renewed. the employee will be re to utilize their accrued sick time or vacation time. FLMA will be required after three days off then FLMA requires a doctor's excuse. No action was taken.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to appoint Commissioner Marshall as the commissioner filling the vacancy on the **Tyler County Investment Committee**. All voted yes and none no.

Leann explained the Committee did not adopt the policy- waiting the appointment of the new committee member. No action was taken to approve the **Investment Committee's recommendation for the 2021 Investment Plan**.

Commissioner Hudson moved an increase of pay from \$35,007 to \$40,482.52 to the budgeted amount for **Emergency Management Coordinator, Ken Jobe**. **Commissioner Marshall** seconded the motion. The County Treasurer stated she needs to know whether the position was considered full-time or part-time, due to previous position receiving a stipend. How does it affect the exempt status; does he turn in a time sheet; confused as to the process to make sure he is "being taken care of" yet conforms with the Department of Labor. Judge Blanchette responded he is full-time, always on call, always the Emergency Management Coordinator reporting to the County Judge. The County Auditor and Leann felt he was not exempt due to the first responder status. Leann questioned if vacation and sick-time would be accrued; would the county be paying overtime? She stated that overtime would be paid for non-exempt status. Commissioner Sturrock stated law enforcement are first responders, non-exempt employees and get overtime and turns in a time sheet. Mrs. Monk added on one-side he is a non exempt employee that would be paid hourly and accrue over-time, vacation & sick leave, yet on the other side he is an elected official that would not accrue time at all. Judge Blanchette suggested Ken could sign a document he is a first responder waiving whatever exempt or non-exempt status. Jackie Skinner suggested that the increase be given as a stipend. After much discussion, Judge Blanchette stated to put Ken back on in his full-time responsibility to at least get it started for this month; can modify later if we need to; will tell him to account for his time; giving court time to process what Leann is talking about. The County Treasurer reiterated, if he is a full-time salaried position, he will be accruing vacation and sick time. Commissioner Sturrock stated no one was against Ken getting the extra pay, just need to figure out how to report the pay to the federal government. **Commissioner Marshall** motioned, in the form of an amendment, to approve an increase to the full budgeted amount; that stipend status remain as has been meaning that overtime would not be accrued. **Commissioner Sturrock** seconded the motion. All voted yes and none no. The original motion with the amendment was voted on. All voted yes and none no.

A motion was made by **Commissioner Hudson** to accept the resignation of Karen Hatton on the Local Workforce Development Board, effective as of January 1, 2021. **Commissioner Marshall** seconded the motion. All voted yes and none no.

Commissioner Hudson reported the tax office was able to move back to the annex building.

Executive Session was not held.

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.

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 January 11, 2021.

Witness my hand and seal of office on this the 8th day of January, 2021.

Attest: _____
Donece Gregory, County Clerk