

TYLER COUNTY COMMISSIONERS COURT  
SPECIAL MEETING  
July 20, 2021 ---- 10:00 a.m.

THE STATE OF TEXAS                      ON THIS THE 20th day of July, 2021 the Commissioners' Court in and for Tyler County, Texas convened in a Special Meeting at the Justice of Peace 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                          |
| KEN JOBE       | J.P., PCT. #2/Emergency Mngt. Coordinator |

Judge Blanchette called the meeting to order.

**PUBLIC COMMENTS:** None

**CONSIDER/APPROVE/INFORMATIONAL:**

**Commissioner Sturrock** motioned to have the second reading of the proposed regulation of subdivisions of land, including manufactured home rental communities, pursuant to Section 232 of the Texas Local Government Code. **Commissioner Marshall** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. Bob Bass, attorney at law, read through the regulations with references of the Texas codes: Local Government Code- Chapters 232, 233, 242, Transportation Code- Chapter 251, Health & Safety Code- Chapter 364,366 and the Texas Water Code- Chapter 26. Section 1.1 of the regulations specifies the definition of a subdivision. Anytime a tract has two or more parts and most importantly lays out interior streets, the subdivision and plat must be approved by the commissioners court. Section 1.3 contains certain exemptions from platting: agricultural use, no interior streets and family division of property, etc. Within two years of the original division, subsequent transfers to non-family members may fall back into the subdivision act. Section 3.9 requires coordination with DETCOG 911 addressing for the streets in the subdivision. Plat must be prepared by licensed surveyor. Chapter 8 approval process: The Court has 30 days after a completed application & plat has been submitted. The application & plat should be approved or disapproved or approved with conditions. Chapter 10 covers procedures or re-plats or amendments or corrections or cancellation of existing plat. Chapter 11 allows for variances approved by the court under special circumstances. Next chapters refer to protective measures for the county concerning roads, water & sewer. Mr. Bass recommended a person on staff be designated to go through the "Checklist" so that the county employee can immediately show the developer what is missing from the application. A complete application starts the 30-day clock. If action hasn't been acted on in 30 days, it becomes approved as a matter of law. Road options were mentioned as to the county maintaining or the developer maintaining the roads and streets. Mr. Bass also read through the regulations for manufactured homes. The second reading is now completed.

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hudson** to recess the Special Meeting of commissioners court and to open the public hearing on the topic of **subdivision regulations**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

**PUBLIC HEARING:** No one had signed up to speak at the public hearing. Ken Jobe raised the question of "ETJ" (extra territorial jurisdiction) and working with the city concerning water supplied outside the city limits and fire protection. Mr. Bass responded that an interlocal agreement would be needed with each city as to which governmental entity would regulate development in the ETJ. If there isn't an interlocal agreement, then approval would be needed for development from both the city and county, before it could be built. Commissioner Sturrock questioned when the two-years after construction of maintaining roads would start, by the

developer. "Is it after all the lots are sold" or "when all the houses are built"? Mr. Bass responded the bond stays in place as long as they are constructing the infrastructure. Once they have completed the infrastructure then the two-year maintenance starts. The County Clerk ask questions about the bond that is required along with required certificates. Mr. Bass answered that all should be completed and reviewed by a designated "reviewer" before the plat is filed with the county clerk. He recommended that an engineering firm make the review, having a background in the requirements and regulations.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to close the Public Hearing. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Sturrock** to reconvene the Special Meeting of commissioners court. **Commissioner Blacksher** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

BACK IN SPECIAL SESSION: 10:52 a.m.

**Commissioner Sturrock** motioned to receive and take action on the **subdivision regulations**, including the regulations of **manufactured home rental communities**, pursuant to Section 232 of the Texas Local Government Code. **Commissioner Blacksher** seconded the motion. Anything that is in existence now is "grandfathered" and not subject to the Act. Land that is cleared-off would be subject to the regulations. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED REGULATIONS

**EXECUTIVE SESSION:** None

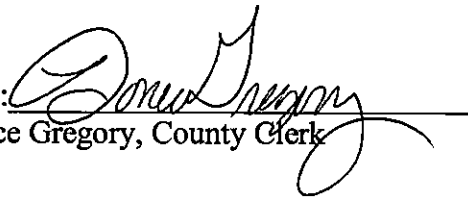
A motion was made by Commissioner Marshall and seconded Commissioner Blacksher that the meeting be adjourned. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 11:08 a.m.

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 July 20, 2021.

Witness my hand and seal of office on this the 13th day of August, 2021.

Attest:

  
Donece Gregory, County Clerk