

TYLER COUNTY COMMISSIONERS COURT  
 REGULAR MEETING  
 September 13, 2021 ---- 11:00 a.m.

THE STATE OF TEXAS ON THIS THE 13th day of September, 2021 the  
 Commissioners' Court in and for Tyler County, Texas convened in a Regular Meeting at the Justices 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, via telephone
LYNNETTE CRUSE	TAX ASSESSOR/COLLECTOR
BRYAN WEATHERFORD	SHERIFF
SONDRA WILLIAMS	TYLER CO HOSPITAL ADMINISTRATOR
TRISHER FORD	JUSTICE OF PEACE, PCT. #1

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 mute their phone/computer (for those attending by teleconference) or step out into the hall and rejoin once the portion of the agenda begins with public comments." Commissioner Sturrock delivered the invocation and then led the Pledge of Allegiance to the American Flag.

PUBLIC COMMENTS: None

TABLED ITEMS FROM PREVIOUS MEETINGS:

**Commissioner Sturrock** motioned to remove from tabled items; and, to approve premium pay from the **American Plan Act** for county employees and officials deemed essential. **Commissioner Blacksher** seconded the motion. Commissioner Sturrock and Commissioner Hudson reported out of those polled, the employees preferred a flat rate. Commissioner Marshall stated his concern that some part-time employees had been essential also. Commissioner Sturrock voiced discussion for part-time employees would require a separate agenda item because action taken in a previous meeting was for full-time employees. Judge Blanchette contemplated there were a substantial number of part-time employees that are as essential to the functions of county government and should receive consideration of something as they have weathered through "these challenges with us". Commissioner Sturrock added the positions need to be considered and not the persons. The County Auditor and County Treasurer stated the time period designated by the Act is from March 30<sup>th</sup> 2020 to December 31, 2020. A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Blacksher** to amend the motion to include payment to full-time employees at a flat rate of \$3500.00 across the board on September 30<sup>th</sup>, 2021[changed by amendment] that were employed from March 30<sup>th</sup> 2020 to December 31, 2020; and, are currently employed. A motion was made by Commissioner Sturrock and seconded by Commissioner Blacksher to amend the amended motion that the one-time payment be paid on September 21<sup>st</sup>. All voted yes. Judge Blanchette asked the sheriff if there were any of his employees that may have worked during the range of time designated but were no longer with the county, being "slighted out". Sheriff Weatherford replied there was an allotted amount (hazard pay) that was given to his employees. or other departments. Judge Blanchette called for the vote on the original motion. All voted yes and none no.

A motion was made by **Commissioner Marshall** to accept the **Annual Financial Audit** as presented by Belt, Harris and Pechacek. **Commissioner Sturrock** seconded the motion. All voted yes and none no, Darla Dear reported the County received an unmodified opinion being the highest level of assurance that can be received. The firm has implemented GASB84 in accounting principles. She explained the fund balances and transfers in and out, state cost, custodial accounts and restricted accounts, along with funds they had combined.

The County Clerk requested the appointment of election judges and alternates be tabled. No action was taken.

A motion was made by Commissioner Blacksher and seconded by Commissioner Sturrock to receive the minutes of September 7<sup>th</sup> meeting. All voted yes and none no.

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

**Judge Blanchette** motioned to adopt the Resolution in support for the **Alabama-Coushatta tribe of Texas** and Naskila gaming. The motion was seconded by **Commissioner Marshall**. All voted yes and none no. SEE ATTACHED

**Budget Amendments/Line Item Transfers** were not presented.

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

**Commissioner Marshall** motioned to adopt the **2022 Tyler County Budget**. **Commissioner Hudson** seconded the motion. The County Auditor presented the budget based on the budget workshops using the proposed tax rate \$0.6492 for General Fund. She explained that if another rate was adopted changes would need to be made in the amount of ad valorem and the beginning balance cash that is being used to balance the budget. Based upon the presentation of the Chief Appraiser in the budget hearing, Judge Blanchette stated after the increases in longevity and insurance and retirement premiums there would be approximately a \$40,000 net if the court adopts the no-new-tax rate. He added if the court does not go up on the tax rate, the county is stable enough to underwrite the \$40,000. Commissioner Sturrock questioned whether the county would be getting more tax revenue than the numbers received before for the no-new tax rate. The Chief Appraiser explained the amounts that had been in protest had now been resolved along with other expected value. Judge Blanchette summarized that "we will be OK if we don't go up on taxes this year" considering "we will be able to fund the budget as is" with the new figures explained; and, there is enough carry-over; and, that the county is well reserved as identified by Darla, outside auditor. Commissioner Hudson in review \$213,000 was needed in revenue to satisfy the increase in the budget; the no-new revenue rate would bring \$93,243. Judge Blanchette specified the findings of new revenue: must add in for the same Road & Bridge of over \$54,800.00 realizing aprx. \$148,096, including the \$25,000 surplus distribution from TAC leaves aprx. \$39,904. to be absorbed. The County Auditor added the original figures, based on tax rate of taxable value, were \$1,135,335,451. The new one based on figures that Mr. Luther gave is \$1,318,121,335. Commissioner Sturrock stated it appears the no-new-revenue rate is now not the no-new-revenue rate. The Auditor added that new figures based on the values will generate aprx. \$645,000 in more revenue. Judge Blanchette summarized the budget/tax rate process. David Luther stated an approximate amount of protested values are in the certified values. Commissioner Hudson called for the question. A voice vote was taken: Judge Blanchette vote nay, Commissioner Blacksher voted nay, Commissioner Sturrock voted yes, Commissioner Marshall voted yes and Commissioner Hudson voted yes. SEE ATTACHED BUDGET

A motion was made by **Commissioner Marshall** to adopt the no-new-tax rate of **\$0.6292 for the General Fund**. The motion was seconded by **Commissioner Hudson**. A voice vote was taken: Judge Blanchette voted yes, Commissioner Blacksher voted yes, Commissioner Sturrock voted nay, Commissioner Marshall voted yes and Commissioner Hudson voted yes.

A motion was made by **Commissioner Marshall** to adopt the no-new-tax rate of **\$0.2384 for the County Farm to Market Flood Control Fund**. The motion was seconded by **Commissioner Blacksher**. A voice vote was taken: Judge Blanchette voted yes, Commissioner Blacksher voted yes, Commissioner Sturrock voted yes, Commissioner Marshall voted yes and Commissioner Hudson voted yes.

A motion was made by **Commissioner Marshall** to adopt the no-new-tax rate of **\$0.2133 for the Tyler County Hospital District**. The motion was seconded by **Commissioner Sturrock**. A voice vote was taken: Judge Blanchette voted yes, Commissioner Blacksher voted yes, Commissioner Sturrock voted yes, Commissioner Marshall voted yes and Commissioner Hudson voted yes.

**Commissioner Marshall** motioned to adopt the Order setting the tax rates for the County General Fund, County Farm to Market Flood Control Fund and the Tyler County Hospital District. **Commissioner Sturrock** seconded the motion. A voice vote was taken: Judge Blanchette voted yes, Commissioner Blacksher voted yes, Commissioner Sturrock voted yes, Commissioner Marshall voted yes and Commissioner Hudson voted yes. SEE ATTACHED ORDER

**Commissioner Blacksher** motioned to receive the **2021-2022 Financial Report for Emergency Services District #1**. **Commissioner Marshall** seconded the motion. All voted yes and none no. SEE ATTACHED

Action was not needed on Item I: Ratify the Property Tax Increase Raising More Revenue from Property Taxes than in the Previous Year, as Reflected in the 2022 Tyler County Budget. LGC 111.008(c)

A motion was made by **Commissioner Marshall** to reimburse \$2000 to the Woodville Youth Football League to be paid out of **Tyler County Youth Programs**. **Commissioner Blacksher** seconded the motion. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Hudson** to renew the maintenance service for **Otis Elevator Company**. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Marshall** to open the presentation on Section 3, as required by Texas Department of Agriculture for **CDBG Contract #7220470 Water Improvements Project**, with Tyler County SUD. All voted yes and none no. SEE ATTACHED Leslie Waxman explained Section 3 requires grant recipients to direct funds to low- and moderate-income citizens and businesses. Registration can be done on the HUD website. Ms. Waxman also announced a HMG project coming up with the General Land Office, which Section 3 applies to that grant also.

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Blacksher** to take a 10-minute recess. All voted yes

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Hudson** to go back into session. All voted yes.

COURT BACK IN SESSION: 12:30 pm

**Commissioner Sturrock** motioned to approve departmental changes and compensation in the **Sheriff's department** and set the **Salaries and Allowances of All Elected Officials and Precinct Officers for the 2022 Budget year**, as published. The motion was seconded by **Commissioner Blacksher**. Judge Blanchette and **Commissioner Marshall** expressed appreciation to Sheriff Weatherford and his department. Judge Blanchette expressed that if the sheriff eliminates an investigator position and uses it to provide raises within his department, it could set a precedent that other officials may begin to do the same. **Judge Blanchette** motioned amend the motion to set aside the departmental changes and compensation in the Sheriff's department to look at other options. Motion died for lack of a second. **Commissioner Blacksher** commended the sheriff for using departmental funds to make changes rather than putting a higher burden on the taxpayers. **Commissioner Marshall** was of the opinion that if the position had not been filled in a long time, he was agreeable to "go with the original request". All voted yes and none no for the original motion.

A motion was made by **Commissioner Blacksher** to update the policy in the **Employee Handbook** regarding all salary payouts **including longevity** to be prorated at termination retroactive to January 1, 2021. **Commissioner Marshall** seconded the motion. The County Treasurer stated this had not been in the policy. **Commissioners Blacksher** and **Sturrock** expressed the employee should receive the prorated amount for any type of separation because it is earned by the employee. **Commissioner Blacksher** amended the motion to include any type of separation; retroactive to January 1, 2021. **Commissioner Sturrock** seconded the motion. All voted yes and none no. The vote was taken on the original motion with the amendment. All voted yes and none no.

The County Clerk explained the preservation/archive fee will be set by statute to \$10 effective January 1, 2022. The fee the District Clerk collects is presently \$5. **Commissioner Marshall** motioned to adopt the **Records Preservation/Archive Plan** and increase the fee for the **District Clerk**. **Commissioner Sturrock** seconded the motion. A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to amend the motion to include the approval of the fee being increased to \$10, effective immediately. All voted yes and none no.

The County Clerk presented the records preservation/archive plan and requested the continuance of the Archive Fee until the statute takes effect on January 1, 2022. A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to adopt the **Records Preservation/Archive Plan for the County Clerk**. All voted yes and none no. SEE ATTACHED

**Commissioner Blacksher** motioned to reappoint Hershel Odom and John Page as commissioners to the **Emergency Service District #5**. **Commissioner Hudson** seconded the motion. **Commissioner Sturrock** called for the question. All voted yes and none no. SEE ATTACHED

**Commissioner Blacksher** motioned to purchase a Derksen building, building materials, electrician services, rock and fencing materials to relocate the **maintenance department** to a central location at the Nutrition Center. The cost will be \$22,350 and be paid out of contingency. **Commissioner Marshall** seconded the motion. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** to rescind the letter of intent to purchase a truck from Caldwell Country Chevrolet for Precinct #1 due to availability issue. **Commissioner Marshall** seconded the motion. All voted yes and none no.

A motion was made by **Commissioner Blacksher** to purchase A motion was made by **Commissioner Blacksher** to a 2022 Ford F250 Crew Cab 4x2 for Precinct #1 from Silsbee Ford in the amount of \$32,956.00. **Commissioner Sturrock** seconded the motion. All voted yes and none no. SEE ATTACHED

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 by Commissioner Marshall that the meeting adjourn. All voted yes.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 1:03 pm

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 September 13, 2021.

Witness my hand and seal of office on this the 20th day of September, 2021.

Attest:   
Donece Gregory, County Clerk