



TYLER COUNTY COMMISSIONERS COURT

County Courthouse, Room 101 / Woodville, Texas

Joe Blacksher
Commissioner, Pct. 1

Stevan Sturrock
Commissioner, Pct. 2

Jacques L. Blanchette
County Judge

Mike Marshall
Commissioner, Pct. 3

Charles "Buck" Hudson
Commissioner, Pct. 4

2021 AGENDA REQUEST FORM

Item(s) for *Consideration, Information*

In accordance with the State Open Meetings Act Section 551.001(3)(B) supported by Attorney General Opinion DM-228, **consideration does not guarantee placement on the agenda.**

For Preparation and Posting

All Agenda Requests must be received by 11:00AM the Thursday prior to the meeting.

Items received after deadline may be placed on the next agenda.

Jan. 11 ___	June 14 ___	Sept. 13 ___
Feb. 8 ___	July 12 ___	Sept. 20 ___
Mar. 8 <u>X</u>	Aug. 9 ___	Sept. 27 ___
Apr. 12 ___	Aug. 23 ___	Oct. 18 ___
May 10 ___	Aug. 30 ___	Nov. 15 ___
	Sept. 7 ___	Dec. 13 ___

Request made by:

Name	Stevan Sturrock
Office/Organization	Commissioner Pct. 2
Contact Information	

Request Information:

Per the Procedures for the Organization and Administration of the Allan Shivers Library and Museum dated January 2012, as well as the numerous commissioners court minutes, the following procedure should be redefined as it pertains to Tyler County's obligations: 5) The County of Tyler shall supply the funds necessary to pay professional library labor, books and library supplies as budgeted **The request is for the court to consider/approve changing the official definition of support to the Allan Shivers Library from "supply the funds necessary to pay professional library labor, books and library supplies as budgeted." To be defined as "Tyler County shall support the Allan Shivers library in the amount agreed on by the commissioner's court for the Library to use as needed and required by their set budget overseen by the Library Governing Board."**

Request Type: Consider/Approve or Informational Presentation (circle one) Documentation Attached: yes no (circle one)

The governmental body is responsible for the content of the agenda (Statute 551.041), therefore, **the SIGNATURE of a member of Commissioners Court is REQUIRED** for all items on the agenda.

Member of Commissioners Court: 

Commissioners Court Coordinator: Kelly Jobe
Deputy Clerk
Fax: 409-283-8049
Email: commissionersagenda.cc@co.tyler.tx.us

THE PROCEDURES
FOR THE
ORGANIZATION AND ADMINISTRATION OF THE
ALLAN SHIVERS LIBRARY AND MUSEUM

Fiscal Year 1976

The following procedures shall govern the organization and administration of the Allan Shivers Library and Museum:

1. The project shall be operated jointly by the Woodville Independent School District, the City of Woodville, the County of Tyler. The project shall be operated for the benefit of all of the people of Tyler County.
2. The library fiscal year shall be from January 1, to December 31 of each year, according to the fiscal year of the County of Tyler.
3. The City of Woodville shall supply the electric and telephone services in the amount of \$5,250.00. In the event these utilities do not exceed \$4,500.00, the difference between actual expenditures and the budget appropriation may be used for general library purposes. Water, sewage, and garbage services shall be furnished without charge by the City of Woodville.
4. The Woodville Independent School District shall supply custodial and maintenance service and supplies for this service, and in addition shall pay the cost of fire and extended coverage insurance on the buildings and its contents.
5. The County of Tyler shall supply the sum of \$14,500.00 which shall be used to pay professional library labor, books, and library supplies.
6. A six member Library Board shall be established to formulate general policies for the operations of the library and approve the budget for the library. This Library Board shall consist of one member of the County Commissioners Court, one member of the City Council, and one member of the Board of Trustees of the Woodville Independent School District. The other members of the Library Board shall be the County Judge, the City Manager, and the Superintendent of the Woodville Schools.

It shall be the duty of the Library Board to establish general policies regarding the operation of the library, adopt a budget for library operations, and approve the annual audit of the Allan Shivers Library Fund. The Library Board shall establish a bookkeeping, purchasing, and accounting system. The account shall be audited annually by a Certified Public Accountant.

The Library Board shall meet upon the

Jan 2012 approved
Jan 2012

Procedures for the Organization and Administration of the Allan Shivers Library and Museum

The following procedures shall govern the organization and administration of the Allan Shivers Library and Museum:

1. The project shall be operated jointly by the Woodville Independent School District, the City of Woodville, and the County of Tyler. The project shall be operated for the benefit of all the people of Tyler County.
2. The library fiscal year shall be from January 1 to December 31 of each year, according to the fiscal year of the County of Tyler.
3. The City of Woodville shall supply the electric and telephone services. In the event these utilities do not exceed the budget allocation, the difference between actual expenditures and budget appropriation may be used for general library purposes. Water, sewage and garbage services shall be furnished without charge by the City of Woodville.
4. The Woodville Independent School District shall supply custodial and maintenance service and supplies for this service, as budgeted, and, in addition, shall pay the cost of fire and extended coverage insurance on the buildings and its contents.
5. The County of Tyler shall supply the funds necessary to pay professional library labor, books and library supplies as budgeted.
6. A six member Governing Board shall be established to formulate general policies for the operations of the library and approve the budget for the library. This governing board shall consist of one member of the County Commissioners Court, one member of the City Council, and one member of the Board of Trustees of the Woodville Independent School District. The other members of the Governing Board shall be the County Judge, the City Manager and the Superintendent of the Woodville Schools.

Mrs. Bunch
wants these
rewritten

Historical Commission, City of Woodville and Woodville Independent School District expertise were represented by Eleanor Holderman, Mayor Paula Jones and Roschelle Springfield. Library Advisory Chair Murlin Barker and Library Board Members Eddie Boxx, Patsy Morris and Anne Tolbert also participated. The first meeting took place Feb 15, 2019 and members established a regularly scheduled process and met once a month. The last meeting of the Working Group was held at the Tyler County Courthouse Jun 10, 2019. Initially current Library Director Mrs Rosemary Bunch attended, but asked to be relieved of working group membership. However, she has provided required background information for which we were immensely grateful. This working group additionally recognized Director Bunch's dedication, years of selfless service and devotion to the Allan Shivers Library and Museum.

Discussion and Observations:

1) The Library Director stated the museum portion is not part of her job description. Mrs. Rosemary Bunch reiterated the museum was never included in her original job responsibilities other than to keep the museum clean and accessible to tours and thus no other instructions or obligations.

2) **Library Employees: Currently, all library employees are part-time workers. Seven (7) library employees work various hours and include a maintenance worker.¹ Only the director and the assistant library director/secretary (part time and the role has been modified between the two functions) and the maintenance worker work every week with the other library staff working alternate weeks. An ongoing issue has been salaries and benefits for the library workers. In a comparison with other libraries, the Allan Shivers Library Museum Director's salary lags behind and does not include any benefits (e.g. health insurance, retirement). Currently, no employees are offered any health care or retirement benefits. However in the past, the maintenance employee was able to periodically join the Woodville Independent School District coverage plan, but that has since been discontinued.**

Two documents contain different language in regards to ownership of the library employees. Both documents (one dated 2012 and the other dated 1964) refer to the Tyler County as having responsibility for staffing the library and museum. In the **Procedures of the Organization and Administration of the Allan Shivers Library and Museum dated Jan 2012** Item #5 states, "The County of Tyler shall supply the funds necessary to pay professional library labor..." Yet in a documented dated earlier **The Organization for the Operation and Administration of the Allan Shivers Library and Museum 1964** mentions, "The County of Tyler shall supply the staff for the professional library and museum ..." Therefore an ambiguity exists to overall county responsibility of the library employees. Historically, the county never supplied the staffing and currently provides the funding.

¹ All workers are part time - Two (2) Library Assistants work 8 hours M-F and 2 work Saturday (4 hours). The Director works 6 hours per day (M-F) and the secretary works 5.5 hours (M-F). A maintenance/grounds keeper works 4.5 hours per day (M-F)

A conversation was started with the Tyler County Treasurer (Mrs Leann Monk) to synthesize a comparison of costs (an agreed upon accounting system to compare monies currently spent by the county – to what the “actual” cost would be if the library was included in the county enterprise). A recommendation was to bring in the Tyler County Human Resources officer into the comparison with goal of accurately identifying the “delta” between the two costs. For example, in the 2019 budget, the county has allocated \$127,000 to pay for the library employees. How much would it cost (or save) the county to include them as county employees? Capturing the “cost” remains a much-needed data point for decision makers. While the Allan Shivers library is to be commended for a heretofore-stellar work and employee relationship, a need exists to “belong to something greater” in respects to training (equal opportunity, other commonplace labor resolutions and workplace safety and security) and benefits (health care and retirement). Currently with limited resources, the library staff does not benefit from commonplace ancillary training such as CPR and active shooter. These costs, when actualized should also be included in a “status quo” to “possible county employee” comparison. The below figure was used to initially discuss the pros and cons of county ownership of the library employees.

Figure 2: Library Employees Cost / Benefit Comparison

	County Option (Library Employees)	Status Quo (Stand Alone Library)
Chain of Command	Tyler County leadership could exercise greater control and oversight, employees would be better trained, would emulate other Texas counties	
Authority and Responsibility	It makes leadership sense if an entity is ultimately responsible – to implement process and procedures to ensure risk mitigation and overall success (e.g. goals, objectives, audit, measures of merit and other best business practices)	
Museum Assistant	A future museum assistant would fall under county and TCHC direction (as well as under the operational control Library and Museum Director) thus makes sense to have “all” the employees as county employees	
Economies of Scale	A savings could be realized on certain functions that already exist within the county enterprise (training, administration, payroll processing, maintenance)	

Recommendations:

1) Establish and approve a library and museum organizational chart with updated job descriptions along with a part-time museum assistant. Library employees should follow the rules and procedures of Tyler County employees. The Library and Museum Director position should clearly articulate the library and the museum responsibilities along with establish policies and procedures for coordinating agencies. For example, the Tyler County Historical Commission (much like in neighboring Polk County) should tie into the museum functions (while not a solid line or governing connection, it nevertheless should have a "dotted" line to the side of the library and through its august membership – assist in the museum's success. Bottom line, there should be a symbiotic Tyler County Commission and Gov. Shivers Museum relationship. The inclusion of Mrs Eleanor Holderman (a currently Commission member), on the working group has highlighted the benefits of the commission's knowledge and synergy with the museum. Thus, the Library and Museum Board should establish a museum representative who would attend the commission meetings and act as a liaison between the two organizations.

2) Initiate a county empowered task force to investigate the costs/benefits of accepting the current "stand alone" library into the Tyler County enterprise. While the desired and agreed upon "end state" may logically see the employees joining the county structure, great unknowns, potential staffing and execution pitfalls exist. Unfortunately, until a course of direction is decided upon by all of the committees/entities involved in the operation of the museum – this working group can proceed no further. Of note, charter documents indicate that the County (1964) "shall supply the staff for the professional operation of the library and museum and shall supply the books and library supplies that are used in the library." A later (2012) documentation shows somewhat of a revision – but it does not state the previous documentation was rescinded, changed, revised or amended. The "shall supply the fund necessary to pay..." presents a concern: the county could be responsible for employee benefits and liability. Especially since the county specifically designates those funds for the library's payroll. Because of these legal and manpower issues – we believe Texas Association of Counties (TAC) legal should also be consulted for clarification – and for perhaps possible recommendations to ensure standardization with other counties.

3) Publish a clarification to Procedures of the Organization and Administration of the Allan Shivers Library and Museum dated Jan 2012 and The Organization for the Operation and Administration of the Allan Shivers Library and Museum 1964. The language should include specific guidelines for the oversight of the library employees.

4) The museum assistant job description should include at least a bachelor's degree supportive of meeting the museums goals and objectives. In consultation with the library director, the Historical Commissions, the Governing and Advisory Boards, a definitive museum "open hours" should be published and maintained to open new avenues for income and availability. A paid training program should be offered for the library assistants as additional and/or back up

lmonk.cotreas@co.tyler.tx.us

From: ktimme.cojudge@co.tyler.tx.us
Sent: Wednesday, September 18, 2019 12:01 PM
To: lmonk.cotreas@co.tyler.tx.us
Subject: FW: Fwd: FW: From Murlin

Leann,

See below.

KT

-----Original Message-----

From: "Jacques L. Blanchette" <tylercountyjudge@gmail.com>
Sent: Wednesday, September 4, 2019 2:49pm
To: "Kay Timme" <ktimme.cojudge@co.tyler.tx.us>
Subject: Fwd: FW: From Murlin

----- Forwarded message -----

From: Jacques L. Blanchette <tylercountyjudge@gmail.com>
Date: Thu, Aug 29, 2019, 10:19 AM
Subject: Re: FW: From Murlin
To: Judge <judge@co.tyler.tx.us>

Thanks Murlin! It seems appropriate for the Advisory Board and Governing Board to convene a joint meeting. We should speak in the near future.
Jacques

On Wed, Aug 28, 2019, 10:45 AM County Judge <judge@co.tyler.tx.us> wrote:

From: MC Baker [<mailto:murlin2@gmail.com>]
Sent: Wednesday, August 28, 2019 10:44 AM
To: judge@co.tyler.tx.us
Subject: Fwd:

----- Forwarded message -----

From: Director Shivers-Library <ashivers.library@yahoo.com>
Date: Mon, Aug 26, 2019, 11:05 AM
Subject:
To: Murlin & Micky Baker <murlin2@gmail.com>

Murlin,

As you are the official "connection" with the county – who must appoint a new director – I wish the county to be aware of the needs for my replacement. – At least 2 years as the Director of a similar sized library. Salary \$60,000 with health and retirement benefits. Knowledge of grant writing essential, (proof of having obtained at least several in excess of \$50,000). The former essential due to the low operating cost from the funding entities. (Health Benefits should be for all the staff and retirement for all staff in line with the county's polices)

On another subject I have a member of staff (whom I wish to retain) her baby is due in September – I am giving her a "retaining fee" for two months as maternity leave, I will supply the money out of my TLL grants if it is not acceptable to the county.

Before I leave, an "amended" policy should be adopted by the library, as nearly as possible in line with the county's as all our employees are part time, except the director who is now "on call" 24 hours.

Rosemary Mosey-Bunch
Director

Allan Shivers Library
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Woodville, TX 75979
409.283.3709