

TYLER COUNTY COMMISSIONERS COURT
REGULAR MEETING
February 14, 2022 ---- 10:00 a.m.

THE STATE OF TEXAS ON THIS THE 14th day of February, 2022 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:

JOE BLACKSHER	COMMISSIONER, PCT. #1
STEVAN STURROCK	COMMISSIONER, PCT. #2
MIKE MARSHALL	COMMISSIONER, PCT. #3, presiding
BUCK HUDSON	COMMISSIONER, PCT. #4
DONECE GREGORY	COUNTY CLERK, Ex-Officio

The following were absent: Judge Blanchette thereby constituting a quorum. In addition to the above were:

MAEGAN ODOM	ASST. COUNTY AUDITOR
LEANN MONK	COUNTY TREASURER
LYNNETTE CRUSE	TAX ASSESSOR/COLLECTOR
RENEE CREWS	DISTRICT CLERK

After calling the meeting to order, Judge Pro-Tem Marshall 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 Mark Tolar. Commissioner Marshall then led in the Pledge of Allegiance to the American flag.

PUBLIC COMMENTS: Sue Saunders – ARPA funds: questioned premium pay to employees and officials when they did not lose pay during the pandemic; questioned whether allowing monies to health care workers, first responders and small businesses forced to close their doors during the pandemic was considered; and why was premium pay necessary if there was no loss of salary

Amy Bythewood- Attorney at Law- issue with attorney fees budgeted for CPS attorneys causing a major decrease in her hourly rate; thanked Leann, Commissioner Blacksher and Renee Crews; new law requiring attorneys to be considered for next budget session

Leann Monk – Tyler County Chamber of Commerce President, requested ARPA funds for small businesses, read letter from Triple D owners and hardship created for the Haney's owners of the art district.

A motion was made by **Commissioner Sturrock** to table appointment of an elected official to serve on the Tri-County Community Action Board. **Commissioner Blacksher** seconded the motion. All commissioners voted yes and none no.

A motion was made by Commissioner Blacksher and seconded by Commissioner Sturrock to receive the minutes of January 10, 2022. All commissioners voted yes and none no.

Commissioner Hudson made a motion to receive the monthly reports from the **Juvenile and Adult Probation Departments, County Clerk, County Auditor, County Treasurer, County Extension and Justice of the Peace, Pct. 1.** **Commissioner Blacksher** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED *The District Clerk's report will be presented next month.*

RESOLUTIONS/PROCLAMATION/ORDERS:

A motion was made by **Commissioner Marshall** to adopt the Resolution to appoint Lynnette Cruse to serve on the **Tyler County Appraisal Board of Directors** for a two-year term. Commissioners Blacksher, Sturrock, Marshall and Hudson voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** to allow the **sale of fireworks for Texas Independence Day.** **Commissioner Blacksher** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Sturrock motioned to adopt the Resolution between Tyler County and TxDot for the Off System Bridge Program replacement and repair of bridges located at CR 2300 Little Cypress Creek, CR 2810 Cow Pen Creek and CR 2790 Crow Creek. **Commissioner Blacksher** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Blacksher** to approve the **budget amendment/line-item transfer** to fix the CPS Court Appointed Attorney line item. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Sturrock motioned to approve the **Accounts Payable/County Bills**, as presented by the County Auditor. The motion was seconded by **Commissioner Blacksher**. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to apply for the 2022 **Grant for the Tyler County Airport** routine airport maintenance program. **Commissioner Hudson** seconded the motion. Commissioner Marshall explained they had not applied for the last two years. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Sturrock** motioned to begin the procurement process for an administrator for the **Harvey Regional Allocation**. **Commissioner Blacksher** seconded the motion. It is expected that Tyler County could receive twelve million dollars for broadband purposes. All voted yes and none no.

A motion was made by **Commissioner Marshall** to ratify the **election agreements** with the County Clerk and both Democratic and Republican Parties. These will be for contracted services for the March 1 Primary. The motion was seconded by **Commissioner Sturrock**. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to allow a presentation by the Tyler County Hospital Administrator. **Commissioner Sturrock** seconded the motion. All voted yes and none no. Sondra Williams presented a report of the American Rescue Act (ARPA) funds received and expensed for contract medical staff and projected expenses of \$1.8 million. Commissioner Blacksher requested her to explain indigent care provided by the hospital.

Commissioner Blacksher motioned to dedicate a portion of the ARPA funds for the **Tyler County Hospital** in the amount of \$852,000 for reimbursement; and, to review in six months. **Commissioner Sturrock** seconded the motion. All commissioners voted yes and none no.

Commissioner Sturrock motioned to approve the proposal for legal services engagement for the regulation of **sexually oriented businesses** with Bickerstaff Heath Delgado Acosta LLP. **Commissioner Blacksher** seconded the motion. **Commissioner Marshall** added there were no such types of businesses in Tyler County at this time. All commissioners voted yes and none no.

A motion was made by **Commissioner Marshall** to replace an **ExpressPoll tablet**, as requested by the County Clerk. **Commissioner Sturrock** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to acknowledge the Application/Petition and reinstate the .8 of a mile extension to **CR 2080**. **Commissioner Blacksher** seconded the motion. Commissioner Sturrock explained the portion of the road at one time had been a county road. Then in 2007 the mileage turned in was not the full length of the road. It appeared then it was a private road according to the mileage. He stated proper paper work was required to reinstate the road. The documents were submitted and postings required. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to allow presentation of the **2022 Investment Policy** for Approval, based on recommendations from the Tyler County Investment Committee. The County Treasurer announced the committee recommends no changes. All commissioners voted yes and none no.

Commissioner Marshall motioned to allow presentation of **2022 Investment Plan**. The motion was seconded by **Commissioner Sturrock**. Investing locally is encouraged and no changes in the plan are recommended by the Tyler County Investment Committee, as presented by the County Treasurer. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to recognize Tyler County employees for their years of service to Tyler County. All commissioners voted yes and none no. Leann Monk presented certificates and service pins to employees.

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Hudson** to approve the Surety Bond of Yvonne Goss as Treasurer for ESD #3. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to award a Grant Administrator for American Rescue Plan Act "ARPA" of 2021 Coronavirus Local Fiscal Recovery Fund to Waxman & Associates, as reported by Ken Jobe as recommended by the committee. The motion was seconded by **Commissioner Blacksher**. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Sturrock motioned to approve the Amendment from First National Bank Leasing, Wichita Falls, TX to extend lease number 66905, **2019 Mack Truck, for Precinct 2**, due to shortages caused by the pandemic. **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 Hudson** to approve the Surety **Bond** for Lynnette Cruse in the sum of \$23,500. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to transfer county surplus property such as desk and other items in storage, to the **Allan Shivers Library**. **Commissioner Sturrock** seconded the motion. All commissioners voted yes and none no.

Commissioner Sturrock motioned to adopt the Order for the Tyler County Commissioners to retain and acquire **legal counsel and professional legal services** of the law firm of Bickerstaff Heath Delgado Acosta LLP of Austin, TX regarding legal matters stated in Exhibit 1 documentation; and insert Commissioner Marshal, Judge Pro-Tem “in the absence of the County Judge” as approved by the court. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Sturrock** to discuss the legal options of regulating **sexually oriented businesses** Bickerstaff Heath Delgado Acosta LLP. **Commissioner Blacksher** seconded the motion. All commissioners voted yes and none no.

A motion was made by Commissioner Sturrock to enter Executive Session, as allowed by Government Code 551.071(2), for consultation with legal counsel. The motion was seconded by Commissioner Blacksher. All commissioners voted yes and none no.

COURT ENTERED EXECUTIVE SESSION 11:21 a.m.

COURT BACK IN SESSION: No action was taken in executive session. A motion was made by Commissioner Sturrock and seconded by Commissioner Blacksher to return to regular session. All voted yes and none no.

COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY GOVERNMENT:
none

A motion was made by Commissioner Sturrock 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 February 14, 2022.

Witness my hand and seal of office on this the 14th day of March, 2022.

Attest: _____
Donece Gregory, County Clerk