

TYLER COUNTY COMMISSIONERS COURT
REGULAR MEETING
July 11, 2022 ---- 10:00 a.m.

THE STATE OF TEXAS ON THIS THE 11th day of July, 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:

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
JANET BROWN	DEPUTY 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
TERRY ALLEN	JUVENILE PROBATION OFFICER
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 step out into the hall and rejoin once the portion of the agenda begins with public comments." Commissioner Hudson delivered the invocation and then led the Pledge of Allegiance to the American Flag.

PUBLIC COMMENTS: Leann Monk, County Treasurer, recognized employees' five, 10, 15 years of service in addition to recognizing Terry Allen with 30 years of service.

TABLED ITEMS FROM PREVIOUS MEETING(S):

Mike Marshall requested the item - Going Out For Bids For a Used Track Hoe No Older Than 2020 For All Four Precincts be removed from the agenda.

CONSENT AGENDA:

A motion was made by Commissioner Marshall and seconded by Commissioner Blacksher to receive the Minutes from the previous meetings. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Blacksher** to approve the **monthly reports:** Juvenile Probation, District Clerk (May) (June), County Auditor, County Treasurer and Justice of the Peace - Pct. 1. Adult Probation, County Clerk and Extension departments reports were not submitted. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

RESOLUTIONS/PROCLAMATIONS/ORDERS: none

CONSIDER/APPROVE/INFORMATIONAL:

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to approve the **Budget Amendment/Line-Item Transfers**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Marshall motioned to approve the **Accounts Payable/County Bills**. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Blacksher motioned to table appointment of Election Judges and Alternate Judges for the General Elections and Special Elections, for a Two-Year Term. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Sturrock motioned to sell a **2019 Mack Truck Tractor and a 2019 CTS Belly Dump Trailer** to Runnels County, Texas. **Commissioner Blacksher** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Sturrock** to open bids for **road improvement for County Road 2100** from the Intersection of FM 256 for a length of a half of a mile. The motion was seconded by **Commissioner Hudson**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. Bids were received from Jack Alexander, CCC Blacktopping and Gulf Coast

A motion was made by **Commissioner Sturrock** to open bids for **road improvement for County Road 1100** from the Intersection of FM 256 for 1.3 miles. The motion was seconded by **Commissioner Blacksher**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. Bids were received from Jack Alexander, CCC Blacktopping and Gulf Coast

A motion was made by **Commissioner Sturrock** to open bids for **road improvement for County Road 1100** from the Intersection of CR 1010 for 6 tenths of a mile. The motion was seconded by **Commissioner Blacksher**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. Bids were received from Jack Alexander, CCC Blacktopping and Gulf Coast

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Hudson** to award the bid to Gulf Coast in the amount of \$94,282.68 for **road improvement for County Road 2100** from the Intersection of FM 256 for a Length of a Half of a Mile. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Sturrock decided to take no action to **award bids road improvement for County Road 1100 From the Intersection of FM 256 for 1.3 Miles**. He added there wasn't enough money in the budget.

Commissioner Sturrock motioned to award bid for **road improvement for County Road 1100 from the intersection of CR 1010** for 6 tenths of a Mile, to Gulf Coast in the amount of \$107,689.50. The motion was seconded by **Commissioner Blacksher**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Marshall** to open bids for **Emergency Standby Services**. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. Only one bid was received: Garner Environmental Services

A motion was made by **Commissioner Marshall** to open bids for monitoring of **Debris Management**. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. Only one bid was received: DebrisTech

Commissioner Marshall motioned to award the bid for **Emergency Standby Services** to Garner Environmental Services. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Marshall motioned to award the bid for monitoring of debris management to Debris Tech. **Commissioner Hudson** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Hudson** to discuss out of county travel, meals and hotel accommodations and possible action. The motion was seconded by **Commissioner Blacksher**. The county auditor recommended the policy be changed to reflect per diem and mileage to be the same as what the IRS allows. **Commissioner Marshall** motioned go with the IRS schedule for per diem and mileage. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Matt O'Neal entered the meeting at 10:19 am.

A motion was made by **Commissioner Marshall** to discuss waiving the 60-day waiting period for county benefits for Matt O'Neal who will start employment with the Juvenile Probation office on 07/13/22. **Commissioner Sturrock** seconded the motion. Leann Monk, County Treasurer, commented Matt has worked for the Tyler County Adult Probation Department since 2007 as a state employee. Commissioner Sturrock voiced this was a county policy and not a policy of TAC insurance. Judge Blanchette added this was for this person only and not a deviation of the county policy. A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to waive the 60-day waiting period of county benefits for Matt O'Neal. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Marshall motioned to approve the **SHECO Outage Restoration Agreement** with Sam Houston Electric Cooperative allowing the use of Tyler County Fairgrounds as a staging site for any contract workers hired to work in the event of a disaster. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Marshall motioned to approve the **W.T. Colmesneil House** at 222 S. Pitzer, Colmesneil, Texas as a Historic Site and exempt from property tax. The motion was seconded by **Commissioner Hudson**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Marshall** to upgrade the **County Clerk Election Reporting System** to the latest certified version to support the new Windows10 and enhance security along with providing additional RAM required to run Windows10. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Blacksher motioned to approve selling of **Road & Bridge Precinct 2 2008 Caterpillar 140 Motorgrader S/N: B9D00395** to **Road & Bridge Precinct 1** for the amount of \$115,000.00. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Marshall motioned to enter into an Agreement with Deep East Texas Council of Governments (DETCOG) for **Emergency Notification System**. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Sturrock** to authorize the Tyler County Commissioners Court to execute a Professional Services Agreement (PSA) between Tyler County and Iglesias Law Firm, PLLC to provide attorney services for the HUD Funded Community Development Block Grant Disaster Relief (CDBG-DR) 2017 Buyout Program, Contract #20-066-016-C112. **Commissioner Marshall** seconded the motion. The County Auditor stated this was a requirement of the grant. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Marshall motioned to amend Section 10, V.A in the current Tyler County Employee Handbook/Policy as it pertains to **pre-employment drug testing** to read as "All Full-Time and Part-Time County Applicants will be required to submit to and pass a urine and/or blood alcohol and drug test as a condition of employment". **Commissioner Sturrock** seconded the motion. The County Treasurer stated this change was needed to include blood and urine in order to get the test results back in a timely manner. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to open discussion on the **TAC HEBP Renewal**. Leann Monk, County Treasurer, reported the health insurance premium was increasing by \$28 per employee. **Commissioner Blacksher** motioned to table for further review of the dental plan. **Commissioner Marshall** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Marshall motioned to approve Judge Blanchette to act and execute a General Certificate for the benefit of all persons interested in the validity of the proceedings of the "**East Texas Housing Finance Corporation** related to the issuance by the Corporation of Multi-family Housing Revenue Bonds Series 2022". **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Marshall** to approve the Joint Election Agreements and ratify Contracts between the County Clerk and political subdivisions. The motion was seconded by **Commissioner Blacksher**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Hudson** to approve a variance for **Crosscourt Land Addition No 1** and to waive the requirement of the groundwater availability study. The motion was seconded by **Commissioner Blacksher**. Commissioner Hudson stated this area was ½ mile from Turkey Creek. A motion was made by **Commissioner Blacksher** to amend the motion to remove the requirement of a groundwater study from Tier 2 but leave it in Tier 1 development and waive as "we sit fit" instead of granting a variance. The motion was seconded by **Commissioner Marshall**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none voted no to the amendment. Next the vote was taken on the original motion with the amendment. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none voted no SEE ATTACHED

Commissioner Sturrock motioned to discuss the purchase of **cell phone** in addition to cell phone allowance for the County Judge's office and reoccurring charges on County Judge's credit card. **Commissioner Marshall** seconded the motion. Commissioner Sturrock expressed concern that the policy is that "we have a cell phone for elected officials or that we get money for it"; "one or the other but not both unless there is reason to have both"; if opened-up without regulations not following policy "we could possibly have an extra cell phone in every office". The County Auditor stated that everybody gets a cell phone- if the allowance is taken from one then they are being treated differently. Also, its not a phone that will be getting an itemized bill to be audited. Jackie commented that she doesn't have a problem with the Judge having another cell phone for his office as long as it has a bill from the carrier and not just part of a credit card bill. Judge Blanchette reported issues with the County phone lines. "This device becomes a duty device to maintain communication for judicial and emergency management type activities. Leann interjected that if one answers the phone after 40 hours then overtime will have to be paid. The "duty" phone could be turned off. Commissioner Sturrock stated the county had gotten away from all the cell phones because it was cheaper to pay cell phone allowance. Judge Blanchette stated that after talking with Donald Calhoun, he suggested getting a cell phone from Walmart, such a Straight Talk that can start a certain time and end at a certain time. Donald said this type phone service can also be investigated. Tonya Sheffield helps to answer phone calls using the additional cell phone and was able to alert the judge to handle a mental health

issue with a county resident. Mrs. Skinner reiterated that "as long as we could access a county bill". The Judge checked the billing process with the carrier. Commissioner Marshall requested the item be tabled. A motion to amend was made by **Commissioner Marshall** to pay Donald Calhoun for his services. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to table this item. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY GOVERNMENT- Commissioner Blacksher reported GLO funds are close to being approved and there will be a meeting with DETCOG in Hemphill

EXECUTIVE SESSION - None

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

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 July 11th, 2022.

Witness my hand and seal of office on this the 8th day of August, 2022.

Attest: 
Donece Gregory, County Clerk

