

TYLER COUNTY COMMISSIONERS COURT
REGULAR MEETING
August 8, 2022 ---- 10:00 a.m.

THE STATE OF TEXAS ON THIS THE 8th day of August, 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:

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| 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:

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| JACKIE SKINNER | COUNTY AUDITOR |
| LEANN MONK | COUNTY TREASURER |
| RENEE CREWS | DISTRICT CLERK |
| KEN JOBE | JP, PCT. #2/Emergency Mngt. Coordinator |
| BRYAN WEATHERFORD | SHERIFF |

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 Blacksher delivered the invocation and then led the Pledge of Allegiance to the American Flag.

PUBLIC COMMENTS: Kathy Bennett, Mayor of Ivanhoe- requested funding for infrastructure from a grant scheduled for Tyler County to be spent in the 75979 zip code. She added, "Ivanhoe pays \$789,653 in ad valorem taxes but receives pretty much nothing in return." "This is a unique opportunity for the county to support our community." SEE ATTACHED

TABLED ITEMS FROM PREVIOUS MEETING(S):

A motion was made by **Commissioner Blacksher** to remove from tabled: Appointment of Election Judges and Alternate Judges for the General Elections and Special Elections, for a Two-Year Term. **Commissioner Sturrock** seconded the motion. **Commissioner Blacksher** motioned to appoint **Election Judges and Alternate Judges** for the General Elections and Special Elections for a two-year term. **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

TAC HEBP Renewal – delayed until 1:00 pm

A motion was made by **Commissioner Sturrock** to remove from tabled: Purchase of Cell Phone in Addition to Cell Phone Allowance for County Judge's Office and Reoccurring Charges on County Judge's Credit Card. The motion was seconded by **Commissioner Hudson**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no. Commissioner Marshall stated he was not for having basically a "burner phone"; that "we can get Verizon added on and we have a system to audit that"; the policy is for a cell phone or a cell phone allowance. **Commissioner Marshall** motioned to deny the purchase of the cell phone. **Commissioner Sturrock** seconded the motion. Judge Blanchette responded that he had went without phone service during the month of January due to new phones purchase; "we are in hurricane season and under disaster declaration and a burn ban" with the county judge's phone number listed with the state agencies; has concerns about the stability of the phone service; chose to use a burner phone because it has no binding contract due to his six months left in office; when the internet goes down it rolls to the cell as confirmed by Donald Calhoun. Mrs. Skinner reported that Verizon phones on a government contract are the last ones to lose service. Verizon gives governments top priority versus a regular phone "like that". Judge Blanchette said they were just trying to look for the cheapest and most temporary solution; and he added that the money was in his budget. Commissioner Sturrock commented, "we may need to change policy" to add cell phones for the offices. Cell phone allowance vs. office cell phone was also discussed. Judge Blanchette called for the question on the motion to deny the cell phone to which he had been acting upon under the conditions it has. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

CONSENT AGENDA:

A motion was made by Commissioner Hudson and seconded by Commissioner Blacksher to receive the Minutes from June 13, 2022. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

Commissioner Blacksher motioned to approve the Monthly Reports: Juvenile Probation, Adult Probation, District Clerk, County Auditor, County Treasurer and Justice of the Peace - Pct. 1. Adult Probation and Extension department. The County Clerk report was not submitted. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

RESOLUTIONS/PROCLAMATIONS/ORDERS: Judge Blanchette – Dr. Babin had sent a message for a resolution to enjoin other counties in the state because of the border issues between the US and Mexico. It has since been revised it where it does not speak to the resolution as previous; but does reference the fact it is a declaration of an invasion. Dr. Babin is requesting the court to support it in the likelihood that it will culminate in a US Supreme Court ruling to force the Administration to begin forming its constitutional mandate to finally enforcing **immigration law and secure our border**. Congressman Babin is co-chair on this effort.

A motion was made by **Commissioner Marshall** to present the 2021 Distinguished Service Award to the **Tyler County Historical Commission** for their CHC above average performance. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

CONSIDER/APPROVE/INFORMATIONAL:

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

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

Commissioner Marshall motioned to purchase out-right a **2022 Chevrolet Tahoe police package** through the Buyboard/Caldwell County Chevrolet. **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 lease/purchase a 2022 Tahoe through Wichita Falls Financial Buyboard/Caldwell County Chevrolet for the sheriff's department. The motion was seconded by **Commissioner Sturrock**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** to suspend the facility rental to the public of the Tyler County Nutrition Center space until further notice. **Commissioner Marshall** seconded the motion. Commissioner Blacksher stated there was so much liability compared to the only \$ 450.00 in rental fees. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Blacksher motioned to approve a **tax exemption on Tyler CAD Account 26441** for the county road maintenance area being in Polk County. The motion was seconded by **Commissioner Sturrock** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Blacksher motioned to open discussion and possible action for the DETCOG luncheon Tyler County is sponsoring in September. **Commissioner Marshall** seconded the motion. Commissioner Blacksher reported First Baptist Church Life Center was available; he gotten prices for the menu: Chicken fried steak \$19 per plate, Chicken fried chicken \$18 per plate and Country Style Ribs \$16 per plate. Commissioner Marshall stated DETCOG pays a certain percentage per plate. **Commissioner Blacksher** motioned to use Texas Custom Catering as the vendor with chick fried steak as the menu item and Family Life Center of Woodville First Baptist Church as the venue. **Commissioner Marshall** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hudson** to renew the **Net Data CJIS security package maintenance**. Commissioner Blacksher, Commissioner

Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hudson** to renew the **maintenance service with Otis Elevator**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Sturrock motioned to approve exempting, by order of the Commissioners Court, the requirement of competitive purchasing an **ambulance contract** to preserve and protect the public health and safety of the residents of Tyler County, LGC 262.024(a). The motion was seconded by **Commissioner Marshall**. Commissioner Sturrock stated he didn't want the public to be without ambulance services through 911. Sheriff Weatherford expressed his satisfaction with Allegiance ambulances services. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Sturrock motioned to renew the Contract between Allegiance and Tyler County for **Ambulance Emergency Services**. **Commissioner Blacksher** seconded the motion. Commissioner Sturrock reported there was an exit clause in the contract anytime the court feels there is a gap in services and the public's health is in danger. Ken Jobe reported a high level of confidence among the committee and recommendations from his research. Commissioner Hudson questioned how many ambulances were assigned to Tyler County. The answer was two. There is an option to pull from other resources in other counties. Allegiance does not have trucks in Hardin County. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Marshall** to approve the **deputation of Torri Russell in the District Clerk's Office**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

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

Commissioner Blacksher motioned to set **maximum number of election clerks** for the General Election, November 8th at three for polling places in Tyler County and two for the out of county polling places for the school districts, as recommended by the County Clerk. 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 award grant administrator for **GLO Regional Mitigation Harvey** to Waxman & Associates, being scored highest by the committee; and, lower in cost. The motion was seconded by **Commissioner Marshall**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Sturrock** to award an engineering firm for **GLO Regional Mitigation Harvey Funds** to GLS, as scored by the committee. The motion was seconded by **Commissioner Marshall**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Marshall** to start procurement process for engineering services for the **American Rescue Plan Act**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

A motion was made by **Commissioner Sturrock** to appoint a committee to review engineering proposals for the **American Rescue Plan Act**: Commissioner Blacksher, Ken Jobe and Maegan Odom. Jackie Skinner declined to be on the committee. The motion was seconded by seconded by **Commissioner Blacksher**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Sturrock motioned to approve a **survey of Tyler County courthouse** by Shine DCCM (a requirement of the Texas Historical Commission prior to the rehabilitation of the remaining parts of the courthouse). The motion was seconded by **Commissioner Blacksher**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

Commissioner Hudson motioned to approve the application and plat of **Crosscourt Land Addition No. 1 subdivision, as approved by Jed with GLS. Commissioner Marshall** 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 Blacksher** and seconded by **Commissioner Sturrock** to appoint Rowland Priddy to **ESD# 1 Board of Commissioners**. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** to raise the hourly rate of **Veterans Service driver** position from \$12.00 per hour to \$15.00 per hour. **Commissioner Marshall** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

Commissioner Sturrock motioned to renew the annual maintenance with **Image Tek for the County Clerk's Office**. **Commissioner Marshall** seconded the motion. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY GOVERNMENT: Commissioner Sturrock- reported that Lamar University civil engineering department students may do a project to determine the grade fall at the Tyler County airport.

EXECUTIVE SESSION: 10:51am

A motion was made by Commissioner Blacksher and seconded by Commissioner Hudson to enter into Executive Session under Government Code 551.074 regarding personnel matters. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no. No action was taken in Executive Session.

A motion was made by Commissioner Blacksher and seconded by Commissioner Sturrock to enter back into Regular Session. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

COURT IN SESSION: 11:07 am

A motion was made by Commissioner Blacksher and seconded by Commissioner Marshall to recess until 1:00 pm. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

COURT IN SESSION: 1:00 pm

A motion was made by Commissioner Marshall and seconded by Commissioner Hudson to open into Regular Session. Commissioner Blacksher, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no.

Commissioner Sturrock did not return to the meeting due to a doctor appointment.

Commissioner Hudson motioned open discussion for a TAC presentation to review and compare employee **dental insurance** with possible action. **Commissioner Marshall** seconded the motion. Julie Golden- Aflac representative, presented the present policy with Argus, which has a vanishing deductible. Commissioner Blacksher questioned coverage for oral surgery. Mrs. Golden replied that it pays at 50%. He then asks about limitations for dental crowns. The coverage is one per tooth per every five years. Orlando with TAC presented options for dental insurance. He stated his quote basically mirrors the present plan. Oral surgery is covered at 80% with a \$1500 maximum. Commissioner Blacksher stated that he pays \$100 per month but yet spends \$200 plus each time he has dental work done such as a x-ray and cleaning. A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to keep the same dental insurance presently with Aflac. Commissioner Marshall and Commissioner Hudson all voted yes. Commissioner Blacksher voted no. SEE ATTACHED

Commissioner Marshall motioned to bring **TAC HEBP renewal** from tabled. **Commissioner Blacksher** seconded the motion. A motion was made by **Commissioner Marshall** and seconded by **Commissioner Blacksher** to renew the TAC HEBP insurance, as recommended by the County Treasurer. Commissioner Blacksher, Commissioner Marshall and Commissioner Hudson all voted yes. None voted no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** to approve increasing the amount of Sick Time an employee can donate to the **Sick Leave Pool** each year from 40 hours to 80 hours; with the condition that the employee does not zero out his time with the donation; also, giving the employee the option to donate "department specific" or to the whole pool. The motion was seconded by **Commissioner Marshall**. The County Treasurer stated that some employees wanted to specify which department they wanted to donate. She wants a clause that its either "all or nothing". Such as, if the employee donates to only one department they can only receive from that department. If the employee splits their donation, then they can participate in the whole pool. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson all voted yes and none no.

Commissioner Blacksher motioned to approve the **Petition for Local Option to Prevent Cattle from Running at Large in Precinct 1**. The motion was seconded by **Commissioner Marshall**. Donald Calhoun stated Precincts #1 and #2 did not have **stock law**. Commissioner Blacksher added this is to protect citizens property. Commissioner Blacksher, Commissioner Sturrock, Commissioner Marshall and Commissioner Hudson 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 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: 10:23am

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 August 15, 2022.

Witness my hand and seal of office on this the 22nd day of August, 2022.

Attest: 
Donece Gregory, County Clerk

