

COUNTY COMMISSIONERS COURT
REGULAR MEETING
February 13, 2023 ----- 10:00 a.m.

THE STATE OF TEXAS ON THIS THE 13th day of February, 2023 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:

MILTON POWERS	COUNTY JUDGE, presiding
JOE BLACKSHER	COMMISSIONER, PCT. #1
DOUG HUGHES	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
BRYAN WEATHERFORD	SHERIFF
LYNNETTE CRUSE	TAX ASSESSOR/COLLECTOR

After calling the meeting to order, Judge Powers 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 Sheriff Weatherford. Commissioner Marshall led in the Pledge of Allegiance to the American flag.

PUBLIC COMMENTS: none

TABLED ITEMS FROM PREVIOUS MEETING: none

CONSENT AGENDA:

A motion was made by Commissioner Marshall and seconded by Commissioner Blacksher to receive the minutes of January 19, 2023. All commissioners voted yes and none no.

Commissioner Marshall made a motion to receive the monthly reports from the **Juvenile and Adult Probation Departments, District Clerk, County Auditor and County Extension. Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

PROCLAMATIONS/RESOLUTIONS/ORDERS

A motion was made by **Commissioner Marshall** to proclaim March 2023 as **Red Cross Month. Commissioner Hudson** seconded the motion. John Stagg reported he had 15 years of service. The Red Cross is a short-term assistance program. All commissioners voted yes and none no. SEE ATTACHED

CONSIDER/APPROVE/INFORMATIONAL:

A motion was made by **Commissioner Marshall** to approve the **budget amendments/line item transfers**, including moving money from legislative services fund into the legislative services under commissioners court appropriations as presented by the County Auditor. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

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

James Guest, Attorney at Law, presented a Resolution authorizing the county judge to execute the deed to Ivanhoe for a lot that was previously "struck-off" for delinquent taxes. Skip Blackstone, Mayor of City of Ivanhoe, spoke to a project involving a tract needed for access and maintenance of Lake Ivanhoe. A motion was made by **Commissioner Marshall** to adopt the resolution and to convey **struck-off property R028820: Lot 39, Blk 1, Lake Ivanhoe, Section 3**, according to the plat #56 recorded in the plat records of Tyler County, to the **City of Ivanhoe** for access and maintenance of Lake Ivanhoe. **Commissioner Blacksher** seconded the motion. All commissioners voted yes and none no.

Leann Monk, County Treasurer recognized tenured employees for years of service from the last quarter of 2022: Michael Greaff (15 years), James Pierson (27 years), and Stephanie Voth (10 years)

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to approve changes to the **Vacation Leave Accrual Policy** allowing employees to carryover their maximum amount and still accrue vacation time during the year, removing the enforcement of the maximum allowable limit at any given time. Additionally, adding verbiage "should an employee leave employment with the County they can only be paid up to the maximum allowable carryover; and, this would be retroactive to January 1, 2023. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Blacksher** to approve the changes to the **Sick Leave Accrual Policy** allowing employees to carryover their maximum amount of accrued time and still accrue sick leave time during the year. This would remove the enforcement of the maximum allowable limit at any given time. This will be retroactive to January 1, 2023. Commissioner Blacksher added this could help employees who have a catastrophic illness. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to approve the **2023 Tyler County Investment Policy**, as recommended by the **Tyler County Investment Committee**, and presented by the County Treasurer. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Hudson motioned to approve the **2023 Tyler County Investment Plan**, as recommended by the **Tyler County Investment Committee**, and presented by the County Treasurer. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to accept the letter of resignation from LJA Engineering, as presented by Leslie Waxman. All commissioners voted yes and none no. LJA Engineering was the firm for the waterline project from Rockland to Spurger.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to advertise for Statement of Qualifications for the **CDV21-0384 TDA CDBG project**. All commissioners voted yes and none no.

Commissioner Hudson motioned to appoint the rating committee for the selection of an engineer for the **CDV21-0384 TDA CDBG Project** consisting of Commissioner Marshall, Commissioner Hudson and the County Auditor. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to accept the Performance Statement of **Tyler County Emergency Services District #2**. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hughes** and seconded by **Commissioner Marshall** to appoint Andrew Cook to the board of commissioners for **Emergency Services District #3 (ESD3)**. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to purchase a pressure washer for cleaning the courthouse after the THS work is completed, in the amount of \$10,000. **Commissioner Blacksher** seconded the motion. The pressure washer meets the requirements of the Texas Historical Commission. All commissioners voted yes and none no. A motion was made by **Commissioner Marshall** and seconded by **Commissioner Blacksher** to approve moving funds from Contingency to Maintenance to cover this expense. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to advertise for bids for **food supplier distributors for the Senior Nutrition Program**. **Commissioner Marshall** seconded the motion. Up to date serving 208 meals. All commissioners voted yes and none no.

Commissioner Blacksher motioned to store the **district clerk's records** in the lower storage room in the rear of the county complex and hire a moving company to move files from the courthouse to the complex. **Commissioner Marshall** seconded the motion. The records must be in a climate-controlled environment. The files must be moved to allow for construction work on the second floor of the courthouse. All commissioners voted yes and none no.

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Marshall** to approve the purchase and installation of a mini split unit for the lower storage room in the rear of the county complex for the storage of the **district clerk's records**. This is to be paid out of Office Equipment in the general fund. All commissioners voted yes and none no.

Commissioner Blacksher motioned to reassign **facility, board and department roles** for court members. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to accept the donation \$100 to the **Veterans' Services Office**. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Hughes** to condemn and close a 1.2 mile portion of **County Road 2790 (CR2790)** from the intersection of CR 2780 go West 1.2 miles to the end of closure. **Commissioner Marshall** seconded the motion. Road hasn't been maintained in approximately 10 years. Commissioner Hughes stated, The property owner will pay for the signage and turn around. All commissioners voted yes and none no. Commissioner Hughes will contact DETCOG to update the maps. SEE ATTACHED

Judge Powers thanked Lynette for all her service to Tyler County and motioned to accept the **resignation of Lynette Cruse, Tax Assessor Collector, due to retirement**. The motion was seconded by **Commissioner Marshall**. All members voted yes and none no. Mrs. Cruse received a standing ovation for her 35 years of dedicated service to Tyler County. SEE ATTACHED LETTER

Commissioner Marshall motioned to appoint Melissa Carson as Tax Assessor Collector, having all the certifications, to fill the vacancy, when it occurs on March 1, 2023. The motion was seconded by **Commissioner Hudson**. All commissioners voted yes and none no.

Jackie Skinner commented that she and Lynette had become officials in 2000. She thanked Lynette for the awesome job and long hours of work to assist her in the preparation of the budget through the years.

Commissioner Marshall motioned to approve the addition of an **Early Medical Retirement Option** to the Employee Retirement Plans currently offered to **county employees**; allowing current, active and full-time employees who meet the criteria and guidelines to retire from county employment before the age/time requirements currently laid out in the Employee Handbook. **Commissioner Hughes** seconded the motion. County Treasurer, Leann Monk stated this would be no cost to the county. Judge Powers added this was a positive thing for employees. Commissioner Marshall added an employee is required to have minimum of 10 years of continuous service. All commissioners voted yes and none no. SEE ATTACHED

Leslie Waxman prefaced with a refresher of the court exploring using **American Rescue Act funds for the rodeo arena** project. She introduced Jeff Levins, engineer. He went through a list of proposed options for consideration concerning the rodeo arena, including bleachers, roof, sidewalk, etc. He projected a cost of \$300,00 for sewer. A motion was made by **Commissioner Blacksher** to approve a contract with LEAD Engineering for the rodeo arena project, pending approval by legal counsel. The motion was seconded by **Commissioner Marshall**. A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Marshall** motion the main motion to be discussion and possible action concerning American Rescue Plan Act Funds for the rodeo arena project; and, consider approval of the contract pending approval of legal counsel. All commissioners voted yes and none no

Commissioner Blacksher motioned to approve the recommendation by **Tyler County Historical Commission** for approval of wall hangings in the **district clerk's office**. The motion was seconded by **Commissioner Marshall**. All commissioners voted yes and none no. SEE ATTACHED

COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY GOVERNMENT:

County Auditor- stated the policy for obtaining approval for hanging pictures was when courthouse restoration was being considered. She said that now it is a rehabilitation project and requested consideration a generalized approval instead of everyone having to make application to the historical commission and commissioners' court.

Judge Powers stated that he and Commissioner Hudson had sit in on interviews for an Ag Agent. They are not hiring at this time but will continue pursuing filling the Agriculture Agent position in the county.

Commissioner Blacksher expressed Shannon, extension agent, had been very helpful with the Nutrition Program, helping to train employees in food handling. He also expressed appreciation to Janay at Tyler County Hospital for her help with the program.

Executive Session was not held.

A motion was made by Commissioner Marshall and seconded by Commissioner Blacksher that the meeting adjourn. All voted yes.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED- 11:18 a.m.

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 13, 2023.

Witness my hand and seal of office on this the 8th day of March, 2023.

Attest:

Donece Gregory, County Clerk

