

TYLER COUNTY COMMISSIONERS COURT
REGULAR MEETING
September 25, 2023 ---- 10:00 a.m.

THE STATE OF TEXAS ON THIS THE 25th day of September, 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:

STEPHANIE VOTH	ASST. COUNTY AUDITOR
LEANN MONK	COUNTY TREASURER
RENEE' CREWS	DISTRICT CLERK
TINA SELF	JUSTICE OF PEACE, PCT. 1
TERRY ALLEN	CHIEF JUVENILE PROBATION OFFICER

After calling the meeting to order, Judge Powers 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 or mute their devices 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: none

TABLED ITEMS FROM PREVIOUS MEETING(S):

A motion was made by **Commissioner Hughes** to leave consideration of an Interlocal Agreement between Tyler County Precinct #2 and the City of Chester as tabled. **Commissioner Marshall** seconded the motioned. Commissioner Blacksher and Commissioner Hudson voted yes and none no.

CONSENT AGENDA:

A motion was made by Commissioner Marshall and seconded by Commissioner Hudson to receive the Minutes for the following meetings: June 12, 2023; July 10th and July 25, 2023; August 21, 2023; and September 18th, as presented by the County Clerk. All commissioners voted yes and none no.

Monthly Reports: none

RESOLUTION/PROCLAMATIONS/ORDERS/RECOGNITIONS: none

CONSIDER/APPROVE/INFORMATIONAL:

Budget Amendment/Line-Item Transfers- none

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hudson** to approve the **Accounts Payable/County Bills**. All commissioners voted yes and none no. SEE ATTACHED

Martin Gonzalez, TxDOT district engineer, gave a presentation for the **#EndTheStreakTX** campaign. This campaign was created to raise awareness about the long streak of traffic deaths in Texas and how this is an issue that impacts every Texas. Mr. Gonzalez reported that November 7, 2000 was the last deathless day of traffic fatalities in Texas. There had been an average of 10 deaths a day on Texas highways. During COVID there was a rise in fatalities due to people taking more risks. There were seven fatalities in Tyler County last year. He offered their services for educational purposes. Commissioner Blacksher suggested having this presentation at a safety meeting. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Marshall** to ratify the **Memorandum of Understanding (MOU) with San Jacinto County for housing inmates**. Judge Powers reported the cost had been increased from \$55 per day to \$75 per day per inmate. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to ratify the selection/rating committee for the **US Service for the Community Wildfire Defense Grant Program** through the US Department of Agriculture for the grant application/implementation project and community wildfire protection plan. The motion was seconded by **Commissioner Hudson**. The committee is Jackie Skinner, County Auditor, Commissioner Joe Blacksher and the Emergency Management Coordinator. All commissioners voted yes and none no.

Commissioner Marshall motioned to give approval to the committee to select an **administration/planning company for the preparation and submission of a grant application to the US Forest Service** for the Community Wildfire Defense Grant Program through the US Department of Agriculture for a Community Wildfire Protection Plan. The motion was seconded by **Commissioner Hudson**. All commissioners voted yes and none no. After consideration, a motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to table this item. All commissioners voted yes and none no.

Commissioner Marshall motioned to table item G: recommendation from the selection/rating committee to award a grant administration company for the preparation and submission of a grant application to the US Forest Service for the Community Wildfire Defense Grant Program through the US Department of Agriculture for a Community Wildfire Implementation Project. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Blacksher** to renew the **annual software maintenance for eFiling** with i3Verticals for the County Clerk's department. All commissioners voted yes and none no

Commissioner Marshall motioned to renew the Tyler County Airport Industrial **Airport Hangar Lease #5** with Bertrand Jatón (Jatón Leasing LLC) for an extension of five years. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to approve the **Airport Policy** for Hangar #3 for Bertrand Jatón (Jatón Leasing LLC). The motion was seconded by **Commissioner Hudson**. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to set the **maximum number of three election clerks** for the Constitutional Amendment Election and joint elections with the City of Woodville and City of Ivanhoe. All commissioners voted yes and none no.

Commissioner Marshall motioned to appoint Sgt. Donald Calhoon as the Tyler County Representative of the **Regional Communications Work Group** for DETCOG, effective October 1, 2023. **Commissioner Hughes** seconded the motion. The purpose of the group is to assist in managing the TXWarn System within the DETCOG region. All commissioners voted yes and none no.

Commissioner Marshall stated the subdivision regulations were implemented using that of another county and "not enforceable in Tyler County". Judge Powers reported receiving a letter from the engineer recommending compliance with the guidelines along with granting some recommended variances. Commissioner Blacksher reported that he and Commissioner Hudson will be meeting with the engineer on Wednesday to discuss changes to the regulations. Tom Fortenberry, attorney at law, addressed the court via telephone, reporting the subdivision was complete with exception of the Entergy completion. He added the court had the authority to grant the variance for the road, although the engineer did not recommend the variance. Judge Powers stated he had not received the letter from the engineer "agreeing with the variances". Commissioner Marshall stated he remembers the 90-degree regulation in the guidelines be looked at on a case-to-case basis. After discussion of the variance filed by **Timberland Branch Subdivision** being developed by Joslin Development Group. The developer is requesting a variance to be relieved from the requirements of the following: Section 2.2(d), Section 2,3(f), Section 3.2, Section 6.3(a), Section 3.6, Section 6.3(d), Section 6.3 (e), certificate in Appendix G, and certain financial guaranties in Chapter 9, **Commissioner Blacksher** motioned to "go with the recommendation of the engineer" in accordance with the adopted guidelines "to protect our citizens". Commissioner Marshall stated the [subdivision] project was started before the regulations were adopted. Commissioner Blacksher and Commissioner Hudson stated the engineer had attached suggested changes to the regulations. The motion died for lack of a second. Judge Powers suggested tabling the matter for further discussion with the engineer.

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Commissioner Marshall motioned to table this item and call a special meeting. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED.

COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY GOVERNMENT:

Commissioner Blacksher- gave an update of the courthouse project completion being October 20. Also, problems with sewer backed-up and attempts to fix with installation of a back flow.

Judge Powers- announced invitation to elected and appointed officials to the DETCOG luncheon. He expressed appreciation toward James Guest for sponsoring the luncheon.

EXECUTIVE SESSION: not held

A motion was made by Commissioner Hudson and seconded Commissioner Blacksher that the meeting be adjourned. All commissioners voted yes and none voted no.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 11:15 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 September 25, 2023.

Witness my hand and seal of office on this the 26th day of September, 2023.

Attest.

Donece Gregory, County Clerk

