

COUNTY COMMISSIONERS COURT
REGULAR MEETING
April 8, 2024 ---- 10:00 a.m.

THE STATE OF TEXAS ON THIS THE 8th day of April, 2024 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:

BROOKE MONTALBANO	ASST. CRIMINAL DISTRICT ATTORNEY
JACKIE SKINNER	COUNTY AUDITOR
LEANN MONK	COUNTY TREASURER
MELISSA CARSON	TAX ASSESSOR/COLLECTOR
TERRY ALLEN	JUVENILE PROBATION OFFICER
TINA SELF	JUSTICE OF PEACE, PCT. #1
SONDRA WILLIAMS	TYLER CO HOSPITAL ADMINISTRATOR
JOHN SETTLOCKER, JR	EMERGENCY MNGT. COORDINATOR

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 Judge Powers. He then led in the Pledge of Allegiance to the American flag.

PUBLIC COMMENTS: Mason Rhodes- student representing Colmesneil ISD expressed appreciation for the invitation to learn about county government.

Sondra Williams- representing the Woodville Lions Club expressed appreciation to the court for use of the rodeo arena. The money that is raised will be put back into the community. **Tina Self** also thanked Commissioner Hughes for his assistance with the rodeo.

TABLED ITEMS FROM PREVIOUS MEETING: none

CONSENT AGENDA:

A motion was made by Commissioner Hudson and seconded by Commissioner Marshall to receive the minutes of February 26th and March 11th, 2024. All commissioners vote yes and none no.

Commissioner Marshall made a motion to receive the monthly reports from the **Juvenile and Adult Probation Departments, County Auditor, Justice of Peace#1 and County Extension.** **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

PROCLAMATIONS/RESOLUTIONS/ORDERS:

Commissioner Hudson motioned to adopt the Order authorizing **2024 Memorial Day firework sales** beginning May 24, 2024, through midnight. The motion was seconded by **Commissioner Blacksher.** All commissioners voted yes and none no. SEE ATTACHED ORDER

After reading of the whole, a motion was made by **Commissioner Marshall** to adopt the proclamation celebrating the **150th year anniversary of the Snow River Masonic Lodge #385** in Spurger. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED PROCLAMATION

Commissioner Marshall motioned to proclaim April as **National Child Abuse Prevention Month** in Tyler County. The motion was seconded by **Commissioner Blacksher.** Judge Powers read the Proclamation. Terry Allen stated, "It is ridiculous that 173 children have died in this state due to child abuse; that 310,000 reports have been made, think of the cases that haven't been reported" She challenged the 39 students in the courtroom to report abuse of their friends-

“If you see something say something!” Tina Self thanked the students from Colmesneil ISD who help put the blue crosses on the courthouse square. The crosses represent the children that have died in Texas; those cases had not been reported. All commissioners voted yes and none no. SEE ATTACHED PROCLAMATION

Judge Powers read a Proclamation recognizing the exemplary service of Kathy Harris for almost 26 years in the Juvenile Probation Department. Kathy served on many service oriented committees and boards in Tyler County.

CONSIDER/APPROVE/INFORMATIONAL:

A motion was made by **Commissioner Marshall** to approve the **budget amendments/line item transfers**. **Commissioner Hudson** seconded the motion. The County Auditor reported these were to close out the 2023 year. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hughes** to approve the **accounts payable/county bills** as submitted by the County Auditor. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to approve the **County Treasurer’s monthly report**. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED REPORT

A motion was made by **Commissioner Hughes** and seconded by **Commissioner Hudson** to open sealed bids for a **Cascade System**. All commissioners voted yes and none no.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to open sealed bids for **scrap metal**. All commissioners voted yes and none no. No bids were received.

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hughes** to open sealed bids for **petroleum products**. All commissioners voted yes and none no.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to open sealed bids for **road and bridge materials**. All commissioners voted yes and none no.

A motion was made by **Commissioner Hughes** and seconded by **Commissioner Marshall** to open sealed bids for **hauling**. All commissioners voted yes and none no.

A motion was made by **Commissioner Marshall** to accept the resignation of Ken Jobe from the **Southeast Texas Groundwater Conservation District Board**. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to ratify the amendment to the engineering contract for the **rodeo arena project**. **Commissioner Marshall** seconded the motion. This is to extend services for sewer to the softball field, baseball field and the airport. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** to authorize paying Shirley Electric \$5986.57 to inspect and service generators located at Doucette Tower, Town Bluff, Nutrition Center, and portable generators. The motion was seconded by **Commissioner Marshall**. No bids were received last year. Commissioner Hudson asked if it included generators at the county barns and the answer was no. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Blacksher** to close **County Road 3567**, per request of the property owner. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to allow the **Utility Permit Entergy** for the use of **county road rights-of-way** for construction of underground utility lines. The \$1500 fees are split between Precinct #1 and Precinct #2. **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 Hughes** to approve the **County Auditor's 2023 yearly report** pursuant to Local Government Code Sect. 114.025. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to reimburse the **Tyler County Softball Association** for equipment in the amount of \$6000. **Commissioner Blacksher** seconded the motion. **Commissioner Marshall** read the letter from the Association with receipts attached. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to authorize Judge Powers to sign **road verification form** for **Lakeland Ranch, Section 8**, this is for the naming of the roads. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Marshall** to conditionally approve the plat of **Lakeland Ranch, Section 8**. All commissioners voted yes and none no. A motion was made by **Commissioner Blacksher** to strike the word conditional. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. **Commissioner Blacksher** motioned and seconded by **Commissioner Marshall** to approve the plat of **Lakeland Ranch, Section 8**. All commissioners voted yes and none no.

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hudson** to accept the **monthly donation from Riley Funeral Home** for senior activities at the Tyler County Nutrition Center. All commissioners voted yes and none no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to approve the **DMV RTS Workstation Lease Agreement** with the Tyler County Tx Office. Melissa Carson stated there will be a one-time fee to drop a cable plus \$359.00 annual lease cost. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to consider purchase two pre-owned vehicles for the **Criminal District Attorney's office**. The motion was seconded by **Commissioner Hughes**. **Commissioner Blacksher** stated he was in favor of buying one vehicle and hold the other until another investigator is hired since it isn't in the budget. Judge Powers recommended the purchase of one vehicle to be paid out of contingency at this time. **Commissioner Marshall** motioned and seconded by **Commissioner Hughes** to amend to purchase one vehicle for the **Criminal District Attorney's office** to be paid out of contingency. All commissioners voted yes and none no. **Commissioner Marshall** motioned to purchase one pre-owned vehicle for the **Criminal District Attorney's office** to be paid out of contingency. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no.

The County Auditor explained the GASB requirements as to the budget expenditures. She questioned what dollar limit the court wants to allow for fuel and maintenance. **Commissioner Blacksher** motioned to amend, the agenda item, to create a new line-item for fuel and maintenance for vehicle(s), in the amount of \$500 per month, for the **Criminal District Attorney's office**. **Commissioner Blacksher** motioned the main motion, as amended, to create a new line-item for fuel and maintenance for vehicle(s), in the amount of \$500 per month, for the **Criminal District Attorney's office**. The motion was seconded by **Commissioner Marshall**. All commissioners voted yes and none no.

Commissioner Marshall motioned and seconded by **Commissioner Hudson** to renew the 2024 annual maintenance for **EasyDocs with Integrated Data Services (IDS)**. The county clerk added this was the software used for commissioners' court agendas and minutes. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** to lease a new Sharp BP-70C45 color copiers through Texas Document Solutions for the **Criminal District Attorney's office**, due to the lease expiring. The motion was seconded by **Commissioner Marshall**. Jackie Skinner explained this was a new purchase with a new lease. All commissioners voted yes and none no.

Commissioner Marshall motioned to approve the service contract with i3Verticals/Netdata for hardware and software on the County's **IBM 9009-41 A**. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no.

Judge Powers read aloud the change, as reviewed by the county's attorney, to the **Interlocal Agreement with Alan Shivers Library**: The County of Tyler shall provide financial support to Alan Shivers Library for each fiscal year; and if the budget funds allow, and it is the best interest of the citizens of Tyler County. Commissioner Blacksher stated his opposition to the word "shall" in the agreement. He preferred "may". He is all for the library and funding them every year. Judge Powers reiterated that the commissioners court was very committed to the Alan Shivers Library. Mrs. Skinner recalled some problems with the Texas Historical Commission because of the word "shall". Her concern was if the economy takes a turn, and the county has to lay-off employees first because of the word "shall". **Commissioner Blacksher** motioned to amend the **Interlocal Agreement** by striking the word "shall" and inserting the word "may". The motion was seconded by **Commissioner Marshall**. All commissioners voted yes and none no. **Commissioner Hughes** motioned to changes to the **Interlocal Agreement with Alan Shivers Library**: The County of Tyler may provide financial support to Alan Shivers Library for each fiscal year; and if the budget funds allow, and it is the best interest of the citizens of Tyler County. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no. Jackie, County Auditor, stated the county had always given an "allotment" for the library board to allocate as needed. She wanted it to stay as an allotment to operate the library. Stephanie Smith, Principal at Colmesneil ISD, spoke up to say the library has reached out to the schools to offer their services. Judge Powers and Commissioner Blacksher both reiterated the commissioners court was "committed to the library by giving them an allotment if the budget allows it". SEE ATTACHED AGREEMENT BEFORE AMENDMENT

Commissioner Marshall motioned to ratify the **OASys contract** to allow the **County Treasurer's staff** access. **Commissioner Hudson** 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 include the following as **Tyler County Safety Committee and members**:

Mike Marshall	Commissioner, Pct. #3
Doug Hughes	Commissioner, Pct. #2
John Settlocker	Emergency Management Coordinator
Burtis Conner	Maintenance Supervisor
Leann Monk	County Treasurer/Human Resource
Milton Powers	County Judge
Brian Weatherford	Sheriff
Jackie Skinner	County Auditor

All commissioners voted yes and none no.

Commissioner Marshall motioned to amend the **Tyler County Employee Handbook** to include under the Travel Policy – County employees must wear their seatbelts at all times while traveling for county business and/or driving a county provided vehicle, as recommended by the representative from Texas Association of Counties (TAC). The motion was seconded by **Commissioner Hudson**. All commissioners voted yes and none no. SEE ATTACHED

Item #E- John Settlocker explained the cascade system is a mobile trailer with air packs to benefit all the fire departments. The firefighters do not have enough bottles with air at the fire incident. Judge Powers stated the money from permits will be used to make the purchase. Bids were received from: Morton & Morrow - \$76,379.58 and August Air for Life - \$121,266.10 **Commissioner Blacksher** motioned to award the bid to Morton and Morrow in the amount of \$76,379.58 for a **Cascade System**; and the unit to be stored at the nutrition center. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

No bids were received for **scrap metal**. Commissioner Marshall explain his intent was to get a bid at market price.

One bid was received for **petroleum products**. A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to award to Gardner Oil for **petroleum products**. All commissioners voted yes and none no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to award bids for **road and bridge materials** to all bidders that submitted bids, because of location and availability of materials. All commissioners voted yes and none no. SEE ATTACHED

Two bids were received for hauling. A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to table award of bids for **hauling**. All commissioners voted yes and none no.

COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY

GOVERNMENT: **Commissioner Blacksher** announced that he and the County Auditor were applying for a \$20,000 grant from the Temple Foundation. They had also applied for a \$50,000 grant.

Jackie Skinner- made the court aware that in a disaster situation, if the bidder awarded the bid, in the competitive bid process, is blocked/flooded in, etc. can't get materials to Tyler County, commissioners can use another vendor and get reimbursed from FEMA as long as the awarded bidder submits a letter that they were unable to fulfill the obligation.

Leann Monk- introduced students present for County Government Day. Three from Chester ISD, one from Woodville ISD and 35 from Colmesneil ISD.

Judge Powers- announced the AgriLife baked potato fundraiser. Sending out prayers for the Chris Shearer family.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to enter into Executive Session. All commissioners voted yes and none no.

EXECUTIVE SESSION: 11:15 a.m. County entered into executive session to discuss property acquisition. The County Auditor and Assistant Criminal District Attorney were invited to Executive Session. No action was taken in executive session.

BACK IN REGULAR SESSION: 11:23 a.m.

Formal action was needed: A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to authorize Judge Milton Powers the power to negotiate a land acquisition on behalf of the commissioners court. All commissioners voted yes and none no.

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED- 11:24 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 April 8, 2024.

Witness my hand and seal of office on this the 17th day of April, 2024.

Attest: 
Donece Gregory, County Clerk

