COUNTY COMMISSIONERS COURT

REGULAR MEETING

February 12, 2024 ---- 10:00 a.m.

THE STATE OF TEXAS ON THIS THE 12th day of February, 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:

JOE BLACKSHER COMMISSIONER, PCT. #1
DOUG HUGHES COMMISSIONER, PCT. #2

MIKE MARSHALL COMMISSIONER, PCT. #3, presiding as Judge-Pro Tem

BUCK HUDSON COMMISSIONER, PCT. #4

KELLY JOBE DEPUTY COUNTY CLERK, Ex-Officio

The following were absent: Judge Powers thereby constituting a quorum. In addition to the above were:

JACKIE SKINNER COUNTY AUDITOR
LEANN MONK COUNTY TREASURER

LUCAS BABIN CRIMINAL DISTRICT ATTORNEY

RENE CREWS DISTRICT CLERK

JOHN SETTLOCKER EMERGENCY MANAGEMENT COORDINATOR

After calling the meeting to order, Judge Pro-Tem Marshall 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. Commissioner Blacksher explained the county judge was not at the meeting due to illness of his dad. The invocation was delivered by Commissioner Blacksher. He then led in the Pledge of Allegiance to the American flag.

PUBLIC COMMENTS: Gary Osadchuk, spoke on behalf of his deceased brother, Duane Osadchuk. He was of the opinion that Duane Osadchuk was being held against his will in his home before he passed away. He expressed his dissatisfaction with the lack of response from the Criminal District Attorney and Sheriff's offices. Mr. Osadchuk requested the commissioners court and justice system to further address his brother's death. Pauline Singleton- She expressed dissatisfaction toward agencies handling the death of Duane Osadchuk. She stated she was accidentally given an autopsy report. "Duane did not die of a heart attack. The autopsy report shows dozens of punctures and lacerations, flesh torn away, intestines exposed and broken bones. The owner of the dogs still has them, and one was loose yesterday. It has been a year and two days since the death and no one has been held accountable".

Mark Hadnot-said a prayer, then expressed "encouragement" to the court; that everybody be served equally. He lives on Private Road 7505 that was "supposed to be developed by the developer." "The roads in our county are in bad shape. We need to find resources to fix them."

Carl Parker- dissatisfied with condition of County Road 2570 in the Bethany Community, Precinct #2. "Not likely that an ambulance could access this road."

William "Billy" Sims- displeased with excessive ambulance response time in the county. He described two incidents where it took 45 minutes for the ambulance to arrive and one incident that took almost an hour for the ambulance to arrive resulting in the death of a 62-year-old woman.

TABLED ITEMS FROM PREVIOUS MEETING: Commissioner Blacksher motioned to remove the Change Order #12 to repair steps at the front of the courthouse, from the agenda. The motion was seconded by Commissioner Hughes. Commissioner Blacksher stated he was working on getting funding in the future. All commissioners voted yes and none no. SEE ATTACHED

## **CONSENT AGENDA:**

A motion was made by Commissioner Blacksher and seconded by Commissioner Hudson to receive the minutes of January 8, 2024. All commissioners voted yes and none no.

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

## PROCLAMATIONS/RESOLUTIONS/ORDERS:

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Blacksher** to authorize the sale of **fireworks during Texas Independence Day** period beginning February 25, 2024, and ending midnight March 5, 2024. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Marshall expressed appreciation to the maintenance employees. A motion was made by Commissioner Hudson to proclaim March 1, 2024, as Maintenance Staff Appreciation Day in Tyler County. Commissioner Blacksher seconded the motion. All commissioners voted yes and none no. Pictures were taken.

Judge Pro-Tem Marshall recognized employees for 5-, 10-, 15-, 20- or 25-year milestone in their tenure with Tyler County in the last half of 2023: Gerald Adaway (5) Stephen Holloway (5) Michelle Brunelle (5) Lucas Babin (5 years) Carol Powers (15 years) Renee Crews (20) and Kathy Harris (25 years). Pictures were taken.

## CONSIDER/APPROVE/INFORMATIONAL:

Budget amendments/line-item transfers- no action

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

A motion was made by Commissioner Blacksher to approve the Tyler County Treasurer's January 2024 report. 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 Blacksher to open bids for a 2024 Chevrolet for Precinct #4 Road & Bridge department. All commissioners voted yes and none no.

No bids were received; therefore no action was taken to award bids for 2024 Chevrolet for Precinct #4 Road & Bridge department.

A motion was made by Commissioner Blacksher and seconded by Commissioner Hudson to approve the appointment of Vice-President, Olen Bean, as the new presiding officer/board president to the Southeast Texas Groundwater Conservation District, replacing former board president, Roger Fussell. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by Commissioner Hudson and seconded by Commissioner Blacksher to approve the deputation of Katelyn Bowen in the District Clerk's department. All commissioners voted yes and none no.

A motion was made by Commissioner Hudson and seconded by Commissioner Hughes to approve the deputation of Patricia Brown in the District Clerk's department. All commissioners voted yes and none no.

Commissioner Blacksher motioned to reappoint Yvonne Goss and Tamberly McCullough to the board of commissioners ESD #3; Jill Dinger, Rowland Priddy and Charles Touchton as commissioners to ESD #1; David Norton and Randy Gibson, commissioners to ESD #4; and Mike McDonald as commissioner to ESD #8; all for two-year terms, January 1, 2024 to December 3, 2025. The motion was seconded by Commissioner Hudson. Commissioner Blacksher expressed appreciation to those that volunteer their service because it isn't a paid position. He also expressed condolences toward Mr. Fisher that was dedicated to ESD#8, who had passed away. All commissioners voted yes and none no.

Commissioner Blacksher motioned to approve office space for the Courthouse Security on the first floor. Commissioner Hughes seconded the motion. All commissioners voted yes and none no.

A motion was made by Commissioner Blacksher to approve the Emergency Management Coordinator receiving a monthly stipend of \$250, with exempt employment status. Employment status does not allow for overtime or time accrual. A motion was made by Commissioner Hudson and seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by Commissioner Blacksher and seconded by Commissioner Hughes to renew the CIRA email services for Tyler County. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to table the request for an IT support position in the Treasurer's office. Commissioner Hudson seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Hudson motioned to appoint Commissioner Blacksher as representative to the Tyler County Deep East Texas Rural Transportation Planning Organization Board (DETRTPO). Commissioner Hughes seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by Commissioner Blacksher and seconded by Commissioner Hughes to accept the \$200 donation from Riley Funeral Home for senior activities at the Nutrition Center. All commissioners voted yes and none no.

Commissioner Marshall motioned to discuss recommendation and take action on bids received for GLO CDBG MIT drainage projects- GLO Contract No. 22-119-009-D419. Commissioner Hudson seconded the motion. Four bids were received. The recommendation was to award bid package #1 to the low bidder, Tunica- Biloxi Services, LLC in the amount of \$963, 676.70; bid package #2 and added alternate bid to Apeck Construction in the amount of \$1,792,410.; bid package #3 with added alternates to Aaron Davis Construction in the amount of \$719,517.; bid package #4 with added alternates to Aaron Davis Construction in the amount of \$1,235,941. The total award would be \$4,711,544.70. The total grant funding was 5,278,280. This difference can be used in change orders. A motion was made by Commissioner Blacksher and seconded by Commissioner Hughes to substitute the original motion to state: award bids as recommended by engineering grant administrator and as stated by the grant administrator. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to table consideration of implementing a Mobile Cascade System for all Tyler County First Responders with partial payments coming from the permit funds. The motion was seconded by Commissioner Hudson. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hughes** to advertise for bids for a **Mobile Cascade System**. Mrs. Skinner added a budget amendment would be required. All commissioners voted yes and none no.

Commissioner Blacksher motioned to approve the Interlocal Cooperation Contract (ICC) for Failure to Appear (FTA) program. Commissioner Hudson seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by Commissioner Blacksher and seconded by Commissioner Hudson to approve modifications to the current Sheriff's office Holiday Pay Policy. Leann Monk stated the holiday pay policy had been difficult to implement. All commissioners voted yes and none no. The County Auditor asked the County Treasurer about overtime for a holiday worked. Her reply was no. SEE ATTACHED

Commissioner Hudson motioned to renew the TAC ARTS contract for the IRS Health Benefits reporting. Commissioner Blacksher seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

Commissioner Hudson motioned to appoint Shay Dozier and Henry Earl Sawyer, Jr. to fill two vacancies for Emergency Services District #2 (ESD #2). Commissioner Hughes seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Hudson** to accept the bid to repair lighting circuit at the **Tyler County Airport.** All commissioners voted yes and none no. SEE ATTACHED

Commissioner Blacksher motioned to transfer a 2002 Ford Expedition from the Sheriff's office to the Tyler County Airport. Commissioner Hughes seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by Commissioner Blacksher and seconded by Commissioner Hughes to accept the \$200 donation of road material from Navidad Operating Company to Precinct #1. All commissioners voted yes and none no.

Commissioner Blacksher motioned to remove indefinitely from the agenda, being it was a cafeteria plan: Allow employees to opt-out of dental insurance. Commissioner Hughes seconded the motion. All commissioners voted yes and none no.

Commissioner Blacksher motioned to approve filing cabinets for the County Auditor's office to be paid out of county records management. Commissioner Hudson seconded the motion. All commissioners voted yes and none no.

A motion was made by Commissioner Blacksher to reimburse Tyler County Firefighters Association for radio tower rental. Commissioner Hughes seconded the motion. All commissioners voted yes and none no. A motion was made by Commissioner Blacksher and seconded by Commissioner Hughes to amend the motion to add that this be paid out of contingency. All commissioners voted yes and none no. A motion was made by Commissioner Blacksher and seconded by Commissioner Hudson that the main motion now reads to reimburse Tyler County Firefighters Association for radio tower rental; and, to be paid out of contingency. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by Commissioner Blacksher and seconded by Commissioner Hughes to discuss relocating the Criminal District Attorney's office to the Tyler County Complex. All commissioners voted yes and none no. Mr. Babin will be adding two positions with SB22 grant monies and will need work space. Commissioner Hughes requested a workshop. No action was taken.

Commissioner Marshall motioned to approve the airport hangar Lease Agreement with Harvey Conner for a hangar at Tyler County Airport. Commissioner Hudson seconded the motion. All commissioners voted yes with exception of Commissioner Hughes abstaining due to relation (brother-in-law) to the client. SEE ATTACHED

COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY GOVERNMENT: County Auditor- thanked the court for the cabinets that will help organize the "disaster" records. The records have to be kept three years after closure by the state.

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

EXECUTIVE SESSION - 11:10 a.m. No action was taken in executive session.

## BACK IN REGULAR SESSION:

11:48 a.m.- A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Hughes** to come out of Executive Session and enter back in Regular Session. All commissioners voted yes and none no.

The Judge Pro-Tem announced that no action was needed as to Executive Session.

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED- 11:48 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 12, 2024.

Witness my hand and seal of office on this the 8th day of April, 2024.

Donece Gregory, County Cler