

TYLER COUNTY COMMISSIONERS COURT  
REGULAR MEETING

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

THE STATE OF TEXAS                      ON THIS THE 12th day of November, 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
DOUG HUGHES	COMMISSIONER, PCT. #2
MIKE MARSHALL	COMMISSIONER, PCT. #3
BUCK HUDSON	COMMISSIONER, PCT. #4
KELLY JOBE	DEPUTY COUNTY CLERK, Ex-Officio

The following were absent: Commissioner Blacksher, but participating via phone thereby constituting a quorum. In addition to the above were:

JACKIE SKINNER	COUNTY AUDITOR
LEANN MONK	COUNTY TREASURER
BROOKE MONTALBANO	ASST. CRIMINAL DISTRICT ATTORNEY

Judge Powers called the meeting to order. Commissioner Hudson led the Pledge of Allegiance to the American Flag and then delivered the invocation.

**PUBLIC COMMENTS:** Brandon Yarbrough, fire chief for the City of Ivanhoe, spoke in favor of **FirstNet radios**. Reliable communication tools are needed to form a "crucial bridge" between various radio communication devices among various first responder agencies. He asserted that during emergencies time and clarity are of the essence.

**TABLED ITEMS FROM PREVIOUS MEETING(S):** A motion was made by **Commissioner Hughes** to remove from tabled to discuss and take action. **Commissioner Marshall** seconded the motion. The starting cost is aprx. \$5900.00. The county auditor stated the "hiccup" was paying a cell phone allowance using employee's personal cell phone. She agreed the solution was to use hand held radios. Judge Powers and Commissioner Blacksher interjected the departments' budget would determine the use. **Commissioner Marshall** motioned to approve the purchase of Vocality ROIP (radio over IP) LTE (NA) **FirstNet retail pack**, 1 port active for Tyler County Emergency Management to be paid out of Contingency. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

**CONSENT AGENDA:**

Minutes were not presented.

A motion was made by **Commissioner Hudson** and seconded be **Commissioner Marshall** to accept the **monthly reports** from Juvenile Probation, District Clerk, Extension department, County Auditor and Nutrition Center. All commissioners voted yes and none no. SEE ATTACHED

**RESOLUTIONS/PROCLAMATIONS/ORDERS**

Judge Powers read aloud the Veteran's Day Proclamation for Tyler County on November 11, 2024. A motion was made by **Commissioner Marshall** and seconded be **Commissioner Hughes** to proclaim November 11, 2024 as a day to honor all veterans and wear an article of red clothing as recognition. He requested veterans present in the meeting to stand for an applause of appreciation All commissioners voted yes and none no. SEE ATTACHED

**CONSIDER/APPROVE/INFORMATIONAL**

**Commissioner Marshall** motioned to approve the budget amendment/line-item transfer, 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 Hughes** and seconded by **Commissioner Marshall** to approve the **Accounts Payable/County Bills**. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded be **Commissioner Hughes** to accept the **County Treasurer's monthly report**. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded be **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.

**Commissioner Marshall** motioned to authorize collection of a **hotel occupancy tax** for Tyler County at the rate of seven percent (7%), as recommended by Leann Monk, County Treasurer. **Commissioner Hughes** seconded the motion. She explained this was designed to "pass along the tax burden to those who visit" and must be spent toward economic development. All commissioners voted yes and none no.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to set 2025 Regular Term days and dates for Commissioners Court fiscal year. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to approve the official bond for Tim Scroggins, as Constable, Precinct 1. All commissioners voted yes and none no. SEE ATTACHED

**Commissioner Marshall** motioned to appoint Savannah Bourge to Child Welfare Board, as recommended by Terry Allen, Juvenile Probation. The motion was seconded by **Commissioner Hughes**. All commissioners voted yes and none no.

**Commissioner Marshall** motioned to reimburse **Tyler County Youth Baseball** for supplies in the amount of \$6,000, being the maximum allowed by the budget. The motion was seconded by **Commissioner Hudson**. All commissioners voted yes and none no. SEE ATTACHED

Darla Dear presented the 2023 independent audit. The county received an unmodified opinion meaning the highest level of assurance that can be received that no material misstatements; and all disclosures have been made with general acceptable accounting principles. A motion was made by **Commissioner Marshall** to accept the presentation of the **2023 Independent Audit** by Crowe, LLP. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to approve to have service for generators by Stewart & Stevenson (2 Portable Trailers, 2 Radio Towers and EOC Generators) for Tyler County Emergency Management, as recommended by John Settlocker, Emergency Management Coordinator . The motion was seconded by **Commissioner Hughes**. All commissioners voted yes and none no. SEE ATTACHED

**Commissioner Marshall** motioned to adopt the resolution of the commissioners court authorizing the submission of a **TXCDBG Program Application and Commitment of Matching Funds**. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Marshall** to approve the **restructure SB22 money** for the District Attorney's Office; moving money from the first assistant position and reallocate in the future. Brooke stated they will "let the commissioners know". All commissioners voted yes and none no.

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to approve the appointment of Brent Marcum to the **Southeast Texas Groundwater Board of Directors**. All commissioners voted yes and none no.

**Commissioner Marshall** motioned to appoint a rating committee for selection of a Grant Administrator for professional administrator services to prepare the application and administer the grant, if awarded, for the **Community Wildfire Defense Grant (CWDG) Project(s) as part of funding announcement USDA FS-2024-CWDG-SGSF** which is managed by the National Forest Service (NFS), being John Settlocker, Jackie Skinner and Commissioner Blacksher. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Hudson** to appoint a rating committee for selection of a grant administrator for professional grant administrative services to assist in the application, project implementation and administration for the **GLO CDBG-MIT Local Hazard Mitigation Plan Program (LHMPP) Grant Program**: John Settlocker, Jackie Skinner and Commissioner Blacksher. **Commissioner Marshall** seconded the motion All commissioners voted yes and none none no.

A motion was made by **Commissioner Marshall** to begin the procurement process for Request for Proposals for procurement of **professional administrator services** to prepare the application and administer the grant, if awarded, for the **TDA CDBG FY 2025-2026**. **Commissioner Hudson** seconded the motion All commissioners voted yes and none no.

A motion was made by **Commissioner Hughes** to begin the procurement process for request for qualifications for **engineering services for TDA CDBG FY 2025-2026**. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Hughes** to begin the procurement process for Request for Proposals for procurement of professional administrator services to prepare the application and administer the grant, if awarded, for the **GLO Disaster Recover Reallocation Program (DRRP)**. The County Auditor stated this is from reallocated money from previous disasters. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Hughes** and seconded by **Commissioner Blacksher** to begin the procurement process for request for **qualifications for engineering Services for the GLO Disaster Recover Reallocation Program (DRRP)**. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

**Commissioner Hughes** motioned to appoint a rating committee for selection of a **Grant Administrator for TDA CDBG FY 2025-2026**: John Settlocker, Jackie Skinner and Commissioner Blacksher. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

**Commissioner Hughes** to appoint a rating committee for selection of an **Engineer for TDA CDBG FY 2025-2026**: John Settlocker, Jackie Skinner and Commissioner Blacksher. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no.

**Commissioner Hughes** motioned to appoint a rating committee for selection of a **Grant Administrator for GLO Disaster Recover Reallocation Program (DRRP)**: John Settlocker, Jackie Skinner and Commissioner Blacksher. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Marshall** to appoint a rating committee for selection of an **Engineer for GLO Disaster Recover Reallocation Program (DRRP)**: John Settlocker, Jackie Skinner and Commissioner Blacksher. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no

A motion was made by **Commissioner Marshall** to approve the transfer of funds from General Fund to **Emergency Disaster Relief Fund** to reimburse emergency disaster fund while waiting on FEMA Reimbursement. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Hughes** to consideration and possible take action to approve a Change Order to add two (2) concrete piers and associated grade beams for the new cover extension, material/labor to replace existing storm drains under cover, and/or labor to replace existing storm drains under cover, and/or labor to replace existing storm drains under cover with material provided by the county for the **rodeo grounds site improvements 2023 ARPA Funds Projects**. **Commissioner Marshall** seconded the motion. After receiving an update, a motion was made by **Commissioner Marshall** to approve 2a and 2b. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no.

A motion was made by **Commissioner Hughes** and seconded be **Commissioner Marshall** to appoint Scott Miller as **ESD Commissioner to ESD #8**. All commissioners voted yes and none no.

**Commissioner Marshall** motioned to allow **reduction of bond amounts for Lakeland Ranch Sections 1-9** reflecting the total amount incomplete work. The new bond amounts will be considered approved when presented to and approved by the Precinct 1 Commissioner. **Commissioner Hughes** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

**Commissioner Hughes** motioned to approve contingency fee contract with **Linebarger Goggan Blair & Sampson, LLP** for the collection of county **Justice of the Peace courts' debts and account receivables**. **Commissioner Marshall** seconded the motion. James Guest reported that the firm will work with old accounts. Justice Tina Self reported their collections were down and she recommended Linebarger. All commissioners voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to approve authorizing the **collection fee** of 30% of Debts and Account Receivables for the **Justice of the Peace Courts**. **Commissioner Hudson** seconded the motion. All commissioners voted yes and none no. SEE ATTACHED

**Commissioner Hughes** motioned to adopt the Resolution authorizing the execution of the **contract with the Linebarger Law Firm for the collection of County Justice of the Peace Courts' account receivables**. **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 table **canvassing the Local Option Election results for Justice of Peace/Commissioner Pct #1: For or Against the Legal Sale of Malt Beverages and Wine for Off Premise Consumption Only**. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

**Commissioner Hughes** motioned to table the **canvassing Local Option Election Results for Justice of Peace/Commissioner Pct 2: for or Against Letting Horses Mules, Jacks, Jennets, Donkeys, Hogs, Sheep, or Goats Running at Large**. **Commissioner Marshall** seconded the motion. All commissioners voted yes and none no.

**COMMENTS BY COURT MEMBERS PERTAINING TO MATTERS OF COUNTY GOVERNMENT:**  
**Commissioner Blacksher** expressed appreciation for the confidence placed in him by members of the court.

**EXECUTIVE SESSION:** not held

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 11:00 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 November 12, 2024.

Witness my hand and seal of office on this the 9th day of December, 2024.

Attest:   
Donece Gregory, County Clerk

