

TYLER COUNTY COMMISSIONERS' COURT
REGULAR MEETING
March 8, 2021 ---- 11:00 a.m.

THE STATE OF TEXAS ON THIS THE 8th day of March, 2021 the
Commissioners' Court in and for Tyler County, Texas convened in a Regular Meeting at the
Justice of the Peace Courtroom in Woodville, Texas, the following members of the Court
present, to wit:

JACQUES L. BLANCHETTE	COUNTY JUDGE, presiding
JOE BLACKSHER	COMMISSIONER, PCT. #1
STEVAN STURROCK	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
MAEGAN ODOM	ASST. COUNTY AUDITOR
LEANN MONK	COUNTY TREASURER

After calling the meeting to order, Judge Blanchette 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 of the room, or mute the video, and rejoin once the portion of the agenda begins with public comments." Commissioner Hudson delivered the invocation and then led the Pledge of Allegiance to the American Flag.

PUBLIC COMMENTS: Carolyn Williams, via teleconference - Allan Shivers Library concerned that item IV (Q) would be changing the definition of supply from "shall" to "may" such as "Tyler County may support the Allan Shivers Library"... Since the county provides over 50% of the library budget, her concern is the county may reduce its contribution and request the court to amend the wording of item Q.

Donnie Wayne Gulley- speaking on behalf of CASA to be offered at item III. (B).

A motion was made by Commissioner Hudson and seconded by Commissioner Sturrock to receive the minutes of February 8, 2021. All voted yes and none no.

Commissioner Blacksher made a motion to approve the **monthly reports** from the Adult & Juvenile Probation Departments, County Treasurer, County Extension, District Clerk, County Auditor and Justice of the Peace, Pct. 1 and County Clerk. **Commissioner Sturrock** seconded the motion. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to adopt the **Resolution** opposing SB 234 and HB 749 in the efforts to silence county officials. **Commissioner Blacksher** seconded the motion. Judge Blanchette thanked Leann Monk for bringing this to the attention of the court members. SEE ATTACHED

Donnie Gulley presented a moving speech about his childhood to adoption and challenged others to make a difference in a child's life. He was the first foster child to be adopted by foster parents in Texas in the 1970s, taking the State to court for the rights to adopt. A motion was made by **Commissioner Marshall** to proclaim April 2021 as **Tyler County Child Abuse Prevention Month**, as requested by CASA. **Commissioner Sturrock** seconded the motion. All voted yes and none no. SEE ATTACHED

Commissioner Hudson motioned to proclaim March 2021 as **Red Cross Awareness Month**. **Commissioner Sturrock** seconded the motion. All voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to adopt the **Resolution** concerning the **2021 Indigent Defense Grant Program**. The motion was seconded by **Commissioner Sturrock**. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to proclaim March 1st through April 3rd, 2021 as “**Dogwood Time in Tyler County**”. The motion was seconded by **Commissioner Blacksher**. All voted yes and none no. SEE ATTACHED

Budget amendments/line item transfer(s), were not presented.

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to approve paying the **county bills**. All voted yes and none no. SEE ATTACHED

Commissioner Marshall motioned to adopt the Order authorizing the **sale of fireworks** during San Jacinto Day (April 16 – midnight April 21) **Commissioner Hudson** seconded the motion. All voted yes and none no. SEE ATTACHED ORDER

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Blacksher** to award the materials contract for the Tyler County Special Utility District Water System Improvements portion of the **General Land Office (GLO) Harvey Infrastructure Grant No. 20-065-087-C248**. Performance and payment bonds were included but not applicable, because the payment will not be made until the materials are delivered; therefore, the performance and payment bonds will be waived. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Blacksher** and seconded by **Commissioner Sturrock** to re-appoint Billie Read to the **Tyler County Hospital Board of Managers** for a two year term. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** and seconded by **Commissioner Sturrock** to re-appoint Walter McAlpin to the **Tyler County Hospital Board of Managers**. All voted yes and none no. SEE ATTACHED

Commissioner Sturrock made a motion to retain Allison, Bass & Magee, LLP for guidance on **subdivision regulations**. **Commissioner Marshall** seconded the motion. All voted yes and none no.

Commissioner Sturrock motioned to approve payment, in amount of \$18,81.00, to Motorola for the replacement of the **radio repeater**, for work done in 2018, to be paid out of Contingency. The motion was seconded by **Commissioner Marshall**. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Marshall** to approve the purchase of a 2021 Ford F450 for **Precinct #4**. The cost is \$29,000 after the trade-in of a vehicle. It is purchased through Center Motor Company/Buyboard. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Hudson** and seconded by **Commissioner Sturrock** to allow the use of **courthouse historical bell** for the Dogwood Festivities. Commissioner Hudson explained he had a couple request for permission to use the bell, due to the festival celebrating the 175th anniversary of the county. Judge Blanchette advised getting permission from the Texas Historical Commission. Commissioner Hudson expressed his concerns about liability and safety; and, “who is going to be responsible”; that, the bell should not be left of the stage of the amphitheater overnight. Commissioner Marshall expressed his concerns about the risk of loading and un-loading. A fork-lift will be needed to move it. Commissioner Sturrock reminded that the Texas Commission [THC] would not give authorization for the bell to be displayed on the courthouse square. He also stated he was concerned about damage from moving it around. The County is responsible for it. Judge Blanchette articulated it would be ideal for the public to view it but concerned that it would be restricted by the Texas Historical Commission (THC). Commissioner Blacksher is concerned about the liability.

Kay Timme, president of the Tyler County Historical Commission, also wants the public to be able to see the historical bell. They would respect what the court decides.

Commissioner Hudson motioned to amend the motion to allow the use of **courthouse historical bell** for the Dogwood Festivities, pending approval of the Texas Historical

Commission. **Commissioner Marshall** seconded the motion. All voted yes with except of Commissioner Blacksher voting no.

Commissioner Hudson requested Kay Timme, president of the Tyler County Historical Commission, to contact the Texas Commission. Commissioner Hudson stated it should only be used for display on the stage of the festival historical play and not be used during the parade.

A motion was made by **Commissioner Hudson** to table the original motion: allowing the use of **courthouse historical bell** for the Dogwood Festivities. **Commissioner Marshall** seconded the motion. All voted yes and none no.

Commissioner Sturrock motioned to approve renting portable toilets for the **Western Weekend and Dogwood Weekend Festival**. The motion was seconded by **Commissioner Blacksher**. All voted yes and none no.

Bobbie Evans presented information on the Active Pure Plus-Vollara Air Purification units. No action was taken.

A motion was made by **Commissioner Sturrock** and seconded by **Commissioner Marshall** to renew the **Affordable Care Act Reporting and racking Service (ARTS)**, as requested by the County Auditor. All voted yes and none no. SEE ATTACHED

A motion was made by **Commissioner Marshall** to table consideration of **Capital Improvements at the Tyler County Airport** to be paid out of the County-wide Right of Way Fund. Commissioner Marshall explained the need for an access road, to the runway, due to interest in hangars. The motion was withdrawn. No action was taken.

Commissioner Sturrock motioned to start procurement services for engineering and administrative services for the FY 2021-2022 TDA CDBG Grant cycle. The motion was seconded by **Commissioner Marshall**. All voted yes and none no.

Commissioner Sturrock motioned to appoint Ken Jobe, Commissioner Marshall and Jackie Skinner as the rating committee to select the engineering and administrative firms for the FY 2021-2022 CDBG proposals. The motion was seconded by **Commissioner Marshall**. All voted yes and none no.

A motion was made by **Commissioner Sturrock** to change the official definition of support to the **Allan Shivers Library** from “supply the funds necessary to pay professional library labor, books and library supplies as budgeted” to be defined as “Tyler County may support the Allan Shivers Library in the amount agreed upon by the Commissioners’ Court for the library to use as needed and required by their set budget overseen by the Library Governing Board”. He explained that any money given to the library should not be restricted or limited to salaries, supplies, and books; that, the Board can decide how to use it as long as it is a legal expense. The motion was not seconded. The motion died for lack of a second. No action was taken. It was a consensus to suspend action until the Library [Governing] Board is finished with their ongoing transition research. Their meeting will be at the end of March. (*Clerk’s notation- refer to Agreement found in the library records dated March 1985*)

Commissioner Sturrock motioned to approve the Change Order Request #2: data lines due to removal of the tray ceilings- \$5766.92 plus additional \$1000, equaling \$6766.92; and Change Order Request #3: adding hot water heaters in the ADA restrooms at cost of \$3590.40. **Commissioner Marshall** seconded the motion. All voted yes and none no. SEE ATTACHED

Commissioner Sturrock motioned to re-appoint the ESD Commissioners, that had expired December 2020, to the Emergency Service District Boards #1 through #8. **Commissioner Hudson** seconded the motion. All voted yes and none no. SEE ATTACHED APPOINTMENTS

Executive Session was not held.

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

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED: 12:39 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 March 8, 2021.

Witness my hand and seal of office on this the 22nd day of March, 2021.

Attest: _____
Donece Gregory, County Clerk