

**THE STATE OF TEXAS  
COUNTY OF ANGELINA**

Commissioners Court met in Regular Session on Tuesday, August 13, 2019 at 10:00 A.M. at the Angelina County Courthouse Annex, Commissioners Courtroom, 606 East Lufkin Avenue, Lufkin, Texas with the following members present:

Don Lymbery	County Judge
Greg Harrison	Commissioner Precinct #1
Kermit Kennedy	Commissioner Precinct #2
Terry Pitts	Commissioner Precinct #3
Bobby Cheshire	Commissioner Precinct #4

1. Judge Don Lymbery called the meeting to order at 10:00 A.M. with all members present.
2. Opening prayer by Rev. M.H. Shubert, United Pentecostal Church, Huntington, Texas.
3. Pledge of Allegiance to the Flag of the United States of America and to the Flag of the State of Texas.
4. Public Forum: None
5. Bobby Cheshire made a motion to approve the Commissioners' Court Minutes for July 23, 2019. Terry Pitts seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
6. Greg Harrison made a motion to approve the Commissioners' Court Budget Workshop Minutes for July 24, 2019 and August 1, 2019. Bobby Cheshire seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
7. Opened a Public Hearing at 10:03 A.M. in reference to the Angelina County Clerk's Archival Plan for 2020. Mike Parker spoke in favor of the plan.
8. Closed the Public Hearing at 10:06 A.M.
9. Greg Harrison made a motion to approve the Angelina County Clerk's 2020 Archival Plan. Terry Pitts seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

10. Terry Pitts made a motion to approve the Imposition of Optional Fee for the Year 2020 from the Texas Department of Motor Vehicles. Greg Harrison seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
11. Greg Harrison made a motion to approve the Interlocal Agreement between Angelina County and Texas Department of Motor Vehicles for Provision of Equipment and Consumables; authorizing Judge Lymbery to sign. Bobby Cheshire seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
12. Greg Harrison made a motion to approve the extension of time in connection with the Radio Tower Construction Agreement for Tower Specialist, Inc. Terry Pitts seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
13. Bobby Cheshire made a motion to approve the new Service Agreement with Oncor Electric Delivery Company LLC, a Delaware Limited Liability Company, for electric service to the new tower site at 200 County Barn Lane (off St. Hwy 63) outside of Zavalla, Texas; authorizing Judge Lymbery to sign. Terry Pitts seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
14. Greg Harrison made a motion to approve the Easement and Right of Way with Oncor Electric Delivery Company LLC, a Delaware Limited Liability Company, for the new tower site at 200 County Barn Lane (off St. Hwy 63) outside of Zavalla, Texas; authorizing Judge Lymbery to sign. Kermit Kennedy seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
15. Greg Harrison made a motion to approve the new Service Agreement with Oncor Electric Delivery Company LLC, a Delaware Limited Liability Company, for electric service and authorize a payment of \$7,064.94 for the new tower site at 2311 East Lufkin Ave. (behind Angelina County Jail) Lufkin, Texas; authorizing Judge Lymbery to sign. Kermit Kennedy seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

16. Greg Harrison made a motion to approve the Easement and Right of Way with Oncor Electric Delivery Company LLC, a Delaware Limited Liability Company, for the new tower site at 2311 East Lufkin Ave. (behind Angelina County Jail) Lufkin, Texas; authorizing Judge Lymbery to sign. Kermit Kennedy seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
  
17. Terry Pitts made a motion to approve establishing electrical service with the County's retail electric provider to add two sites to our current list of locations, 200 County Barn Lane (off St. Hwy 63) outside of Zavalla, Texas and 2311 East Lufkin Ave. (behind Angelina County Jail) Lufkin, Texas; authorizing Judge Lymbery to sign. Greg Harrison seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
  
18. Greg Harrison made a motion to allow Judge Lymbery to sign Earnest Money Contracts between Angelina County and the following:  
  
Martin and Brenda Terry, providing for the sale of 2.48 acres of land, more or less, located on O'Quinn Road, in the Thomas Strahan Survey, Abstract No. 563, Angelina County, Texas  
  
James Bailey, Jr., providing for the sale of 1.58 acres of land, more or less, located on Floyd Drive, in the J.T. Williams Survey, Abstract No. 671, in Angelina County, Texas  
  
Ryan Keith Moore, providing for the sale of Lot 79, Block 1, of the Briar Village Subdivision, in Angelina County, Texas  
  
Terry Pitts seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
  
19. Bobby Cheshire made a motion to approve the request from Road & Bridge #1 to draw \$120,000.00 out of the contingency fund and place into Hard Top Roads (031-131-4803) to help relieve the burden of replacing culverts this year due to unforeseen circumstances. Terry Pitts seconded the motion.  
Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.
  
20. Bobby Cheshire made a motion to approve a budget transfer request from Road & Bridge #1:

Transfer from:	Carry-over		\$30,000.00
Transfer to:	Culverts	031-131-4802	\$10,000.00
	R&M Equipment	031-131-4311	\$20,000.00

Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

21. Greg Harrison made a motion to approve a request from Commissioner Precinct #4 for authorization to purchase a 2019 John Deere 310SL backhoe from Doggett Machinery, through the Buy Board Purchasing Cooperative, to be financed through the Lease Purchase Program at First National Bank, Wichita Falls, in the amount of \$113,750.00; authorizing Commissioner Bobby Cheshire to sign the lease agreement without the County Judge's signature. Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

22. Terry Pitts made a motion to approve a budget transfer request from Road & Bridge #4:

Transfer from:	Equipment Lease	034-134-4406	\$ 2,986.05
	Carry Over		\$ 5,000.00
Transfer to:	Culverts	034-134-4802	\$ 7,986.05

Greg Harrison seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

23. Terry Pitts made a motion to approve a budget transfer request from County Extension:

Transfer from:	Equipment Lease	010-040-4407	\$ 500.00
Transfer to:	Training Personnel	010-040-4248	\$ 500.00

Greg Harrison seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire

Voted Against: (None)

Motion carried.

24. Bobby Cheshire made a motion to approve extending the completion date of the following construction contract: Contract between Angelina County and Crockett Construction executed on April 15, 2019, providing construction of the Sections J-1 and K-1 Liner at the Angelina County Waste Management Center. Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

25. Terry Pitts made a motion to approve the County Landfill to advertise for bids for the construction of a new leachate/contaminated water pool. Bobby Cheshire seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

26. Greg Harrison made a motion to approve the County Landfill to advertise for bids for de-commissioning and removal of the existing leachate/contaminated water pool. Bobby Cheshire seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

27. The Court entered into Executive Session at 10:30 A.M.

28. The Court returned to Open Session at 11:08 A.M. Bobby Cheshire made a motion to authorize the continuation of gathering information and continue consultation with attorneys on pending litigation. Kermit Kennedy seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

29. Bobby Cheshire made a motion to approve the monthly reports from the Tax Assessor-Collector and AgriLife Extension-Joel Redus and Ryan Merrel. Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

30. Greg Harrison made a motion to pay the bills as submitted by the County Auditor. Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

31. Bobby Cheshire made a motion to adjourn at 11:11 A.M. Terry Pitts seconded the motion.

Voted For: Greg Harrison, Kermit Kennedy, Terry Pitts and Bobby Cheshire  
Voted Against: (None)  
Motion carried.

I, Amy Fincher, Angelina County Clerk, do hereby attest to the accuracy of the Commissioners' Court Minutes for August 13, 2019 on this 14<sup>th</sup> day of August, 2019.

*Amy Fincher*

Amy Fincher, Angelina County Clerk

